

City of Fredericksburg, Virginia

## City Council

# AGENDA

Council Chambers

715 Princess Anne Street

Fredericksburg, Virginia 22401

Hon. Mary Katherine  
Greenlaw, Mayor  
Hon. William C.  
Withers, Jr., Vice-  
Mayor, Ward Two  
Hon. Kerry P. Devine,  
At-Large  
Hon. Matthew J. Kelly,  
At-Large  
Hon. Bradford C. Ellis,  
Ward One  
Hon. Timothy P. Duffy,  
Ph.D., Ward Three  
Hon. Charlie L. Frye,  
Jr., Ward Four

**September 13, 2016**

**7:30 p.m.**

**Mayor Mary Katherine Greenlaw, Presiding**

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**1. Call To Order**

**2. Invocation**

Councilor Bradford C. Ellis

**3. Pledge Of Allegiance**

Mayor Mary Katherine Greenlaw

**4. Presentations**

- A. Presentation Of Proceeds Of The 4th Annual United Way Benefit Golf Tournament - Janel Donohue, United Way President
- B. Arts Commission Public Art Presentation - Preston Thayer
- C. Hazel Hill Gas Issues - Robert Innes, Columbia Gas
- D. CSX Track Project Update - Randy Marcus

**5. Public Hearing**

- A. Soliciting Public Comments On The Implementation Of 2015-2016 Community Development Block Grant Programs For The Consolidated Annual Performance And Evaluation Report (CAPER)

Documents:

[5A CAPER.PDF](#)

## 6. **Comments From The Public**

City Council provides this opportunity each regular meeting for comments from citizens who have signed up to speak before the start of the meeting. To be fair to everyone, please observe the five-minute time limit and yield the floor when the Clerk of Council indicates that your time has expired. Decorum in the Council Chambers will be maintained. Comments that are not relevant to City business and disruptive are inappropriate and out of order.

## 7. **Council Agenda**

- A. Midnight Madness Update - Councilor Frye

## 8. **Consent Agenda**

- A. Transmittal Of The FRED Transit Report - 2nd Quarter April, May, June 2016

Documents:

[8A FRED PROGRESS REPORT.PDF](#)

- B. Ordinance 16-23, Second Read, Granting A Fifteen-Year Non-Exclusive License To Exenet Systems, Inc. To Install, Maintain, And Use Telecommunication Cable And Equipment In City Rights-Of-Way

Documents:

[8B EXTENET LICENSE.PDF](#)

- C. Resolution 16-76, Second Read, Amending The Fiscal Year 2016 Budget For Final Adjustments

Documents:

[8C YEAR END ADJUSTMENTS.PDF](#)

- D. Resolution 16-\_\_\_, Amending The Fiscal Year 2017 Budget For The City Grants Fund For Police Department Programs

Documents:

[8D POLICE DONATIONS.PDF](#)

- E. Resolution 16-\_\_\_, Authorizing The City Manager To Execute A License Agreement With The Estate Of Dr. Martin Luther King, Jr. Related To The Naming Of The Fall Hill Avenue Bridge Over Interstate 95 The "Dr. Martin Luther King, Jr. Memorial Bridge"

Documents:

[8E DR. MLK LICENSE AGREEMENT.PDF](#)

- F. Transmittal Of Recommended Comprehensive Plan Amendments Related To New Proffer Legislation

Documents:

[8F PROFFER LEGISLATION TRANSMIT.PDF](#)

G. Proposing The Cancellation Of October 11, 2016 Council Meeting

Documents:

[8G COUNCIL MEETING SCHEDULE.PDF](#)

**9. Minutes**

A. Work Session - July 12, 2016

Documents:

[9A 7-12-16 WORK SESSION MINUTES.PDF](#)

B. Work Session - August 9, 2016

Documents:

[9B 8-9-16 WORK SESSION MINUTES.PDF](#)

C. Work Session - August 23, 2016

Documents:

[9C 8-23-16 WORK SESSION MINUTES.PDF](#)

D. Public Hearing - August 23, 2016

Documents:

[9D 8-23-16 PUBLIC HEARING MINUTES.PDF](#)

E. Regular Session - August 23, 2016

Documents:

[9E 8-23-16 REGULAR SESSION MINUTES.PDF](#)

**10. City Manager Agenda**

A. Resolution 16-\_\_\_, Amending The Fiscal Year 2017 Budget For The Social Services Fund For A Vehicle Replacement

Documents:

[10A SOC SVC BUDGET AMEND.PDF](#)

- B. Resolution 16-\_\_\_, Initiating A Unified Development Ordinance Text Amendment To Change The Regulations Of Fences In All Zoning Districts, Including Changes In The Definitions Of Required Yards

Documents:

[10B FENCE AMEND.PDF](#)

- C. Resolution 16-\_\_\_, Approving A Settlement Agreement For NBB, LLC To Provide For The Potential Settlement Of Litigation

Documents:

[10C NBB SETTLEMENT.PDF](#)

- D. City Manager's Update

Documents:

[10D CITY MANAGER UPDATE.PDF](#)

- E. Calendar

Documents:

[10E CALENDAR.PDF](#)

## 11. Adjournment



A handwritten signature in blue ink, which appears to be "C. Colutor", is written to the right of the seal.

**MEMORANDUM**

**TO:** Timothy J. Baroody, City Manager  
**FROM:** Susanna Finn, Community Development Planner  
**DATE:** September 13, 2016  
**SUBJECT:** Public Hearing on the Implementation of 2015-2016 Community Development Block Grant (CDBG) Programs

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**ISSUE:**

Each year the City submits a Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD) in order to meet its Federal guidelines under the Community Development Block Grant (CDBG) Program. This report includes information on specific CDBG programs and how each was implemented over the past year.

**RECOMMENDATION:**

The City Council receives public comments related to implementation of the City's 2015-2016 CDBG programs.

**BACKGROUND:**

In addition to this public hearing, staff contacted neighborhood associations, civic groups, and interested parties directly to solicit public input. A summary of the CAPER appeared in the *Free Lance-Star* on August 30, 2016, with an announcement that the draft report is available for review in City Hall, at the Central Rappahannock Regional Library, and on the City's website. The notice also opened the fifteen day public comment period which began on August 31, 2016. A final report, which will note all comments received, will be brought back to City Council on September 27, 2016, for final approval and authorization to transmit to HUD.

**FISCAL IMPACT:**

This action is requested to meet program guidelines and continue to receive federal funding.

Attachment: Summary of the Consolidated Annual Performance and Evaluation Report



**NOTICE OF PUBLIC COMMENT PERIOD  
FOR THE CITY OF FREDERICKSBURG'S  
CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT  
FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS**

Notice is hereby given that a draft of the City's Consolidated Annual Performance and Evaluation Report (CAPER) is available for public review and comment. A summary of this document follows:

**FISCAL YEAR 2015/2016 (July 1, 2015 - June 30, 2016)**

**RESOURCES**

**EXPENDED:** \$161,839.85 in Community Development Block Grant funds

**INVESTMENTS:** Housing Rehabilitation Assistance (Emergency Home Repair Program) - \$82,900.85 to complete repairs to seven dwellings.

Homeless Prevention/Public Services - \$5,725 to Central Virginia Housing Coalition to prevent homelessness by providing grants and education to 20 families threatened with eviction or foreclosure. \$11,200.00 to Rappahannock Legal Services to provide housing advocacy and housing consumer education to 85 persons. \$4,068.82 to Fredericksburg Area HIV/AIDS Support Services to provide educational material and/or HIV/AIDS testing to 163 individuals, practical support services to avoid eviction for 4 individuals, and mental health case management to avoid crisis for 4 individuals. \$1,800.00 to Fredericksburg Regional Food Bank for the Food for Life Brown Bag Feeding Program to feed 369 City residents.

Removal of Architectural Barriers - \$9,802.00 to provide architectural modifications to two residential properties occupied by persons with disabilities to maximize their independence and self-sufficiency.

Fair Housing - \$0.00 to assist with fair housing activities.

Public Information - \$976.26 to provide CDBG information to City residents.

Administration - \$29,825.92 to administer and oversee all programs.

Unexpended resources are carried over to the next program year to continue designed programs. Copies of the full draft Consolidated Annual Performance and Evaluation Report are available for examination by the public in Room 209 of City Hall, 715 Princess Anne Street, during regular business hours (8:15 a.m. - 4:30 p.m.; Monday - Friday). Additional copies are available at the Central Rappahannock Regional Library Headquarters and on the City's website at [www.fredericksburgva.gov](http://www.fredericksburgva.gov). These facilities are fully accessible. If necessary, material will be made available, upon request, in a form accessible to persons with disabilities.

The public comment period will run from August 31 – September 14, 2016. Any comments should be directed to the Community Planning and Building Department, Room 209, of City Hall (540-372-1179).

Mary Katherine Greenlaw, Mayor



*Wendy Kimball*



FREDERICKSBURG REGIONAL TRANSIT  
*History in Motion*

MEMORANDUM

TO : Timothy J. Baroody, Fredericksburg City Manager  
FROM: Wendy L. Kimball, Director of Public Transit  
DATE : August 15, 2016  
RE : 2<sup>nd</sup> Quarter 2016 Progress Report on FRED

Below for your consideration are the 2<sup>nd</sup> Quarter 2016 ridership totals for the City of Fredericksburg. As highlighted in the chart below, the 2<sup>nd</sup> Quarter regular and VRE ridership totals show an **increase** compared to the 1<sup>st</sup> Quarter of 2016. The 2<sup>nd</sup> Quarter 2016 regular and VRE annual ridership totals show a decrease compared to 2<sup>nd</sup> Quarter of 2015. This decrease could be directly linked to lower fuel cost which makes it more affordable for motorists to use other forms of transportation.

	<b>FRED Total</b>	<b>Fredericksburg</b>		<b>Spotsylvania</b>		<b>Stafford</b>	<b>Caroline</b>
<b>Quarter</b>	Ridership	<b>Ridership</b>	<b>VRE</b>	Ridership	VRE	Ridership	Ridership
2 <sup>nd</sup> Quarter 2016	101,722	<b>50,449</b>	<b>1,698</b>	16,974	4,835	23,794	2,421
1 <sup>st</sup> Quarter 2016	95,911	<b>46,279</b>	<b>1,640</b>	16,513	4,416	21,634	2,096
<b>Quarterly Percent Difference</b>	+6.1%	<b>+9.0%</b>	<b>+3.5%</b>	+2.8%	+9.5%	+10.0%	+15.5%
2 <sup>nd</sup> Quarter 2015	117,125	<b>56,235</b>	<b>2,630</b>	18,517	9,596	25,688	3,107
<b>Annual Percent Difference</b>	-13.2%	<b>-10.3%</b>	<b>-35.4%</b>	-8.3%	-49.6%	-7.4%	-22.1%

Listed below are community outreach events completed this quarter and employee training events which benefit the City. If you have any questions concerning the routes or the ridership totals, please let me know.

Quarterly Community Outreach:

- May 7, 2016 – FRED Driver Trainer attended the disAbility Resource Center Independent Living Expo at the Fredericksburg Expo Center
- May 16, 2016 – FRED Driver Trainer and RAAA Travel Trainer presentation at Evergreens at Smith Run

- June 8, 2016 – FRED Driver Trainer and RAAA Travel Trainer attended The Art of Aging Event at the Fredericksburg Expo Center

Quarterly Staff Training:

- May 9 – 11, 2016 – FRED's Security Officer attended Special Conservator of the Peace training at the Commonwealth Criminal Justice Academy
- May 23 – 24, 2016 – FRED's Director attended Small and Medium Urban Transit Agency Procurement Training
- May 23 – 25, 2016 – FRED's Assistant Director attended Fleet Maintenance Program Certification
- May 2016 – FRED's Full-Time Mechanic completing Online Diesel Mechanic Training from Penn Foster Career School
- June 27 – 29, 2016 – FRED's Security Officer attended Special Conservator of the Peace training at the Commonwealth Criminal Justice Academy

## APRIL 2016

<b>Date:</b>	<b>Child</b>	<b>GCC ID</b>	<b>UMW ID</b>	<b>MWHC ID</b>	<b>STHC ID</b>	<b>w/C</b>	<b>Bikes</b>	<b>M. W. Hospital</b>	<b>SHC</b>	<b>Medical Stops</b>	<b>Information &amp; Notes</b>
1-Apr	16	27	22	15	2	4	16	6	3	38	
2-Apr											
3-Apr											
4-Apr	31	74	31	40	0	2	21	8	2	55	
5-Apr	26	74	32	23	1	3	23	12	4	66	
6-Apr	43	77	50	31	0	9	15	11	5	32	
7-Apr	22	69	46	13	0	0	16	9	7	46	
8-Apr	35	30	27	22	0	3	17	10	4	45	
9-Apr											
10-Apr											
11-Apr	22	88	23	28	1	10	20	16	2	56	
12-Apr	15	79	30	25	2	1	23	9	5	47	
13-Apr	29	60	30	29	1	3	32	18	4	42	
14-Apr	36	91	29	17	2	7	27	7	5	49	
15-Apr	51	39	13	19	1	11	27	7	2	39	
16-Apr											
17-Apr											
18-Apr	31	81	26	17	1	13	31	11	5	44	
19-Apr	24	66	23	16	0	5	21	9	4	55	
20-Apr	28	82	23	32	1	7	24	5	4	50	
21-Apr	28	78	33	26	1	8	14	14	2	43	
22-Apr	29	47	38	27	1	6	12	7	2	35	
23-Apr											
24-Apr											
25-Apr	26	93	17	11	1	12	20	13	0	36	
26-Apr	13	58	19	29	1	10	19	10	0	57	
27-Apr	9	81	37	15	1	4	18	8	4	39	
28-Apr	16	76	29	18	0	1	13	6	2	34	
29-Apr	9	30	24	18	0	4	19	12	3	28	
30-Apr											
	<b>Totals</b>	<b>Totals</b>	<b>Totals</b>	<b>Totals</b>	<b>Totals</b>	<b>Totals</b>	<b>Totals</b>	<b>Totals</b>	<b>Totals</b>	<b>Totals</b>	
	539	1400	602	471	17	123	428	208	69	936	

### May 2016 RIDERSHIP

Date:	City VRE	Spotsy VRE	Spotsy VRE	City	City	City	City	City	City	City	Spotsylvania	Spotsylvania	Spotsylvania	Spotsylvania	Spotsylvania	Caroline	Caroline	Caroline	Stafford	Stafford	Stafford	Stafford	Stafford	Stafford	Stafford	EAGLE	EAGLE	DAILY	
	VF 1	VS 1	VS 2	F1	F2	F3	F4A	F4B	F5	Extras	S1A	S1B	S4	S5	Extras	C1	C2	Extras	D1	D2	D3	D4	D5	D6	Extras	Express	Extras	TOTAL	
1-May																										60		60	
2-May	29	41	33	197	102	180	148	100	125	0	99	55	89	81	0	26	22	0	49	118	82	41	93	11	0			1,721	
3-May	25	47	25	178	111	177	137	131	121	0	78	59	57	72	0	18	9	0	30	99	81	41	79	30	0			1,605	
4-May	30	43	36	142	111	174	132	91	98	0	60	45	70	84	0	24	13	0	21	100	74	45	107	17	0			1,517	
5-May	30	34	32	139	100	191	142	115	94	0	67	52	59	93	0	22	12	0	22	136	88	29	87	10	0			1,554	
6-May	19	27	24	134	102	134	140	94	120	0	47	35	37	72	0	24	19	0	28	72	48	48	77	5	0			1,306	
7-May																										131		131	
8-May																										89		89	
9-May	20	36	35	128	102	141	139	133	95	0	65	72	53	65	0	22	16	0	47	86	103	32	96	6	0			1,492	
10-May	30	40	31	134	120	185	134	94	128	0	80	53	40	63	0	23	12	0	39	127	68	35	104	12	0			1,552	
11-May	42	44	36	134	104	168	122	88	106	0	69	43	69	83	0	10	16	0	32	95	70	43	79	12	0			1,465	
12-May	39	44	46	144	77	180	127	89	116	0	104	47	46	82	0	18	18	0	34	108	86	34	88	13	0			1,540	
13-May	26	41	29	122	97	133	136	83	130	0	86	42	50	52	0	29	17	0	32	61	68	25	69	0	0			1,328	
14-May																												0	
15-May																												0	
16-May	21	40	40	138	132	173	178	96	137	0	90	48	68	80	0	26	20	0	40	94	93	56	106	9	0			1,685	
17-May	19	49	36	139	81	126	114	70	116	0	79	29	62	47	0	23	11	0	26	90	63	24	59	12	0			1,275	
18-May	30	44	38	131	95	151	124	97	134	0	59	59	62	98	0	32	23	0	32	112	75	48	88	12	0			1,544	
19-May	30	47	38	151	125	192	132	103	108	0	88	49	45	87	0	22	18	0	37	123	73	41	118	10	0			1,637	
20-May	28	27	32	173	93	157	132	97	149	0	88	59	62	58	0	22	26	0	41	109	66	29	78	2	0			1,528	
21-May																												0	
22-May																												0	
23-May	20	38	36	109	83	187	146	115	121	0	71	46	47	90	0	22	17	0	40	108	84	15	94	7	0			1,496	
24-May	32	23	29	149	98	193	101	102	118	60	79	38	48	56	0	25	21	0	28	126	68	33	86	27	0			1,540	
25-May	28	45	43	154	90	154	138	99	109	0	68	63	42	99	0	23	20	0	30	94	57	32	91	13	0			1,492	
26-May	36	56	47	192	123	162	131	94	133	0	76	37	54	66	0	18	21	0	40	110	71	38	86	12	0			1,603	
27-May	24	35	15	145	72	152	124	120	117	0	76	70	55	51	0	24	19	0	32	99	265	47	99	3	0			1,644	
28-May																												0	
29-May																												0	
30-May																												0	
31-May	20	38	30	168	100	217	165	106	138	0	80	41	54	96	0	20	22	0	30	113	74	31	100	15	0			1,658	
		VS Total: 1,550		City Total: 16,278							Spotsy Total: 5,395							Caroline Total: 845			Stafford Total: 2,762						Total for Month		32,462
TOTAL # of Riders	578	839	711	3,101	2,118	3,527	2,842	2,117	2,513	60	1,609	1,042	1,169	1,575	0	473	372	0	710	2,180	1,757	767	1,884	238	0	280	0		
Average Ridership Per Day	28	40	34	148	101	168	135	101	120		77	50	56	75		23	18		34	104	84	37	90	11		93			
Average Ridership Per Hour	6	15	14	13	8	13	9	13	10		6	6	5	6		2	4		3	9	8	5	7	3		1			

### June 2016 RIDERSHIP

Date:	City VRE	Spotsy VRE	Spotsy VRE	City	Spotsylvania	Spotsylvania	Spotsylvania	Spotsylvania	Spotsylvania	Caroline	Caroline	Caroline	Stafford	EAGLE	EAGLE	DAILY													
	VF 1	VS 1	VS 2	F1	F2	F3	F4A	F4B	F5	City Extras	S1A	S1B	S4	S5	Spotsylvania Extras	C1	C2	Caroline Extras	D1	D2	D3	D4	D5	D6	Stafford Extras	Express	Extras	TOTAL	
1-Jun	27	56	33	166	135	165	169	99	139	0	98	58	71	77	0	27	17	0	44	159	91	38	144	15	0			1,828	
2-Jun	26	44	43	184	126	193	140	121	106	0	54	75	66	63	0	25	23	0	39	115	85	49	104	12	0			1,693	
3-Jun	24	34	34	138	107	134	174	127	132	0	80	42	55	64	0	21	13	0	41	95	46	34	87	2	0			1,484	
4-Jun																												0	
5-Jun																												0	
6-Jun	15	54	46	180	135	182	143	99	150	0	92	65	61	78	0	26	15	0	37	113	78	27	120	24	0			1,740	
7-Jun	27	52	45	175	107	182	139	78	128	0	84	42	63	59	0	19	14	0	28	119	77	33	126	21	0			1,618	
8-Jun	27	53	48	154	98	172	142	124	100	0	70	54	53	88	0	22	22	0	48	111	95	23	108	38	0			1,650	
9-Jun	26	47	44	159	119	172	141	95	128	0	69	55	69	55	0	19	17	0	32	101	85	48	86	19	0			1,586	
10-Jun	25	31	38	189	93	136	152	96	163	0	92	43	61	55	0	21	18	0	43	111	121	35	105	8	0			1,636	
11-Jun																												0	
12-Jun																												0	
13-Jun	27	41	41	144	98	186	172	113	147	0	78	60	62	77	0	23	30	0	38	136	75	41	94	15	0			1,698	
14-Jun	24	39	32	199	104	169	131	95	115	0	97	57	56	63	0	20	18	0	39	138	80	22	94	38	0			1,630	
15-Jun	30	45	41	139	105	210	136	103	133	0	54	57	70	87	0	12	23	0	43	112	81	20	102	37	0			1,640	
16-Jun	26	34	39	148	144	148	137	76	100	0	75	37	58	70	0	14	12	0	43	119	89	44	80	32	0			1,525	
17-Jun	26	20	35	171	105	148	173	82	127	0	71	42	56	61	0	11	10	0	36	113	81	31	72	5	0			1,476	
18-Jun																												0	
19-Jun																												0	
20-Jun	19	35	37	170	124	212	183	126	149	0	82	65	60	85	0	19	13	0	56	120	58	46	97	8	0			1,764	
21-Jun	31	46	33	174	84	175	129	97	124	0	72	46	38	69	0	19	15	0	24	111	89	45	87	11	0			1,519	
22-Jun	25	40	31	198	101	195	133	118	132	0	72	45	56	75	0	22	8	0	44	127	70	40	94	33	0			1,659	
23-Jun	30	41	36	110	80	153	108	67	112	0	52	47	58	57	0	13	7	0	28	115	64	20	60	7	0			1,265	
24-Jun	21	36	43	163	83	196	161	108	120	0	76	51	57	66	0	17	18	0	37	113	48	38	84	11	0			1,547	
25-Jun																												0	
26-Jun																												0	
27-Jun	21	49	50	122	71	193	151	108	114	0	80	68	77	89	0	26	15	0	34	109	82	46	89	12	0			1,606	
28-Jun	13	52	47	164	82	174	139	101	117	0	90	58	69	46	0	10	12	0	27	123	76	33	85	16	0			1,534	
29-Jun	20	36	38	171	85	196	96	106	116	0	75	42	54	50	0	21	18	0	53	101	77	24	91	22	0			1,492	
30-Jun	26	34	28	139	69	168	145	93	115	0	74	61	42	63	0	18	12	0	22	132	68	50	67	9	0			1,435	
																													0

	VS Total: 1,781	City Total: 17,864	W/VRE 18,400	Spotsy Total: 5,666	W/VRE 7,447	Caroline Total: 775	Stafford Total: 2,898	N 5,505	S 8,403	T	Total for Month	35,025
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TOTAL # of Riders	536	919	862	3,557	2,255	3,859	3,194	2,232	2,767	0	1,687	1,170	1,312	1,497	0	425	350	0	836	2,593	1,716	787	2,076	395	0	0	0	#N/A
Average Ridership Per Day	24	42	39	162	103	175	145	101	126		77	53	60	68		19	16		38	118	78	36	94	18		#DIV/0!		34,250
Average Ridership Per Hour	6	15	16	15	8	13	10	13	10		6	7	5	6		2	4		4	10	7	5	8	4				

**MONTHLY RIDERSHIP BY LOCATION April 2016**

DATE	FRED VRE	FREDERICKSBURG	SPOTS VRE	SPOTSYLVANIA	STAFFORD	CAROLINE	UMW	DAILY TOTAL
1-Apr	17	814	30	268	393	39	27	1,588
2-Apr							192	192
3-Apr							107	107
4-Apr	20	811	68	298	442	46		1,685
5-Apr	32	866	81	295	367	30		1,671
6-Apr	32	825	72	307	410	44		1,690
7-Apr	35	649	68	222	355	25	8	1,362
8-Apr	28	714	63	277	413	54	24	1,573
9-Apr							105	105
10-Apr							102	102
11-Apr	34	864	83	344	437	45		1,807
12-Apr	25	708	75	251	341	32		1,432
13-Apr	29	836	81	315	394	31		1,686
14-Apr	42	829	77	282	383	45	20	1,678
15-Apr	17	806	72	294	393	49	31	1,662
16-Apr							156	156
17-Apr							129	129
18-Apr	30	812	72	346	349	31		1,640
19-Apr	28	823	58	262	411	41		1,623
20-Apr	28	818	76	297	396	38		1,653
21-Apr	33	728	62	286	365	31	2	1,507
22-Apr	19	738	79	243	301	38	23	1,441
23-Apr							144	144
24-Apr							81	81
25-Apr	27	788	82	372	396	45		1,710
26-Apr	25	800	82	267	346	43		1,563
27-Apr	28	694	79	255	345	44		1,445
28-Apr	35	707	88	219	285	22	18	1,374
29-Apr	20	677	56	213	333	28	2	1,329
30-Apr							100	100
TOTAL	584	16,307	1,504	5,913	7,855	801	1,271	34,235

#N/A

#N/A

#N/A

#N/A

#N/A

#N/A

#N/A

**Grand Total**

#N/A

**MONTHLY RIDERSHIP BY LOCATION May 2016**

DATE	FRED VRE	FREDERICKSBURG	SPOTSY VRE	SPOTSYLVANIA	STAFFORD	CAROLINE	UMW	DAILY TOTAL
1-May							60	60
2-May	29	852	74	324	394	48		1,721
3-May	25	855	72	266	360	27		1,605
4-May	30	748	79	259	364	37		1,517
5-May	30	781	66	271	372	34		1,554
6-May	19	724	51	191	278	43		1,306
7-May							131	131
8-May							89	89
9-May	20	738	71	255	370	38		1,492
10-May	30	795	71	236	385	35		1,552
11-May	42	722	80	264	331	26		1,465
12-May	39	733	90	279	363	36		1,540
13-May	26	701	70	230	255	46		1,328
14-May								0
15-May								0
16-May	21	854	80	286	398	46		1,685
17-May	19	646	85	217	274	34		1,275
18-May	30	732	82	278	367	55		1,544
19-May	30	811	85	269	402	40		1,637
20-May	28	801	59	267	325	48		1,528
21-May								0
22-May								0
23-May	20	761	74	254	348	39		1,496
24-May	32	821	52	221	368	46		1,540
25-May	28	744	88	272	317	43		1,492
26-May	36	835	103	233	357	39		1,603
27-May	24	730	50	252	545	43		1,644
28-May								0
29-May								0
30-May								0
31-May	20	894	68	271	363	42		1,658
TOTAL	578	16,278	1,550	5,395	7,536	845	280	32,462

#N/A

#N/A

#N/A

#N/A

#N/A

#N/A

#N/A

**Grand Total**

#N/A

**MONTHLY RIDERSHIP BY LOCATION June 2016**

DATE	FRED VRE	FREDERICKSBURG	SPOTSY VRE	SPOTSYLVANIA	STAFFORD	CAROLINE	UMW	DAILY TOTAL
1-Jun	27	873	89	304	491	44		1,828
2-Jun	26	870	87	258	404	48		1,693
3-Jun	24	812	68	241	305	34		1,484
4-Jun								0
5-Jun								0
6-Jun	15	889	100	296	399	41		1,740
7-Jun	27	809	97	248	404	33		1,618
8-Jun	27	790	101	265	423	44		1,650
9-Jun	26	814	91	248	371	36		1,586
10-Jun	25	829	69	251	423	39		1,636
11-Jun								0
12-Jun								0
13-Jun	27	860	82	277	399	53		1,698
14-Jun	24	813	71	273	411	38		1,630
15-Jun	30	826	86	268	395	35		1,640
16-Jun	26	753	73	240	407	26		1,525
17-Jun	26	806	55	230	338	21		1,476
18-Jun								0
19-Jun								0
20-Jun	19	964	72	292	385	32		1,764
21-Jun	31	783	79	225	367	34		1,519
22-Jun	25	877	71	248	408	30		1,659
23-Jun	30	630	77	214	294	20		1,265
24-Jun	21	831	79	250	331	35		1,547
25-Jun								0
26-Jun								0
27-Jun	21	759	99	314	372	41		1,606
28-Jun	13	777	99	263	360	22		1,534
29-Jun	20	770	74	221	368	39		1,492
30-Jun	26	729	62	240	348	30		1,435
TOTAL	536	17,864	1,781	5,666	8,403	775	0	35,025

#N/A

#N/A

#N/A

#N/A

#N/A

#N/A

#N/A

#N/A

**Grand Total**



*W. H. H. H.*

**MEMORANDUM**

**TO:** Timothy J. Baroody, City Manager  
Kathleen Dooley, City Attorney  
**FROM:** Dave King, Assistant Director of Public Works  
**DATE:** August 15, 2016  
**RE:** Extenet license – distributed antenna system in public right-of-way

---

**ISSUE**

Should the City grant Extenet Systems Virginia, LLC (Extenet) a license to install a cellular distributed antenna system in the public right-of-way?

**RECOMMENDATION**

Yes. The system will improve cellular reception in the area without requiring obtrusive antennas and related facilities. The attached plans and license agreement have been reviewed and approved by Public Works and the City Attorney's Office.

**BACKGROUND**

Extenet has previously applied for a license to install and operate a distributed antenna system (DAS) on 12 existing utility poles in the area around the UMW campus, which the City subsequently approved by City Ordinance 16-13. Extenet is currently seeking approval to install and operate additional DAS facilities on existing utility poles. Distributed antenna systems are an alternative to larger cellular facilities such as the tower in Central Park and the tower near the Powhatan water tower. Instead of one large antenna, several smaller antennas combine to provide cellular coverage. A picture of a typical DAS is included in the Council packet.

The proposed installation locations are:

- 3000 Plank Road
- Intersection of Fall Hill Avenue and Carl D. Silver Parkway
- 1080 Hospitality Lane

Extenet would own and operate the system, and have agreements with telecommunications companies for use of the system as well as agreements with Dominion for use of the poles.

The proposed license agreement requires City permission for any deviation from the attached plans. It also contains standard City terms for use of the rights-of-way, such as requiring utility permits before disturbing the right-of-way, relocation at Licensee's expense if required by the City, and safety and quality requirements.

**FISCAL IMPACT**

Extenet would pay the City \$300 per year under the terms of the proposed license.

**ITEM #8B**

Attachments: Ordinance  
License  
Location Map



September 13, 2016  
Regular Meeting  
Ordinance No. 16-23

**MOTION:**

**SECOND:**

**RE: GRANTING A FIFTEEN-YEAR NON-EXCLUSIVE LICENSE TO EXTENET SYSTEMS, LLC. TO INSTALL, MAINTAIN, AND USE TELECOMMUNICATION CABLE AND EQUIPMENT IN CITY RIGHTS-OF-WAY**

**ACTION: APPROVED: AYES: 0; NAYS: 0**

**FIRST READ: August 23, 2016 SECOND READ: \_\_\_\_\_**

**IT IS HEREBY ORDAINED** by the Fredericksburg City Council:

**SEC. I. Introduction.**

Extenet Systems, LLC has applied to the City Council for a fifteen-year, non-exclusive license to install certain telecommunications equipment in the public rights-of-way. The license allows installation and maintenance of telecommunication cable and equipment for use by wireless communication providers. Use of these facilities is not offered directly to individual consumers. The City and Extenet Systems, LLC have negotiated the terms of the attached license agreement.

**SEC. II. Grant of License.**

The City Council finds that the grant of the license is in the public interest. The City Manager is hereby authorized to execute the attached fifteen-year non-exclusive license between Extenet Systems, LLC and the City of Fredericksburg, on behalf of the City.

**SEC. III. Effective Date.**

This ordinance is effective immediately.

Approved as to form:

---

Kathleen Dooley, City Attorney

\*\*\*\*\*

***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 16- duly adopted at a meeting of the City Council meeting held September 13, 2016 at which a quorum was present and voted.*

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***Tonya B. Lacey, CMC***  
***Clerk of Council***

Location: public rights-of-way (no GPIN)



## LICENSE

This license agreement, dated \_\_\_\_\_ 2016, is between the CITY OF FREDERICKSBURG, VIRGINIA, a municipal corporation, and EXTENET SYSTEMS (VIRGINIA) LLC, a Virginia limited liability company (“Licensee”).

### **Recitals**

Licensee seeks to install, maintain, and use telecommunication cable and equipment in public rights-of-way owned and controlled by the City.

The City Council, by Ordinance 16-\_\_\_\_, adopted on \_\_\_\_\_, 2016 after a public hearing, authorized the City Manager to sign this license agreement.

### **Terms**

The City hereby grants a license to use the public rights-of-way within the city’s boundaries to Licensee, on these terms:

1. **Term.** The term of this license is from September 15, 2016 to September 14, 2031.
2. **Fee.** Licensee shall pay the City, as fair and reasonable compensation for use of the public rights-of-way owned and maintained by the City, an annual fee of \$200. This fee is due on September 1 of each year. Licensee shall pay a 10% late fee on any late payment. If a payment is more than 30 days late, the total amount due will bear 1% interest per month until paid in full.
3. **Location.** This license is for use of City property at two locations: 3000 Plank Road and the intersection of Fall Hill Avenue and Carl D. Silver Parkway, in accordance with the plans submitted to the Department of Public Works. Licensee shall not deviate from those plans without written permission from the City Manager.
4. **Generally applicable requirements.** This license is not a waiver of the requirements of any City ordinance, resolution, regulation, or permitting process. Licensee is responsible for obtaining all required permits at its own expense, and for complying with all City requirements.
5. **Safety and quality.** Licensee shall ensure that all activity under this license is performed safely, thoroughly, reliably, and in accordance with all relevant industry, professional, and federal and state-mandated standards and laws. All materials installed in the public right-of-way under this license must be of good and durable quality. If the City concludes that work or materials under this license are harmful to the health or safety of any person or property, Licensee shall correct the problem at its own expense.

6. **Termination.**
  - a. Licensee may terminate this agreement by notifying the City at least 30 days in advance that it intends to do so, in which case the license terminates on the date the City receives written confirmation from Licensee that Licensee has removed all of its cables and equipment from City property, restored all affected City property to its original condition, and paid all amounts due to the City under the license.
  - b. The City may terminate this agreement if Licensee (i) has not completed installation of its cables and equipment within one year of the start of the license term; (ii) ceases use of its cables and equipment; (iii) has not paid an amount due to the City under this license; (v) removes its cables and equipment; or (iv) violates any provision of this license.
  - c. If the City intends to terminate the license, it shall notify Licensee of the specific reason why and allow Licensee 30 days to respond to the notice. The City shall then notify Licensee in writing that either (i) Licensee has responded adequately to the notice, or (ii) Licensee has not responded adequately to the notice and that the license is terminated immediately.
  - d. Upon termination or expiration of this license, Licensee shall remove all of its cables and equipment from City property and restore all affected City property to its original condition.
7. **Non-exclusivity.** This is a non-exclusive license. It does not limit the City's right to grant permission to any other person or entity to use the public rights-of-way.
8. **Disturbing rights-of-way.**
  - a. Licensee shall notify the City Public Works Department and receive a City utility permit before disturbing any street, alley, or sidewalk. Licensee's permit application must include any plans, specifications, traffic control plans, and other information that the Public Works Department deems necessary for an adequate review of the proposed work. The City shall approve or deny the permit application promptly, and shall not unreasonably withhold a permit. This section does not apply to emergency situations or where the Director of Public Works has expressly waived a requirement in writing.
  - b. If Licensee disturbs streets, alleys, sidewalks, utility lines, or other public property, it shall restore the property to its original condition as soon as practicable in accordance with City standards. If Licensee does not do so within a reasonable time, the City may do so at Licensee's expense.
9. **Records.** At the City's request, Licensee shall send the City (at no cost to the City and within 10 days of the request) copies of Licensee's plans, maps, and records pertaining to this license.
10. **Removal and relocation.**
  - a. If the City determines that Licensee's cables or equipment need to be removed or relocated, Licensee shall remove or relocate its cables and equipment as requested by the City within a reasonable time.
  - b. Generally, removal or relocation is at Licensee's expense. If the City requests a removal or relocation, the City shall provide a substitute location for Licensee's facilities and shall obtain all required City permits. If the removal or relocation is for the benefit of a third party (a developer, for example), the third party is responsible for all costs.
  - c. If the Licensee does not remove or relocate its cables and equipment within a reasonable time of the City's request to do so, the City may, after 30 days written notice to Licensee, remove or relocate the cables and equipment itself at Licensee's expense.
11. **Trees.** Licensee shall not damage trees in or near the public rights-of-way more than reasonably necessary.

12. **Assumption of Risk.** Licensee assumes all risks of loss and damage to its cables and equipment, including any interference or loss of service and any resultant consequential damages that result from City operations.
13. **Indemnification.** Licensee shall save, defend, hold harmless, and indemnify the City, and all of its elected and appointed officials, officers, employees, agents, departments, agencies, boards, and commissions from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and attorney's fees), charges, liability, or exposure, however caused, resulting from, arising out of, or in any way connected with Licensee's negligent acts, errors or omissions, recklessness or intentionally wrongful conduct of Licensee in performance or nonperformance of its work under the license. This indemnification survives the termination of the license.
14. **Insurance.** Licensee shall maintain the following insurance coverage during the entire term of this license:
- a. Two million dollars for bodily injury to or the death of any one person.
  - b. Three million dollars for bodily injury or death resulting from any one event.
  - c. Three million dollars in commercial general liability insurance.
- The City must be named as an additional insured on these policies, and Licensee shall provide copies of its certificates of insurance to the City. Licensee may instead maintain self-insurance that meets the requirements of this section.
15. **Assignment.** Licensee shall not assign or otherwise transfer any of its rights, obligations, or interests in this license without the written permission of the City.
16. **Choice of Law, Venue.** This license is governed by Virginia law. The Circuit Court of Fredericksburg, Virginia is the exclusive venue for any state litigation regarding this license.
17. **Authorization to do Business in Virginia.** Licensee is authorized to do business in Virginia as a domestic or foreign business entity under Title 13.1 or Title 50 of the Virginia Code. Licensee shall not allow its existence to lapse or its certificate of authority or registration to do business in Virginia to be revoked or cancelled during the term of this license.
18. **Notices.** Notices pertaining to this license must be sent by first-class mail to:
- |  |   |
|--|---|
| <u>To the City:</u><br>Fredericksburg City Manager<br>PO Box 7447<br>Fredericksburg, Virginia 22404-7447 | <u>To Licensee:</u><br>Extenet Systems (Virginia) LLC<br>3030 Warrenton Road, Suite 340<br>Lisle, Illinois 60532<br>ATTN: CFO |
|--|---|
- With a copy to General Counsel at the same address.
19. **Severability.** If a court declares any part of this license to be invalid, void, or unenforceable, the rest of the license remains in effect.

20. **Strict Performance.** The failure of a party to insist upon the other party's strict performance of the terms of the license is not a waiver of the right to insist upon strict performance of those terms at a later time.

By signing below, the City and Licensee agree to the terms of this license.

**CITY OF FREDERICKSBURG**

By: \_\_\_\_\_  
Timothy J. Baroody, City Manager

Attest:

\_\_\_\_\_  
Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

**EXTENET SYSTEMS (VIRGINIA) LLC**

By: \_\_\_\_\_  
Daniel L. Timm  
Vice President

STATE OF ILLINOIS  
County of DuPage:

This license agreement was acknowledged on \_\_\_\_\_, 2016, by Daniel L. Timm as Vice President of EXTENET SYSTEMS (VIRGINIA) LLC, on behalf of the company.

\_\_\_\_\_  
Notary Public

Certification # \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**SITE PHOTOGRAPH**



**EXTENET NODE ID: VZW-NODE-11**  
**VERIZON WIRELESS**  
**NW CORNER OF CARL D SILVER PARKWAY AND**  
**AND FAWN HILL AVENUE**  
**FREDERICKSBURG, VA 22401**

**NEW ULILITY POLE SET**

**DRAWING INDEX**

SHEET	DESCRIPTION
T1	TITLE SHEET
S1	POLE ELEVATIONS
S2	SITE PLAN
E1	ELECTRICAL DETAILS
E2	EQUIPMENT DETAILS

**CODE COMPLIANCE**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES:

- 2012 INTERNATIONAL BUILDING CODE
- 2012 NATIONAL ELECTRICAL CODE
- 2012 NFPA 101
- 2012 IFC
- ANSI/TIA-222-G
- TIA 607
- AMERICAN CONCRETE INSTITUTE
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- MANUAL OF STEEL CONSTRUCTION 13TH EDITION
- 2012 INTERNATIONAL PROPERTY MANAGEMENT
- IEEE C2 INTERNATIONAL ELECTRIC SAFETY CODE LATEST EDITION
- TELECORDIA GR-1275
- ANSI/T 311

**GENERAL NOTES TO CONTRACTOR**

**STANDARD CONSTRUCTION NOTES:**

1. THESE NOTES SHALL BE CONSIDERED A PART OF THE WRITTEN SPECIFICATIONS.
2. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE IMPLEMENTATION ENGINEER AND ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
5. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
6. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
7. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK, USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTIONS MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATION ALL PORTION OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE IMPLEMENTATION ENGINEER AND WITH THE LANDLORD'S AUTHORIZED REPRESENTATIVE.
8. SEAL PENETRATIONS THROUGH FIRE RATED AREAS WITH U.L. LISTED FIRE CODE APPROVED MATERIALS.
9. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE PROJECT AREA DURING CONSTRUCTION.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CHAPTER 23 OF THE BC REGARDING EARTHQUAKE PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS AND MECHANICAL EQUIPMENT. ALL WORK MUST BE IN ACCORDANCE WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.
11. DETAILS ARE INTENDED TO SHOW END RESULTS OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUITE JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
12. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, PAVING, CURBS, VEGETATION, GALVANIZED SURFACE, ETC., AND UPON COMPLETION OF WORK REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF EXTENET.
13. KEEP GENERAL AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE.
14. REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWING, SHALL NOT BE USED TO IDENTIFY OR ESTABLISH THE BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK. IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT/ENGINEER.
15. PENETRATIONS OF ROOF MEMBRANES SHALL BE PATCHED/FLASHED AND MADE WATER TIGHT USING LIKE MATERIALS IN ACCORDANCE WITH NRCA ROOFING STANDARDS AND DETAILS. CONTRACTOR SHALL OBTAIN DETAILING CLARIFICATION FOR SITE-SPECIFIC CONDITIONS FROM ARCHITECT/ENGINEER, IF NECESSARY, BEFORE PROCEEDING. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE.
16. ALL ITEMS REMOVED DURING CONSTRUCTION WORK (I.E. DRYWALL, PLYWOOD, CEILING PANELS, ETC.) SHALL BE REPLACED TO MATCH EXISTING.
17. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE.
18. DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON THE DRAWING. DIMENSIONS SHOW AS X-X ± ARE ESTIMATED AND SHALL BE VERIFIED BY A SURVEYOR OR BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
19. ALL SITE WORK SHALL BE CAREFULLY COORDINATED BY GENERAL CONTRACTOR WITH LOCAL UTILITY COMPANY, TELEPHONE COMPANY, AND ANY OTHER UTILITY COMPANIES HAVING JURISDICTION OVER THIS LOCATION.

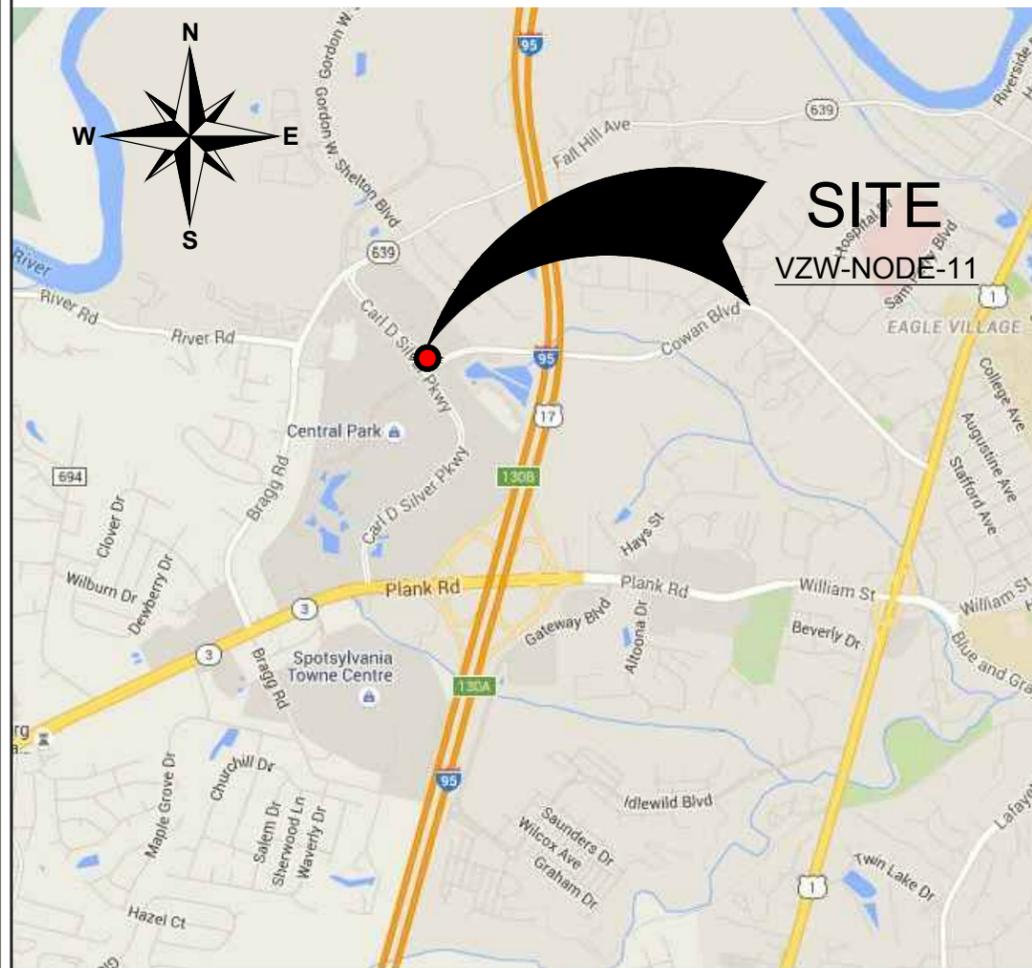
**GENERAL CIVIL NOTES:**

1. ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS AND STIPULATED IN THE SPECIFICATIONS PROJECT SUMMARY.
2. RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
3. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMENT.
4. THE SUB GRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO THE CRUSHED STONE APPLICATION.
5. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY ENGINEERS. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES. CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW.
6. ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND SHALL BE CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF THE ENGINEER.
7. THE AREAS OF PROPERTY DISTURBED BY THE BUILDING, DRIVEWAY OR CRUSHED STONE, SHALL BE GRADED TO A UNIFORM SLOPE, FERTILIZED, SEEDED, AND COVERED WITH MULCH AS SPECIFIED IN THE SPECIFICATION LANDSCAPE WORK.

**STANDARD CONDUIT NOTES:**

1. 1-(2" MINIMUM DIAMETER) DUCT OF APPROVED MATERIAL, RIGID GALVANIZED STEEL (WHEN REQUIRED) OR ELECTRO-METALLIC TUBING (EMT).
2. ELECTRICAL LB'S AND CONDUITS ARE NOT ACCEPTABLE AS PULL BOXES.
3. NO 90° TRANSITIONS AT OR WITHIN A PULL BOX (UNLESS A BENDING RADIUS 10x THE DIAMETER OF THE CABLE TO BE PLACED CAN BE MAINTAINED).
4. A HORIZONTAL MAXIMUM OF 300 FT. BETWEEN PULL BOXES.
5. A SECTION OF CONDUIT OF 100 FT. VERTICAL WILL REQUIRE A PULL BOX AND AN APPROVED CABLE RESTRAINT.
6. A MAXIMUM OF 2-90° SWEEPING RADIUS BENDS BETWEEN PULL BOXES. (A SWEEPING BEND IS A RADIUS 10x THE CONDUIT DIAMETER).
7. A MEASURING TAPE SHALL ALSO BE IN PLACE TO DETERMINE AS BUILT LENGTH.
8. PULL LINES IN ALL DUCTS (MIN. 400 LBS PULLING TENSION).
9. FIRE STOPPING REQUIRED WHEN OPENINGS ARE MADE IN ANY FIRE BARRIER.
10. ALL EXTERNAL CONDUIT TERMINATION SHALL BE WATER TIGHT.

**VICINITY MAP (NTS)**



**SCOPE OF WORK**

CONSTRUCTION OF A UNMANNED TELECOMMUNICATION FACILITY CONSISTING OF (1) 1900MHz REMOTE RADIO HEAD, (1) BATTERY BACKUP UNIT, (1) CELLMAX OMNI ANTENNA AND ASSOCIATED CABLES MOUNTED TO A NEW MID SPAN UTILITY POLE.

**PROJECT INFORMATION**

NODE ID NUMBER: VZW-NODE-11  
 HUB ID NUMBER:  
 SITE ADDRESS: NW CORNER OF CARL D SILVER & FALL HILL FREDERICKSBURG, VA 22401  
 POLE NUMBER: G2338 PN70  
 POLE OWNER: DOMINION  
  
 LATITUDE (NAD 83): 38.309936  
 LONGITUDE (NAD 83): -77.513282  
 JURISDICTION: CITY OF FREDERICKSBURG  
 ZONING: N/A  
 GROUND ELEVATION: 246'  
 STRUCTURE TYPE: NEW UTILITY POLE SET - CLASS 6  
  
 STRUCTURE HEIGHT: 40'

**Dig With Care**

**KNOW WHAT'S BELOW - CALL BEFORE YOU DIG!!!**  
 3-BUSINESS DAYS PRIOR TO EXCAVATION  
 CALL 8-1-1 or 1-800-552-7001



Network Owner:  
 Extenet Systems  
 3030 Warrenville Rd.  
 Lisle, IL 60532

24/7 Network Operations Center:  
 (866)-892-5327

Network Implementation:  
 Rick Angelini, Extenet Systems  
 Director - Network Engineering  
 & Implementation  
 RAngelini@extenetsystems.com  
 Cell: (508) 776-2161

**PROJECT INFORMATION:**

CELLULAR DAS NETWORK  
**VZW-NODE-11**  
 FREDERICKSBURG, VA

**CURRENT ISSUE DATE:**

07/07/2016

**ISSUED FOR:**

**PROPOSED**

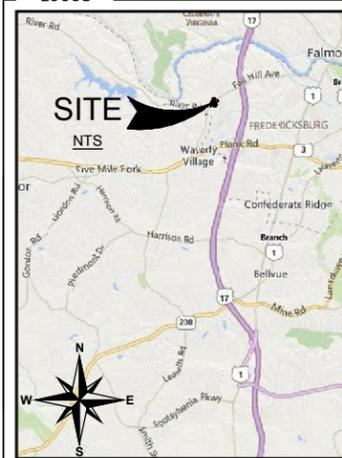
**PLANS PREPARED BY:**



**DRAWN BY: CHK.: APV.:**

BJA SJ RA

**LOCUS**



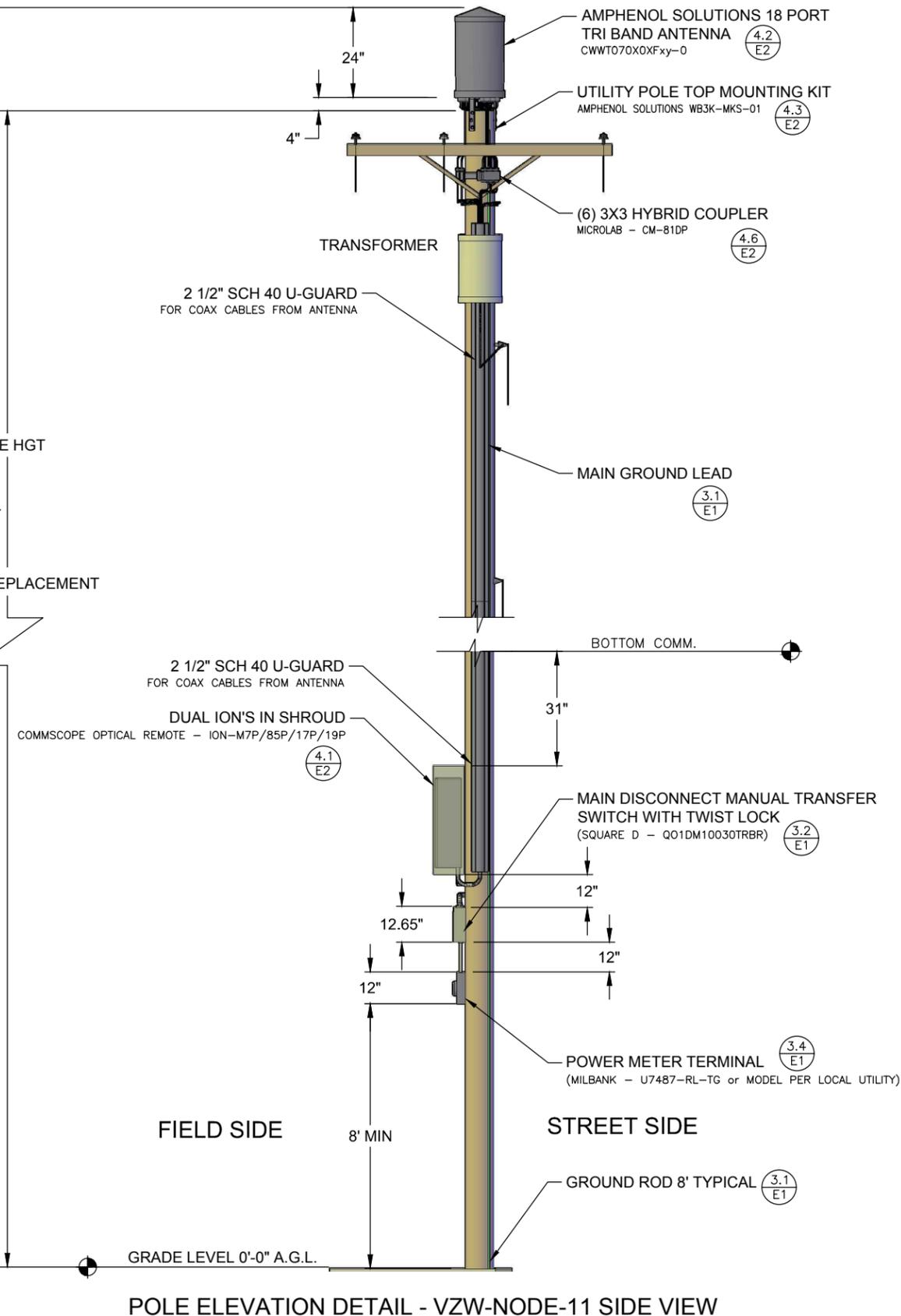
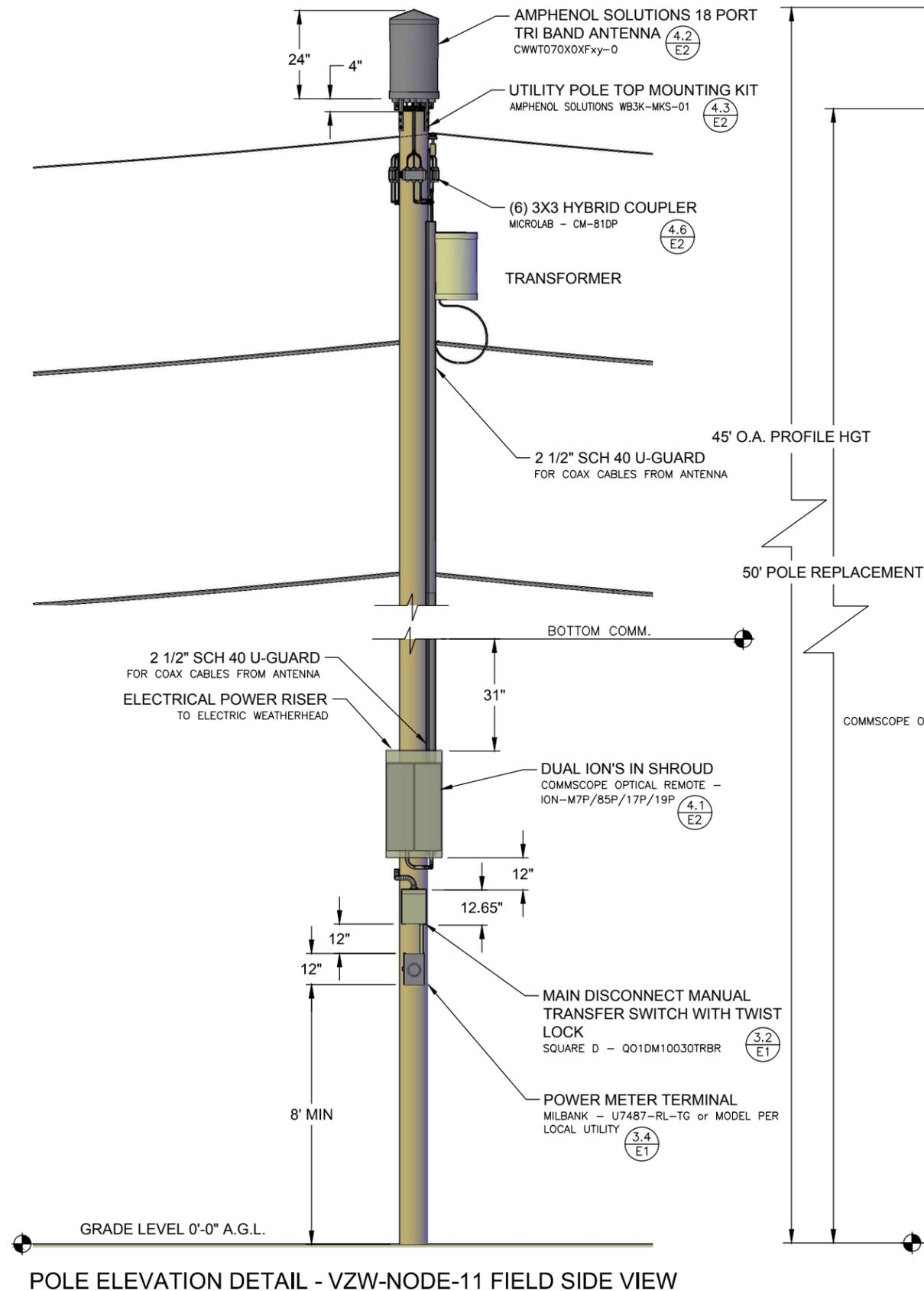
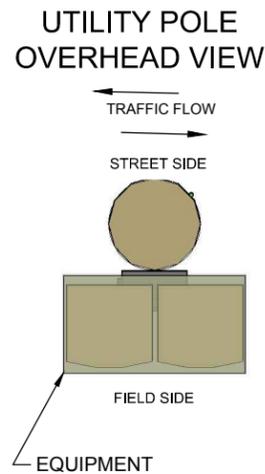
**SHEET TITLE:**

TITLE SHEET

**SHEET NUMBER: REVISION:**

**T1**

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VZW-NODE-11  
FREDERICKSBURG, VA

CURRENT ISSUE DATE:  
07/07/2016

ISSUED FOR:  
**PROPOSED**

PLANS PREPARED BY:  
**Waveguide**  
10 N. Southwood Dr.  
Nashua, NH 03063  
(603) 598-0096  
www.waveguidefiber.com

DRAWN BY: BJA    CHK.: SJ    APV.: RA

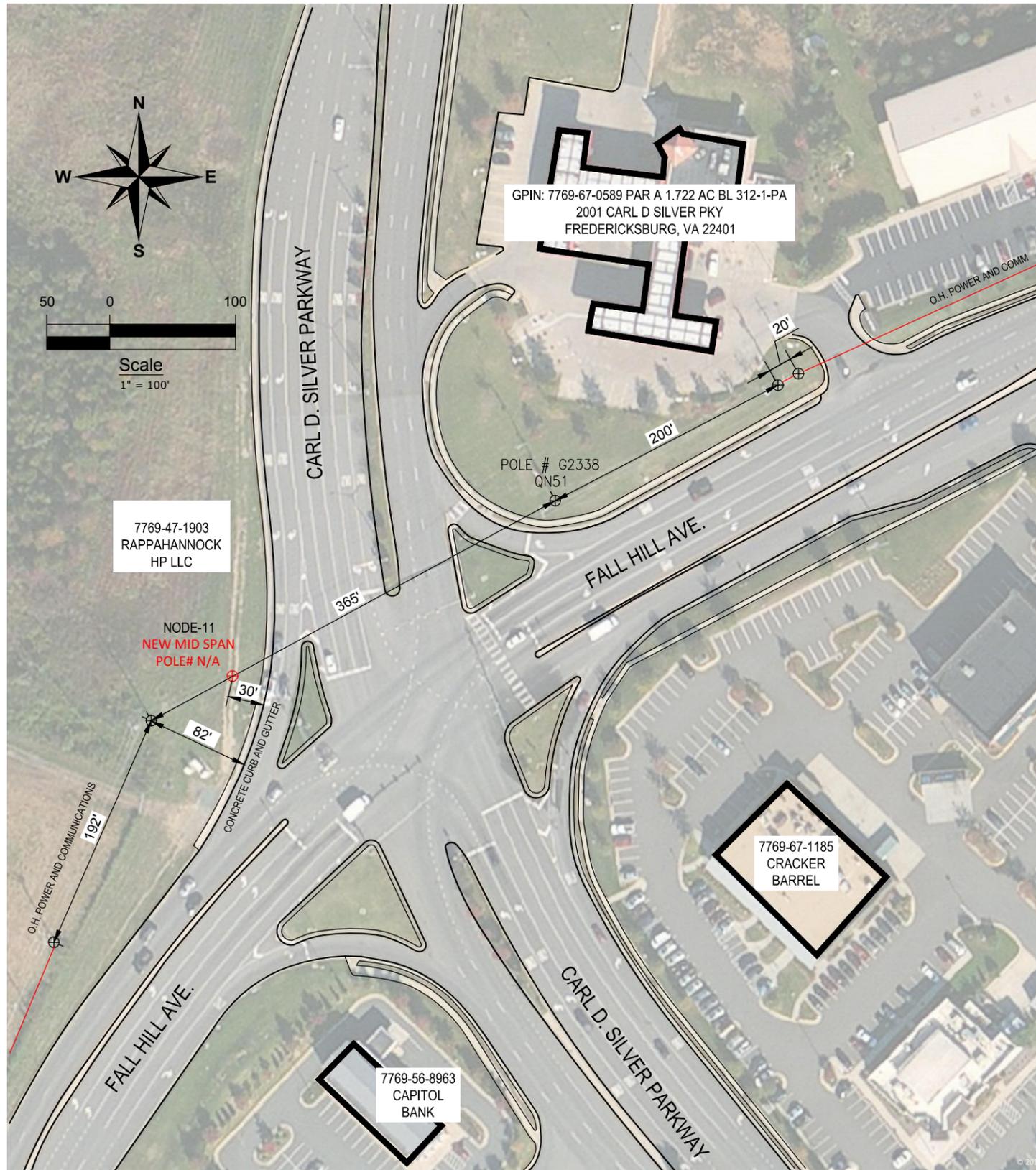


SHEET TITLE:  
POLE ELEVATIONS

SHEET NUMBER:    REVISION:  
**S1**

SITE CONSTRUCTION NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITIES COMPANY OR OTHER PUBLIC AUTHORITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
3. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
6. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
7. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEERING PRIOR TO INSTALLATION.
8. TRANSMITTER EQUIPMENT AND ANTENNAS ARE DESIGNED TO MEET ANSI/EIA/TIA 222-G REQUIREMENTS.
9. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
10. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
11. IF ANY UNDERGROUND UTILITIES OR STRUCTURES EXIST BENEATH THE PROJECT AREA, CONTRACTOR MUST LOCATE IT AND CONTACT THE APPLICANT & THE OWNER'S REPRESENTATIVE.
12. OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION BY TECHNICIANS APPROXIMATELY 2 TIMES PER MONTH.
13. PRIOR TO THE INSTALLATION OF THE PROPOSED EQUIPMENT OR MODIFICATION OF THE EXISTING STRUCTURE, A STRUCTURAL ANALYSIS SHALL BE PERFORMED BY THE OWNER'S AGENT TO CERTIFY THAT THE EXISTING/PROPOSED COMMUNICATION STRUCTURE AND COMPONENTS ARE STRUCTURALLY ADEQUATE TO SUPPORT ALL EXISTING AND PROPOSED ANTENNAS, COAXIAL CABLES AND THEIR APPURTENANCES.
14. PROPERTY LINE INFORMATION WAS PREPARED USING DEEDS, TAX MAPS, AND PLANS OF RECORD AND SHOULD NOT BE CONSTRUED AS AN ACCURATE BOUNDARY SURVEY.
15. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
16. THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORM WATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
17. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
18. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION (NO HANDICAP ACCESS REQUIRED).
19. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
20. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.



SITE PLAN SCALE: 1"=100'



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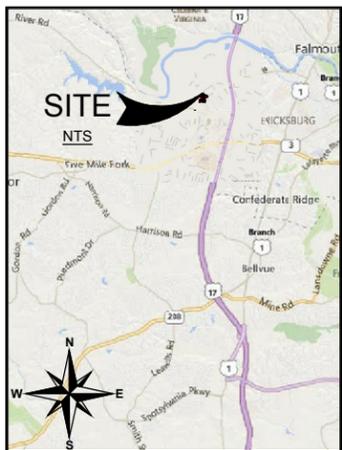


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DRAWN BY: CHK.: APV.:

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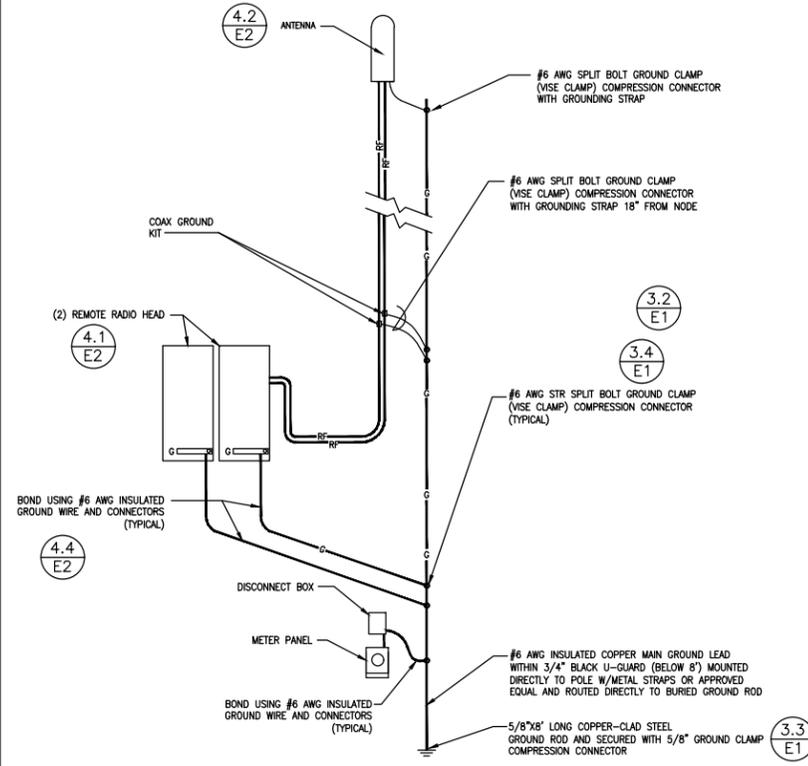
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SITE PLAN

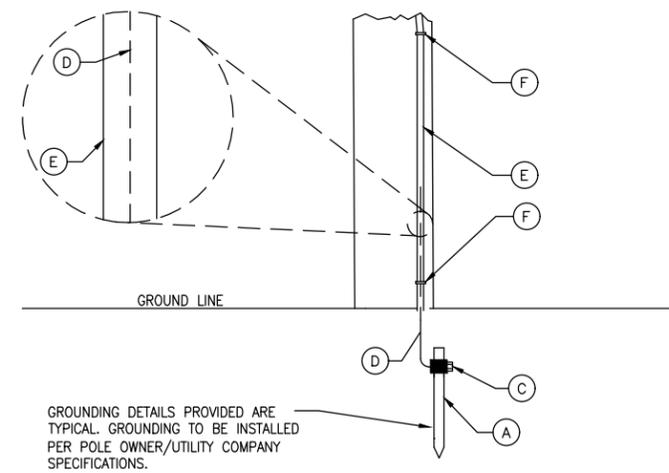
SHEET NUMBER: REVISION:

**S2**

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**3.1 E1 GROUNDING SINGLE LINE W/ POWER METER POLE MOUNTED**  
 NOTE: ENTIRE ABOVE-GRADE ELECTRICAL GROUND SYSTEM SHALL BE INSTALLED WITHIN PVC CONDUIT (SCH80 BELOW 8' HEIGHT), RISER-GUARD, OR APPROVED EQUAL.



**PARTS LIST**

CALLOUT	QTY	DESCRIPTION
A	1	5/8" x 8' STEEL COPPER CLAD GROUND ROD WITHIN 17"x30" HANDHOLE
B		
C	1	5/8" GROUND CLAMP
D	50'	#6 GREEN COATED BARE SOLID COPPER WIRE WITHIN 3/4" PVC SCH80 CONDUIT
E	8'	3/4" PVC SCHEDULE 80 GROUND WIRE CONDUIT
F	8	COPPER STAPLE

**3.3 E1 GROUND ROD DETAIL**  
 NOTE: ENTIRE ABOVE-GRADE ELECTRICAL GROUND SYSTEM SHALL BE INSTALLED WITHIN PVC CONDUIT (SCH80 BELOW 8' HEIGHT)

**DIMENSIONS**

Load center depth (in.)	4.27	Load center width (in.)	8.88
Load center height (in.)	12.65		

**DETAILS**

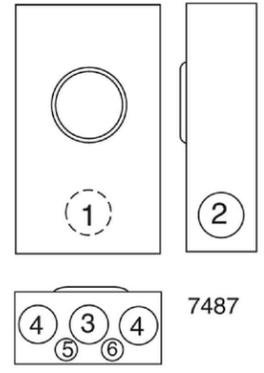
Electrical Product Type	Load Center	Number of Phases	1
Load Center Type	Temporary Power	Number of Spaces	4
Maximum Amperage (amps)	30/100 A	Power Distribution Features	Trip Indicator
Mounting type	Plug In	Product Weight (lb.)	11.53 lb
Number of Gangs	1	Returnable	90-Day
Number of Outlets	1	Voltage (volts)	120/240



**PRODUCT OVERVIEW** Model # QO1DM100g0TRBR | Internet # 202495852  
 The Square D by Schneider Electric QO 30/100 Amp 4-Space 8-Circuit Temporary Transfer Generator Panel helps you change from utility power to a standby source with the flip of 2 QO main circuit breakers. The panel is intended for outdoor use to connect to a standby power source for as many as 8 circuits. The ANSI-certified and UL-listed unit features a mechanical interlock to help ensure that only 1 main circuit breaker is in the on position at any time.

- Use to connect to a standby power source for as many as 8 circuits
- Changes from utility power to a standby source with the flip of 2 QO main circuit breakers
- Aluminum buss
- Single phase
- 120/240 Volts
- For outdoor use
- Mechanical interlock helps ensure that only 1 main circuit breaker is in the on position at any time
- Accepts up to 8 QO circuit breakers (sold separately)
- ANSI certified and UL listed
- Includes a 30 Amp 4-Watt L14-30P twist-lock receptacle in the bottom end wall for direct connection from a generator cord supply

**3.2 E1 DISCONNECT BOX - SQUARE D-Q024L70RB**



**125 & 200 AMP-SINGLE POSITION-4 & 5 TERMINAL-RINGLESS-1Ø3W**

NO. OF TERMS	AMP	SERVICE	CATALOG NUMBER	HUB	CONNECTORS CU/AL	BY-PASS	DIMENSIONS			CONCENTRIC K.O.'S					
							D"	W"	H"	1	2	3	4	5	6
4	125	OH/UG	U7487-RL-TG-KK	H.O.	#6 - 2/0	HORN	3 5/16	8	11 1/2	1 1/2	1 1/2	2	1 1/4	-	1/4

**FIFTH TERMINAL:** For field mounted fifth terminal: Order catalog number **K5T** to fit into square opening at the 9 o'clock position of the *new style block* (#6-350 kcmil.) Order catalog number **5T8K2** to fit into round opening at the 9 o'clock position of the *old style block* (#6-2/0 kcmil.)  
**HUBS:** For proper hub selection see the hub suffix chart on the accessory page.  
**CONNECTORS:** Extruded aluminum connectors are tin plated.  
**BYPASS:** Units provided with horn type bypass (suffix -KK).

**3.4 E1 METER SOCKET - U7487-RL-TG**

**ELECTRICAL & GROUNDING NOTES**

1. ALL ELECTRICAL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE (NEC) AS WELL AS APPLICABLE STATE AND LOCAL CODES.
2. ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED AND PROCURED PER SPECIFICATION REQUIREMENTS.
3. THE ELECTRICAL WORK INCLUDES ALL LABOR AND MATERIAL DESCRIBED BY DRAWINGS AND SPECIFICATION INCLUDING INCIDENTAL WORK TO PROVIDE COMPLETE OPERATING AND APPROVED ELECTRICAL SYSTEM.
4. GENERAL CONTRACTOR SHALL PAY FEES FOR PERMITS, AND IS RESPONSIBLE FOR OBTAINING SAID PERMITS AND COORDINATION OF INSPECTIONS.
5. ELECTRICAL AND TELCO WIRING AT EXPOSED INDOOR LOCATIONS SHALL BE IN ELECTRICAL METALLIC TUBING OR RIGID NONMETALLIC TUBING (RIGID SCHEDULE 40 PVC OR RIGID SCHEDULE 80 PVC FOR LOCATIONS SUBJECT TO PHYSICAL DAMAGE) (AS PERMITTED BY CODE).
6. ELECTRICAL AND TELCO WIRING AT CONCEALED INDOOR LOCATIONS SHALL BE IN ELECTRICAL METALLIC TUBING, ELECTRICAL NONMETALLIC TUBING, OR RIGID NONMETALLIC TUBING (RIGID SCHEDULE 40 PVC AS PERMITTED BY CODE).
7. ELECTRICAL AND TELCO WIRING OUTSIDE A BUILDING, ABOVE GRADE AND EXPOSED TO WEATHER SHALL BE IN WATER TIGHT GALVANIZED RIGID STEEL CONDUITS (RGS) AND WHERE REQUIRED IN LIQUID TIGHT FLEXIBLE METAL OR NONMETALLIC CONDUITS.
8. BURIED CONDUIT SHALL BE RIGID NONMETALLIC CONDUIT (RIGID SCHEDULE 40 PVC); DIRECT BURIED IN AREAS OF OCCASIONAL LIGHT TRAFFIC, ENCASED IN REINFORCED CONCRETE IN AREAS OF HEAVY TRAFFIC.
9. LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT SHALL BE USED INDOORS AND OUTDOORS IN AREAS WHERE VIBRATION OCCURS AND FLEXIBILITY IS NEEDED.
10. ELECTRICAL WIRING SHALL BE COPPER WITH TYPE THHN, THWN-2, OR THIN INSULATION.
11. RUN ELECTRICAL CONDUIT OR CABLE BETWEEN ELECTRICAL UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE PPC AS INDICATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE. COORDINATE INSTALLATION WITH UTILITY COMPANY.
12. RUN TELCO CONDUIT OR CABLE BETWEEN TELEPHONE UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE TELCO CABINET AND BTS CABINET AS INDICATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE IN INSTALLED TELCO CONDUIT. PROVIDE GREENLEE CONDUIT MEASURING TAPE AT EACH END.
13. ALL EQUIPMENT LOCATED OUTSIDE SHALL HAVE NEMA 3R ENCLOSURE.
14. PPC SUPPLIED BY PROJECT OWNER.
15. GROUNDING SHALL COMPLY WITH NEC ART. 250. ADDITIONALLY, GROUNDING, BONDING AND LIGHTING PROTECTION SHALL BE DONE IN ACCORDANCE WITH METRO MOD CELL SITE GROUNDING STANDARDS.
16. GROUND CABLE SHIELDS MINIMUM AT BOTH ENDS USING MANUFACTURERS CABLE GROUNDING KITS SUPPLIED BY PROJECT OWNER.
17. USE #6 COPPER STRANDED WIRE WITH GREEN COLOR INSULATION FOR ABOVE GRADE GROUNDING (UNLESS OTHERWISE SPECIFIED) AND #2 SOLID TINNED BARE COPPER WIRE FOR BELOW GRADE GROUNDING AS INDICATED ON THE DRAWING.
18. ALL POWER AND GROUND CONNECTIONS TO BE CRIMP-STYLE, COMPRESSION WIRE LUGS AND WIRE NUTS BY HARGER (OR APPROVED EQUAL) RATED FOR OPERATION AT NO LESS THAN 75°C OR CADWELD EXOTHERMIC WELD. DO NOT ALLOW BARE COPPER WIRE TO BE IN CONTACT WITH GALVANIZED STEEL.
19. ROUTE GROUNDING CONDUCTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED. GROUNDING LEADS SHOULD NEVER BE BENT AT RIGHT ANGLE. ALWAYS MAKE AT LEAST 12" RADIUS BENDS. #6 WIRE CAN BE BENT AT 6" RADIUS WHEN NECESSARY. BOND ANY METAL OBJECTS WITHIN 6 FEET OF PROJECT OWNER EQUIPMENT OR CABINET TO MASTER GROUND BAR OR GROUNDING RING.
20. CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO HOLE COMPRESSION TYPE COPPER LUGS. APPLY OXIDE INHIBITING COMPOUND TO ALL LOCATIONS.
21. APPLY OXIDE INHIBITING COMPOUND TO ALL MECHANICAL GROUND CONNECTIONS.
22. CONTRACTOR SHALL PROVIDE AND INSTALL OMNI DIRECTIONAL ELECTRONIC MARKER SYSTEM (EMS) BALLS OVER EACH GROUND ROD AND BONDING POINT BETWEEN EXISTING TOWER/ MONOPOLE GROUNDING RING AND EQUIPMENT GROUNDING RING.
23. CONTRACTOR SHALL TEST COMPLETED GROUND SYSTEM AND RECORD RESULTS FOR PROJECT CLOSE-OUT DOCUMENTATION. 5 OHMS MINIMUM RESISTANCE REQUIRED.
24. CONTRACTOR SHALL CONDUCT ANTENNA, CABLE, AND LNA RETURN-LOSS AND DISTANCE-TO-FAULT MEASUREMENTS (SWEEP TESTS) AND RECORD RESULTS FOR PROJECT CLOSE OUT.
25. THE T-MOBILE ELECTRICAL EQUIPMENT INCLUDING PANEL, SWITCH GEAR AND DISCONNECT ARE TO BE LABELED WITH ENGRAVED BAKELITE LABELS.



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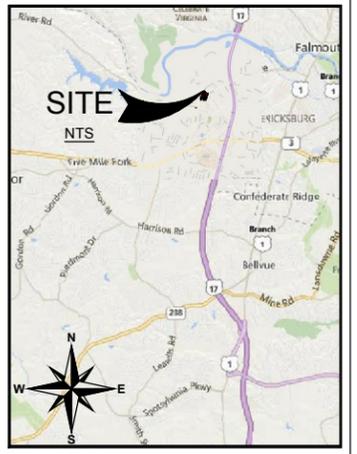
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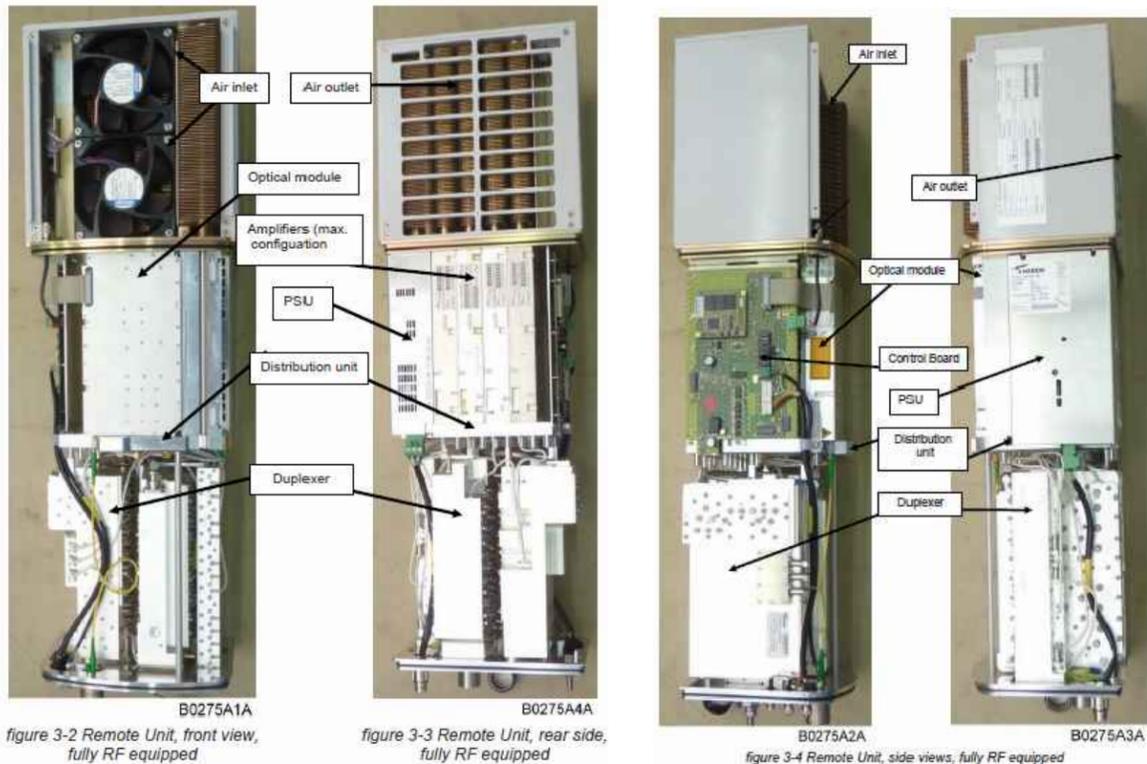


SHEET TITLE:

ELECTRICAL DETAILS

SHEET NUMBER: REVISION:

E1



**Amphenol ANTENNA SOLUTIONS** 696-960 / 1695-2180 / 1695-2180 MHz

**CWWT070X06Fxy-0**  
Tri Band | Tri Sector Cylindrical Antenna | XXX-Pol | 70°/70°/70° | 10.0/14.0/14.0 dBi | Fixed Tilt

- Tri band, cylindrical antenna
- Tri sector configuration, 120° spacing with 18 connectors
- Ideal for Small Cell / DAS applications
- Can be ordered with a variety of different mounting options
- Also available with internal diplexer and/or GPS system

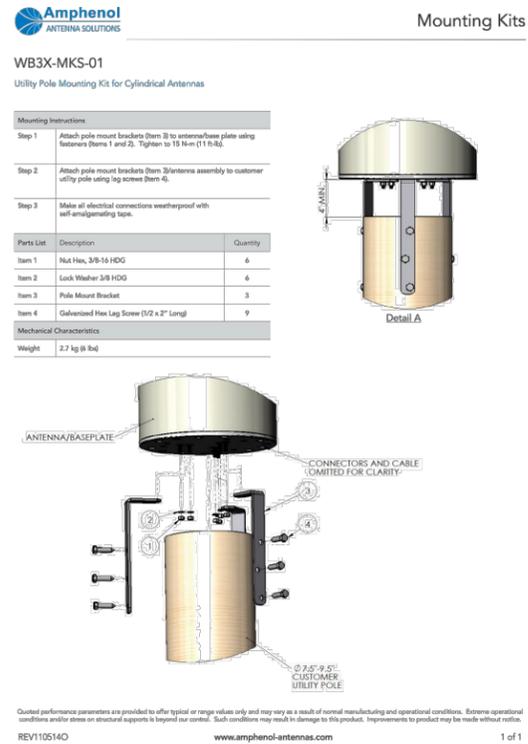
Ordering Options	Model Number*	Includes
Antenna only, no mounting kit	CWWT070X06Fxy-0	
Antenna with Side Mounting Pipe Mounting Kit	CWWT070X06Fxy-0S	CWWTMKS-SIDE
Antenna with Top Mounting Pipe Mounting Kit	CWWT070X06Fxy-0T	CWWTMKS-TOP
Antenna with Utility Pole Mounting Kit	CWWT070X06Fxy-0U	WB3X-MKS-01

\*When ordering, replace the "x" in the model number with the desired electrical downlink for the 696-960 MHz frequency and replace the "y" in the model number with the desired electrical downlink for the 1710-2170 MHz range. Select from the options listed below under Electrical Characteristics.

Electrical Characteristics	696-960 MHz	High Band #1 and #2: 1695-2180
Frequency Bands (MHz)	696-960	1695-1880 / 1880-1970 / 1920-2180
Polarization	45°	2x 45° (2x2x2)
Horizontal Beamwidth	70°	70°
Vertical Beamwidth	30°	17°
Gain	10.0 dBi	13.5 dBi / 14.0 dBi
Electrical Downlink (F)	6, 2, 4, 6	6, 2, 4, 6
Impedance	50Ω	50Ω
VSWR	≤ 1.5:1	≤ 1.5:1
Upper Sideband Suppression	> 15 dB	> 15 dB
Front-to-Back Ratio	> 30 dB	> 30 dB
Isolation Between Ports	20 dB	22 dB
IMD (2-tone) Carrier	< -153 dBc	< -153 dBc
Input Power	300 W	300 W
Number of Connectors Per Band	6 Connectors/Band	12 Connectors/Band
Total Number of Connectors / Type / Location	18 Connectors / 4, 1, 9, 5 Mini-DIN / Female / Bottom of Antenna	
Diplexed	No	
Number of Sectors / Sector Spacing	3 Sectors / 120° Spacing	
Lightning Protection	Direct Ground	
Dimensions (Height x Diameter)	410 x 371 mm	24.0 x 14.6 in
Weight without Mounting Brackets	18 kg	40 lbs
Survival Wind Speed	300 km/hr	125 mph
Wind Area	0.22 m <sup>2</sup>	2.4 ft <sup>2</sup>
Wind Loads (160 km/hr or 100 mph)	191 N	43 lb

Quoted performance parameters are provided to offer typical or range values only and may vary as a result of normal manufacturing and operational conditions. Extreme operational conditions and/or stress on structural supports is beyond our control. Such conditions may result in damage to this product. Improvements to product may be made without notice.

REV101075R www.amphenol-antennas.com 1 of 3



4.2 AMPHENOL ANTENNA 18 PORT CWWT070X06Fxy-0

4.3 AMPHENOL LOPE TOP MTG KIT WB3X-MKS-01

**Optical Remote Unit**

**ION™-M7P/85P/17P/19P (ML-Cabinet)**



**4.2.2. Connections**

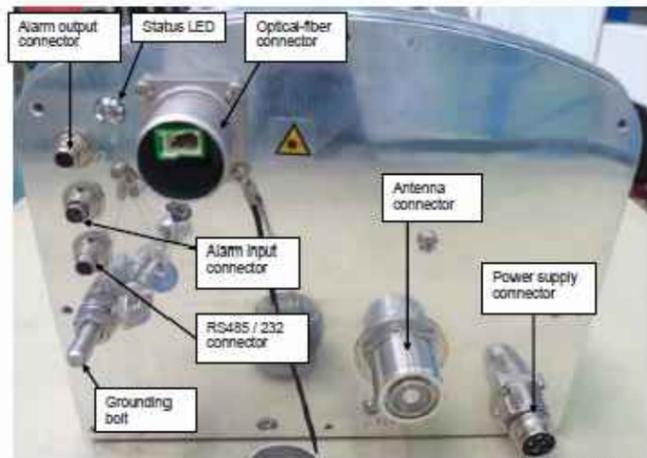
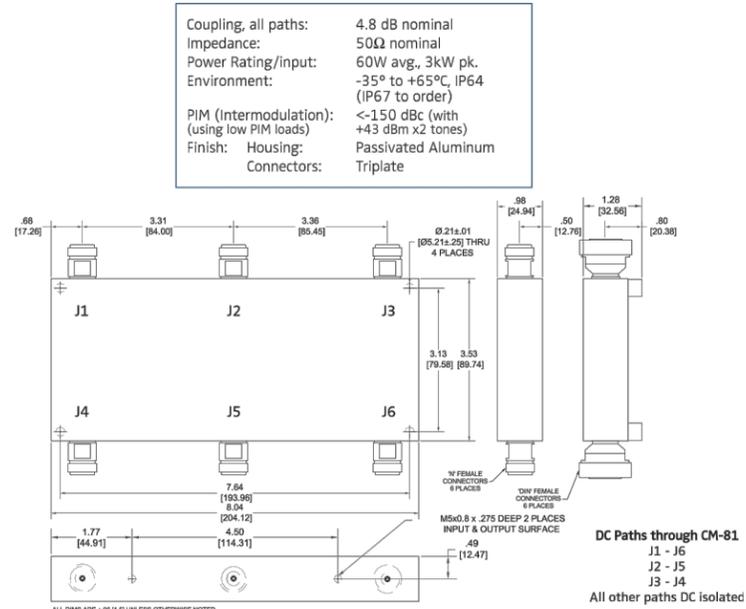


figure 4-4 Connector flange of ION™-M7P/85P/17P/19P

4.1 REMOTE RADIO HEAD - ION™-M7P/85P/17P/19P  
NOTES: COLOR - LIGHT GRAY



IMAGE OF (2) RADIO ION'S MOUNTED IN A PROTECTIVE SHROUD



4.6 MICROLAB COUPLER - CM-81DP



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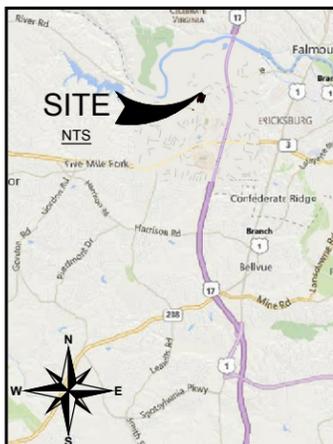


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DRAWN BY: CHK.: APV.:

BJA SJ RA

LOCUS



SHEET TITLE:

EQUIPMENT DETAILS

SHEET NUMBER: REVISION:

E2

**SITE PHOTOGRAPH**



**EXTENET NODE ID: VZW-NODE-14**  
**VERIZON WIRELESS**  
**1080 HOSPITALITY LN**  
**FREDERICKSBURG, VA 22401**

**DRAWING INDEX**

SHEET	DESCRIPTION
T1	TITLE SHEET
S1	POLE ELEVATIONS
S2	SITE PLAN
E1	ELECTRICAL DETAILS
E2	EQUIPMENT DETAILS

**CODE COMPLIANCE**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES:

- 2012 INTERNATIONAL BUILDING CODE
- 2012 NATIONAL ELECTRICAL CODE
- 2012 NFPA 101
- 2012 IFC
- ANSI/TIA-222-G
- TIA 607
- AMERICAN CONCRETE INSTITUTE
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- MANUAL OF STEEL CONSTRUCTION 13TH EDITION
- 2012 INTERNATIONAL PROPERTY MANAGEMENT
- IEEE C2 NATIONAL ELECTRIC SAFETY CODE LATEST EDITION
- TELECORDIA GR-1275
- ANSI/T 311

**GENERAL NOTES TO CONTRACTOR**

**STANDARD CONSTRUCTION NOTES:**

1. THESE NOTES SHALL BE CONSIDERED A PART OF THE WRITTEN SPECIFICATIONS.
2. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE IMPLEMENTATION ENGINEER AND ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
5. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
6. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
7. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK, USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTIONS MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATION ALL PORTION OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE IMPLEMENTATION ENGINEER AND WITH THE LANDLORD'S AUTHORIZED REPRESENTATIVE.
8. SEAL PENETRATIONS THROUGH FIRE RATED AREAS WITH U.L. LISTED FIRE CODE APPROVED MATERIALS.
9. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE PROJECT AREA DURING CONSTRUCTION.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CHAPTER 23 OF THE BC REGARDING EARTHQUAKE PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS AND MECHANICAL EQUIPMENT. ALL WORK MUST BE IN ACCORDANCE WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.
11. DETAILS ARE INTENDED TO SHOW END RESULTS OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUITE JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
12. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, PAVING, CURBS, VEGETATION, GALVANIZED SURFACE, ETC., AND UPON COMPLETION OF WORK REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF EXTENET.
13. KEEP GENERAL AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE.
14. REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWING, SHALL NOT BE USED TO IDENTIFY OR ESTABLISH THE BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK. IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY, THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT/ENGINEER.
15. PENETRATIONS OF ROOF MEMBRANES SHALL BE PATCHED/FLASHED AND MADE WATERTIGHT USING LIKE MATERIALS IN ACCORDANCE WITH NRCA ROOFING STANDARDS AND DETAILS. CONTRACTOR SHALL OBTAIN DETAILING CLARIFICATION FOR SITE-SPECIFIC CONDITIONS FROM ARCHITECT/ENGINEER, IF NECESSARY, BEFORE PROCEEDING. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE.
16. ALL ITEMS REMOVED DURING CONSTRUCTION WORK (I.E. DRYWALL, PLYWOOD, CEILING PANELS, ETC.) SHALL BE REPLACED TO MATCH EXISTING.
17. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE.
18. DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON THE DRAWING. DIMENSIONS SHOW AS X-X ± ARE ESTIMATED AND SHALL BE VERIFIED BY A SURVEYOR OR BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
19. ALL SITE WORK SHALL BE CAREFULLY COORDINATED BY GENERAL CONTRACTOR WITH LOCAL UTILITY COMPANY, TELEPHONE COMPANY, AND ANY OTHER UTILITY COMPANIES HAVING JURISDICTION OVER THIS LOCATION.

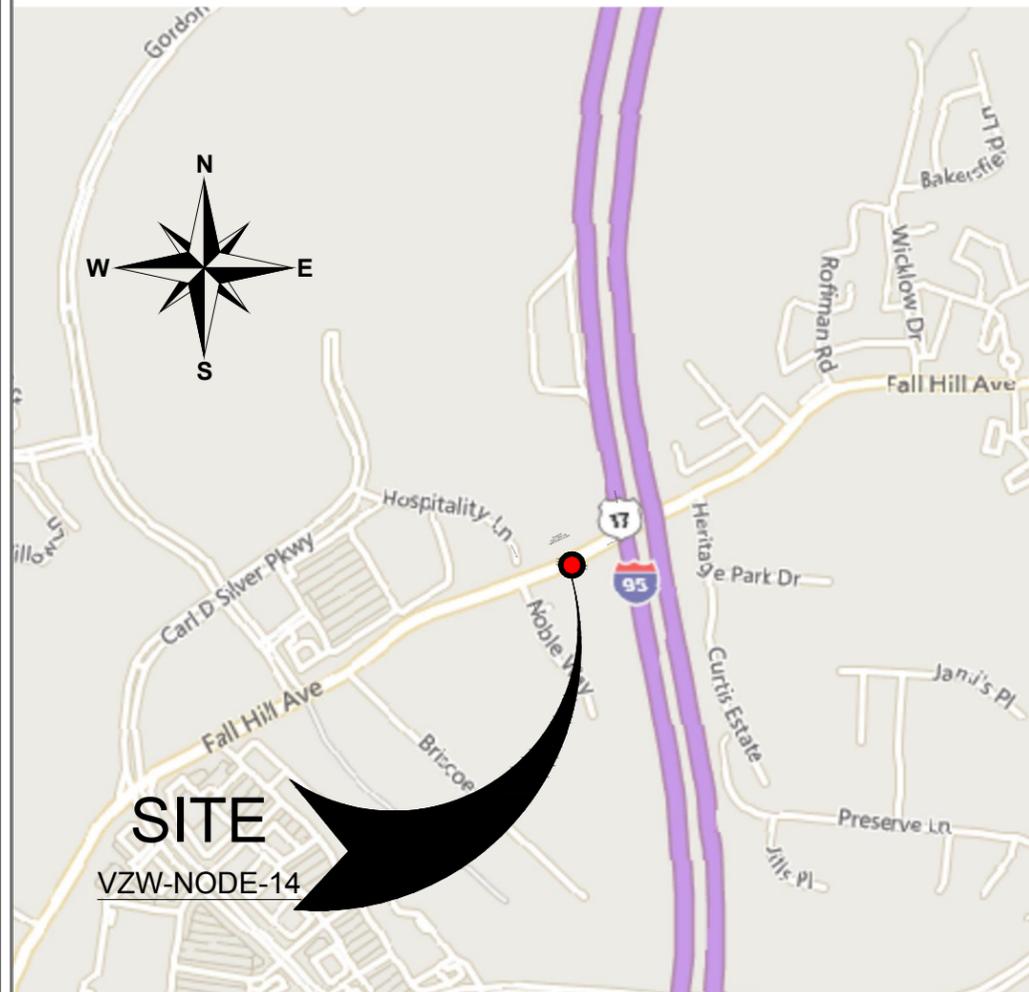
**GENERAL CIVIL NOTES:**

1. ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS AND STIPULATED IN THE SPECIFICATIONS PROJECT SUMMARY.
2. RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
3. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMENT.
4. THE SUB GRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO THE CRUSHED STONE APPLICATION.
5. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY ENGINEERS. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES. CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW.
6. ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND SHALL BE CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF THE ENGINEER.
7. THE AREAS OF PROPERTY DISTURBED BY THE BUILDING, DRIVEWAY OR CRUSHED STONE, SHALL BE GRADED TO A UNIFORM SLOPE, FERTILIZED, SEEDED, AND COVERED WITH MULCH AS SPECIFIED IN THE SPECIFICATION LANDSCAPE WORK.

**STANDARD CONDUIT NOTES:**

1. 1-(2" MINIMUM DIAMETER) DUCT OF APPROVED MATERIAL, RIGID GALVANIZED STEEL (WHEN REQUIRED) OR ELECTRO-METALLIC TUBING (EMT).
2. ELECTRICAL LB'S AND CONDUITS ARE NOT ACCEPTABLE AS PULL BOXES.
3. NO 90° TRANSITIONS AT OR WITHIN A PULL BOX (UNLESS A BENDING RADIUS 10x THE DIAMETER OF THE CABLE TO BE PLACED CAN BE MAINTAINED).
4. A HORIZONTAL MAXIMUM OF 300 FT. BETWEEN PULL BOXES.
5. A SECTION OF CONDUIT OF 100 FT. VERTICAL WILL REQUIRE A PULL BOX AND AN APPROVED CABLE RESTRAINT.
6. A MAXIMUM OF 2-90° SWEEPING RADIUS BENDS BETWEEN PULL BOXES. (A SWEEPING BEND IS A RADIUS 10x THE CONDUIT DIAMETER).
7. A MEASURING TAPE SHALL ALSO BE IN PLACE TO DETERMINE AS BUILT LENGTH.
8. PULL LINES IN ALL DUCTS (MIN. 400 LBS PULLING TENSION).
9. FIRE STOPPING REQUIRED WHEN OPENINGS ARE MADE IN ANY FIRE BARRIER.
10. ALL EXTERNAL CONDUIT TERMINATION SHALL BE WATER TIGHT.

**VICINITY MAP (NTS)**



**SCOPE OF WORK**

CONSTRUCTION OF A UNMANNED TELECOMMUNICATION FACILITY CONSISTING OF (1) 1900MHZ REMOTE RADIO HEAD, (1) BATTERY BACKUP UNIT, (1) CELLMAX OMNI ANTENNA AND ASSOCIATED CABLES MOUNTED TO A NEW UTILITY POLE.

**PROJECT INFORMATION**

NODE ID NUMBER: VZW-NODE-14  
 HUB ID NUMBER:  
 SITE ADDRESS: 1080 HOSPITALITY LN  
 FREDERICKSBURG, VA 22401  
 POLE NUMBER: PD--  
 POLE OWNER: DOMINION  
 LATITUDE (NAD 83): 38.313155  
 LONGITUDE (NAD 83): -77.504858  
 JURISDICTION: CITY OF FREDERICKSBURG  
 ZONING: PDC  
 GROUND ELEVATION: 272'  
 STRUCTURE TYPE: CURRENT: UTILITY POLE - CLASS 6  
 STRUCTURE HEIGHT: 50'

**Dig With Care**

**KNOW WHAT'S BELOW - CALL BEFORE YOU DIG!!!**  
 3-BUSINESS DAYS PRIOR TO EXCAVATION  
 CALL 8-1-1 or 1-800-552-7001



Network Owner:  
 Extenet Systems  
 3030 Warrenville Rd.  
 Lisle, IL 60532

24/7 Network Operations Center:  
 (866)-892-5327

Network Implementation:  
 Rick Angelini, Extenet Systems  
 Director - Network Engineering  
 & Implementation  
 RAngelini@extenetsystems.com  
 Cell: (508) 776-2161

**PROJECT INFORMATION:**

CELLULAR DAS NETWORK  
**VZW-NODE-14**  
 FREDERICKSBURG, VA

**CURRENT ISSUE DATE:**

8/12/2016

**ISSUED FOR:**

**PROPOSED**

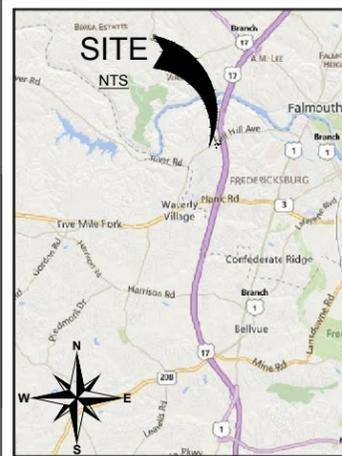
**PLANS PREPARED BY:**



**DRAWN BY: CHK.: APV.:**

BJA SJ RA

**LOCUS**



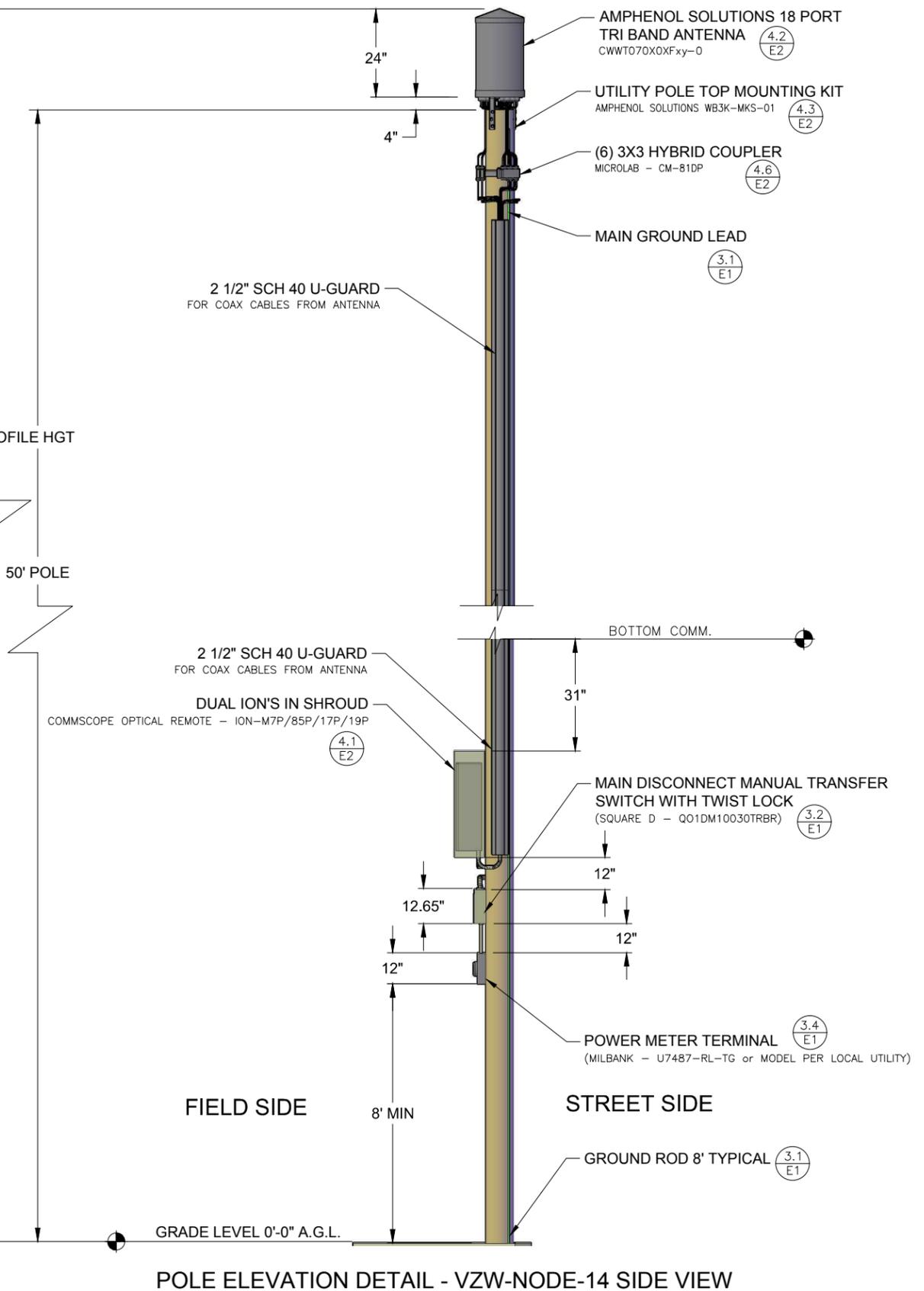
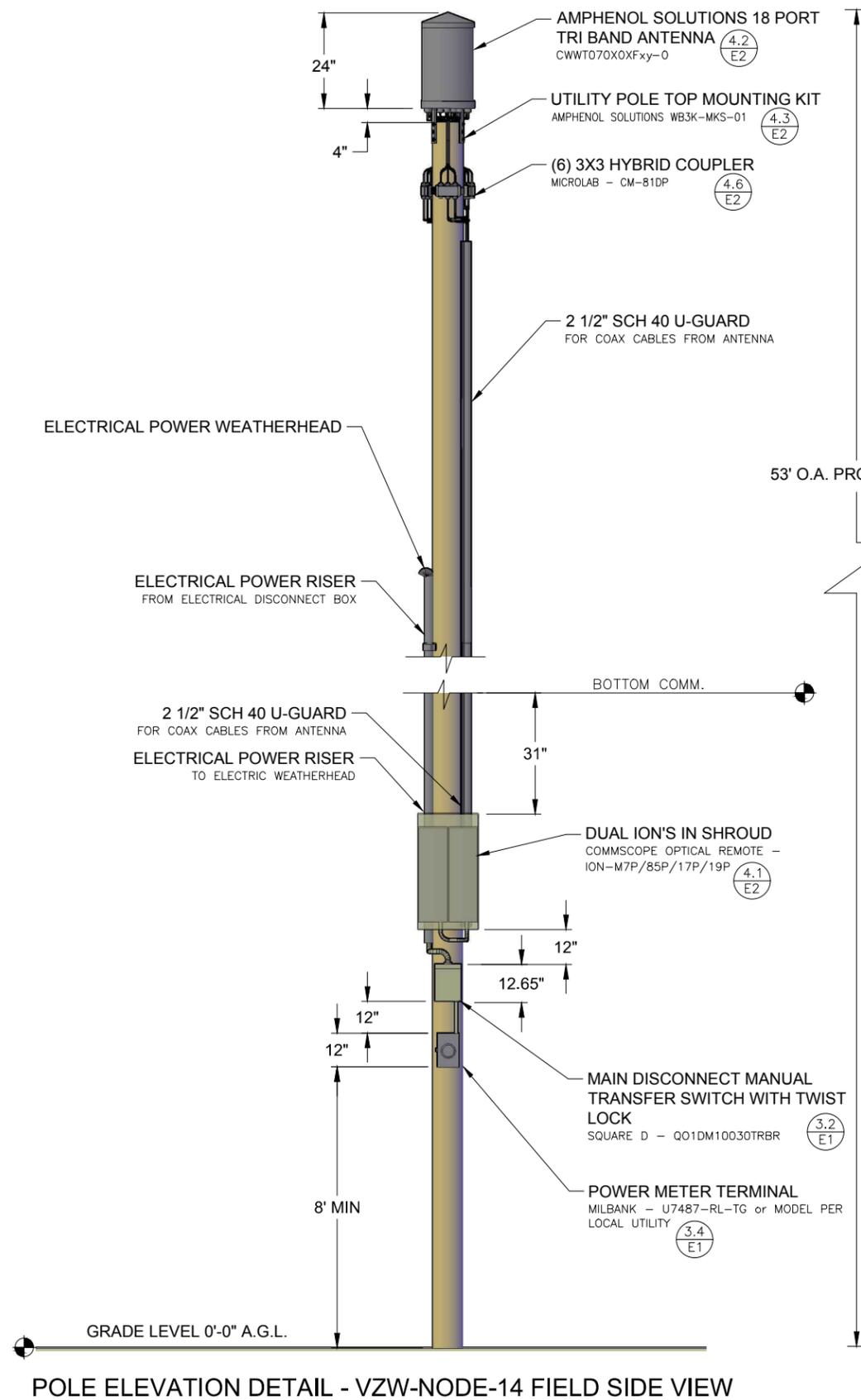
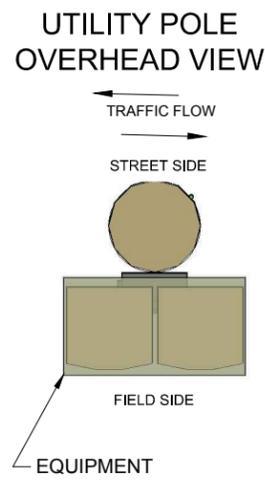
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TITLE SHEET

**SHEET NUMBER: REVISION:**

**T1**

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RAngelini@extenet.com  
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FREDERICKSBURG, VA

CURRENT ISSUE DATE:

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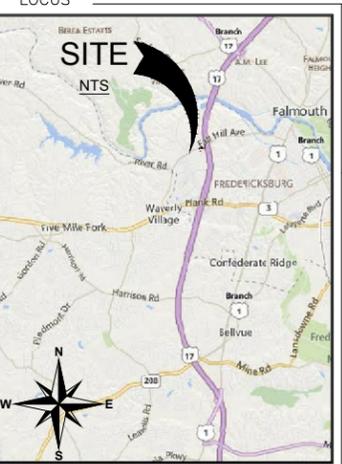
**PROPOSED**

PLANS PREPARED BY:

**Waveguide**  
10 N. Southwood Dr.  
Nashua, NH 03063  
(603) 598-0096  
www.waveguidefiber.com

DRAWN BY: BJA CHK.: SJ APV.: RA

LOCUS



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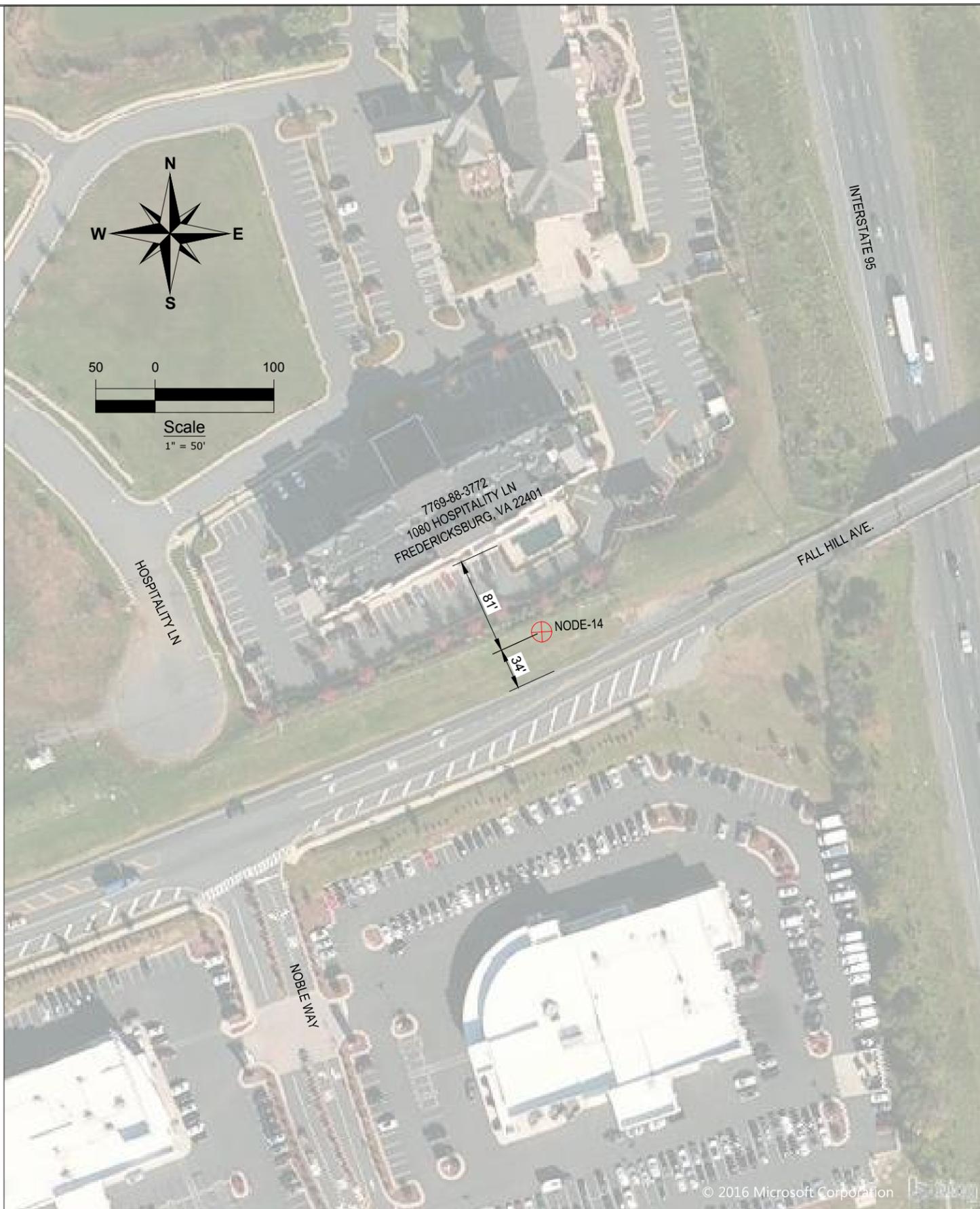
POLE ELEVATIONS

SHEET NUMBER: REVISION:

**S1**

## SITE CONSTRUCTION NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITIES COMPANY OR OTHER PUBLIC AUTHORITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
3. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
6. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
7. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEERING PRIOR TO INSTALLATION.
8. TRANSMITTER EQUIPMENT AND ANTENNAS ARE DESIGNED TO MEET ANSI/EIA/TIA 222-G REQUIREMENTS.
9. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
10. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
11. IF ANY UNDERGROUND UTILITIES OR STRUCTURES EXIST BENEATH THE PROJECT AREA, CONTRACTOR MUST LOCATE IT AND CONTACT THE APPLICANT & THE OWNER'S REPRESENTATIVE.
12. OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION BY TECHNICIANS APPROXIMATELY 2 TIMES PER MONTH.
13. PRIOR TO THE INSTALLATION OF THE PROPOSED EQUIPMENT OR MODIFICATION OF THE EXISTING STRUCTURE, A STRUCTURAL ANALYSIS SHALL BE PERFORMED BY THE OWNER'S AGENT TO CERTIFY THAT THE EXISTING/PROPOSED COMMUNICATION STRUCTURE AND COMPONENTS ARE STRUCTURALLY ADEQUATE TO SUPPORT ALL EXISTING AND PROPOSED ANTENNAS, COAXIAL CABLES AND THEIR APPURTENANCES.
14. PROPERTY LINE INFORMATION WAS PREPARED USING DEEDS, TAX MAPS, AND PLANS OF RECORD AND SHOULD NOT BE CONSTRUED AS AN ACCURATE BOUNDARY SURVEY.
15. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
16. THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORM WATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
17. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
18. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION (NO HANDICAP ACCESS REQUIRED).
19. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
20. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.



SITE PLAN SCALE: 1"=100'



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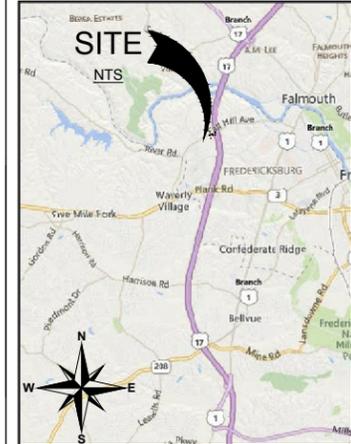


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DRAWN BY: \_\_\_\_\_ CHK.: \_\_\_\_\_ APV.: \_\_\_\_\_

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LOCUS



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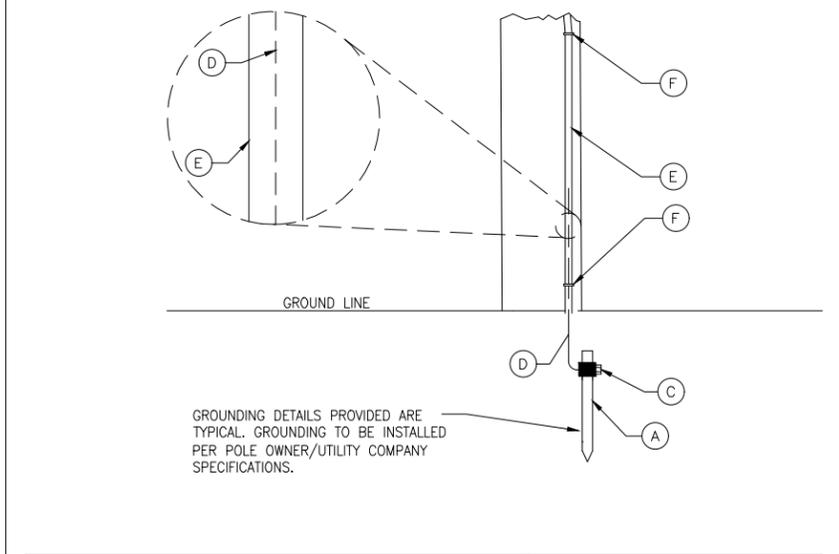
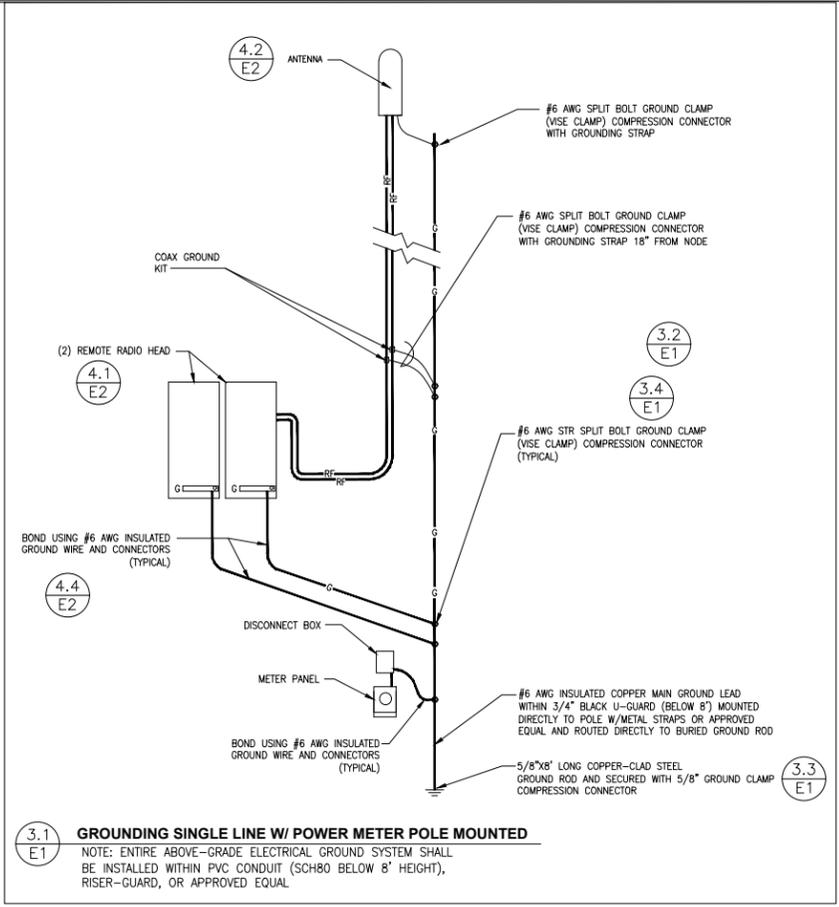
SITE PLAN

SHEET NUMBER: \_\_\_\_\_ REVISION: \_\_\_\_\_

**S2**

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**PARTS LIST**

CALLOUT	QTY	DESCRIPTION
A	1	5/8" x 8' STEEL COPPER CLAD GROUND ROD WITHIN 17"x30" HANDHOLE
B		
C	1	5/8" GROUND CLAMP
D	50'	#6 GREEN COATED BARE SOLID COPPER WIRE WITHIN 3/4" PVC SCH80 CONDUIT
E	8'	3/4" PVC SCHEDULE 80 GROUND WIRE CONDUIT
F	8	COPPER STAPLE

**DIMENSIONS**

Load center depth (in.)	4.27	Load center width (in.)	8.88
Load center height (in.)	12.85		

**DETAILS**

Electrical Product Type	Load Center	Number of Phases	1
Load Center Type	Temporary Power	Number of Spaces	4
Maximum Amperage (amps)	30/100 A	Power Distribution Features	Trip Indicator
Mounting type	Plug In	Product Weight (lb.)	11.53 lb
Number of Gangs	1	Returnable	90-Day
Number of Outlets	1	Voltage (volts)	120/240

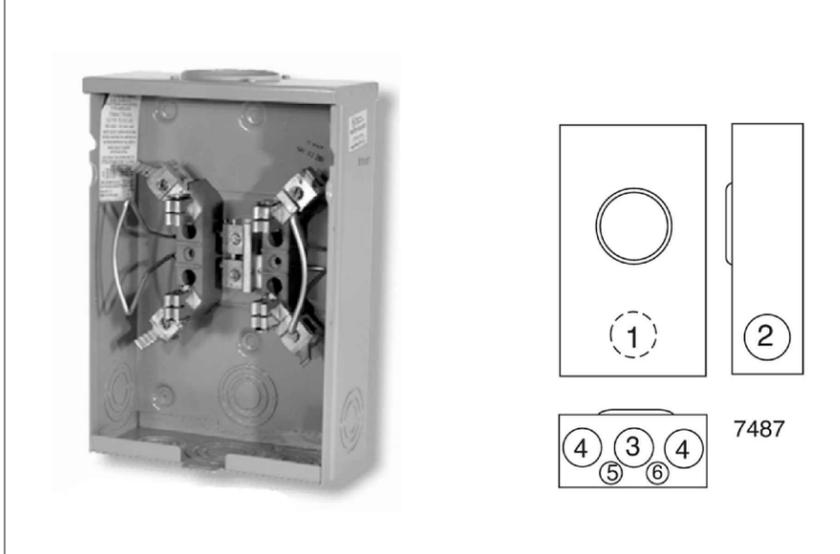


**PRODUCT OVERVIEW** Model # QO1DM100goTRBR | Internet # 202495852

The Square D by Schneider Electric QO 30/100 Amp 4-Space 8-Circuit Temporary Transfer Generator Panel helps you change from utility power to a standby source with the flip of 2 QO main circuit breakers. The panel is intended for outdoor use to connect to a standby power source for as many as 8 circuits. The ANSI-certified and UL-listed unit features a mechanical interlock to help ensure that only 1 main circuit breaker is in the on position at any time.

- Use to connect to a standby power source to as many as 8 circuits
- Changes from utility power to a standby source with the flip of 2 QO main circuit breakers
- Aluminum buss
- Single phase
- 120/240 Volts
- For outdoor use
- Mechanical interlock helps ensure that only 1 main circuit breaker is in the on position at any time
- Accepts up to 8 QO circuit breakers (sold separately)
- ANSI certified and UL listed
- Includes a 30 Amp 4-Watt L14-30P twist-lock receptacle in the bottom end wall for direct connection from a generator cord supply

**3.2 E1 DISCONNECT BOX - SQUARE D-Q024L70RB**



**FIFTH TERMINAL:** For field mounted fifth terminal: Order catalog number K5T to fit into square opening at the 9 o'clock position of the new style block (#6-350 kcmil.) Order catalog number 5T8K2 to fit into round opening at the 9 o'clock position of the old style block (#6-2/0 kcmil.)

**HUBS:** For proper hub selection see the hub suffix chart on the accessory page.

**CONNECTORS:** Extruded aluminum connectors are tin plated.

**BYPASS:** Units provided with horn type bypass (suffix -KK).

**3.4 E1 METER SOCKET - U7487-RL-TG**

- ELECTRICAL & GROUNDING NOTES**
- ALL ELECTRICAL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE (NEC) AS WELL AS APPLICABLE STATE AND LOCAL CODES.
  - ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED AND PROCURED PER SPECIFICATION REQUIREMENTS.
  - THE ELECTRICAL WORK INCLUDES ALL LABOR AND MATERIAL DESCRIBED BY DRAWINGS AND SPECIFICATION INCLUDING INCIDENTAL WORK TO PROVIDE COMPLETE OPERATING AND APPROVED ELECTRICAL SYSTEM.
  - GENERAL CONTRACTOR SHALL PAY FEES FOR PERMITS, AND IS RESPONSIBLE FOR OBTAINING SAID PERMITS AND COORDINATION OF INSPECTIONS.
  - ELECTRICAL AND TELCO WIRING AT EXPOSED INDOOR LOCATIONS SHALL BE IN ELECTRICAL METALLIC TUBING OR RIGID NONMETALLIC TUBING (RIGID SCHEDULE 40 PVC OR RIGID SCHEDULE 80 PVC FOR LOCATIONS SUBJECT TO PHYSICAL DAMAGE) (AS PERMITTED BY CODE).
  - ELECTRICAL AND TELCO WIRING AT CONCEALED INDOOR LOCATIONS SHALL BE IN ELECTRICAL METALLIC TUBING, ELECTRICAL NONMETALLIC TUBING, OR RIGID NONMETALLIC TUBING (RIGID SCHEDULE 40 PVC AS PERMITTED BY CODE).
  - ELECTRICAL AND TELCO WIRING OUTSIDE A BUILDING, ABOVE GRADE AND EXPOSED TO WEATHER SHALL BE IN WATER TIGHT GALVANIZED RIGID STEEL CONDUITS (RGS) AND WHERE REQUIRED IN LIQUID TIGHT FLEXIBLE METAL OR NONMETALLIC CONDUITS.
  - BURIED CONDUIT SHALL BE RIGID NONMETALLIC CONDUIT (RIGID SCHEDULE 40 PVC); DIRECT BURIED IN AREAS OF OCCASIONAL LIGHT TRAFFIC, ENCASED IN REINFORCED CONCRETE IN AREAS OF HEAVY TRAFFIC.
  - LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT SHALL BE USED INDOORS AND OUTDOORS IN AREAS WHERE VIBRATION OCCURS AND FLEXIBILITY IS NEEDED.
  - ELECTRICAL WIRING SHALL BE COPPER WITH TYPE THHN, THWN-2, OR THIN INSULATION.
  - RUN ELECTRICAL CONDUIT OR CABLE BETWEEN ELECTRICAL UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE PPC AS INDICATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE. COORDINATE INSTALLATION WITH UTILITY COMPANY.
  - RUN TELCO CONDUIT OR CABLE BETWEEN TELEPHONE UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE TELCO CABINET AND BTS CABINET AS INDICATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE IN INSTALLED TELCO CONDUIT. PROVIDE GREENLEE CONDUIT MEASURING TAPE AT EACH END.
  - ALL EQUIPMENT LOCATED OUTSIDE SHALL HAVE NEMA 3R ENCLOSURE.
  - PPC SUPPLIED BY PROJECT OWNER.
  - GROUNDING SHALL COMPLY WITH NEC ART. 250. ADDITIONALLY, GROUNDING, BONDING AND LIGHTING PROTECTION SHALL BE DONE IN ACCORDANCE WITH METRO MOD CELL SITE GROUNDING STANDARDS.
  - GROUND CABLE SHIELDS MINIMUM AT BOTH ENDS USING MANUFACTURERS CABLE GROUNDING KITS SUPPLIED BY PROJECT OWNER.
  - USE #6 COPPER STRANDED WIRE WITH GREEN COLOR INSULATION FOR ABOVE GRADE GROUNDING (UNLESS OTHERWISE SPECIFIED) AND #2 SOLID TINNED BARE COPPER WIRE FOR BELOW GRADE GROUNDING AS INDICATED ON THE DRAWING.
  - ALL POWER AND GROUND CONNECTIONS TO BE CRIMP-STYLE, COMPRESSION WIRE LUGS AND WIRE NUTS BY HARGER (OR APPROVED EQUAL) RATED FOR OPERATION AT NO LESS THAN 75°C OR CADWELD EXOTHERMIC WELD. DO NOT ALLOW BARE COPPER WIRE TO BE IN CONTACT WITH GALVANIZED STEEL.
  - ROUTE GROUNDING CONDUCTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED. GROUNDING LEADS SHOULD NEVER BE BENT AT RIGHT ANGLE. ALWAYS MAKE AT LEAST 12" RADIUS BENDS. #6 WIRE CAN BE BENT AT 6" RADIUS WHEN NECESSARY. BOND ANY METAL OBJECTS WITHIN 6 FEET OF PROJECT OWNER EQUIPMENT OR CABINET TO MASTER GROUND BAR OR GROUNDING RING.
  - CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO HOLE COMPRESSION TYPE COPPER LUGS. APPLY OXIDE INHIBITING COMPOUND TO ALL LOCATIONS.
  - APPLY OXIDE INHIBITING COMPOUND TO ALL MECHANICAL GROUND CONNECTIONS.
  - CONTRACTOR SHALL PROVIDE AND INSTALL OMNI DIRECTIONAL ELECTRONIC MARKER SYSTEM (EMS) BALLS OVER EACH GROUND ROD AND BONDING POINT BETWEEN EXISTING TOWER/ MONOPOLE GROUNDING RING AND EQUIPMENT GROUNDING RING.
  - CONTRACTOR SHALL TEST COMPLETED GROUND SYSTEM AND RECORD RESULTS FOR PROJECT CLOSE-OUT DOCUMENTATION. 5 OHMNS MINIMUM RESISTANCE REQUIRED.
  - CONTRACTOR SHALL CONDUCT ANTENNA, CABLE, AND LNA RETURN-LOSS AND DISTANCE-TO-FAULT MEASUREMENTS (SWEEP TESTS) AND RECORD RESULTS FOR PROJECT CLOSE OUT.
  - THE T-MOBILE ELECTRICAL EQUIPMENT INCLUDING PANEL, SWITCH GEAR AND DISCONNECT ARE TO BE LABELED WITH ENGRAVED BAKELITE LABELS.



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**CELLULAR DAS NETWORK**

**VZW-NODE-14**

FREDERICKSBURG, VA

**CURRENT ISSUE DATE:**

8/12/2016

**ISSUED FOR:**

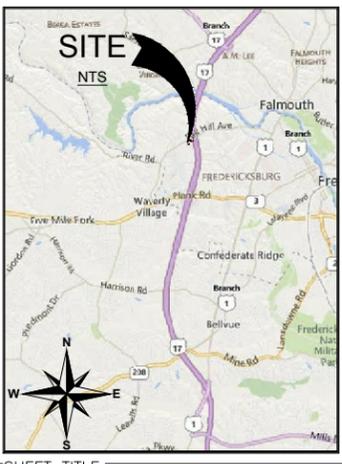
**PROPOSED**

**PLANS PREPARED BY:**

**Waveguide**

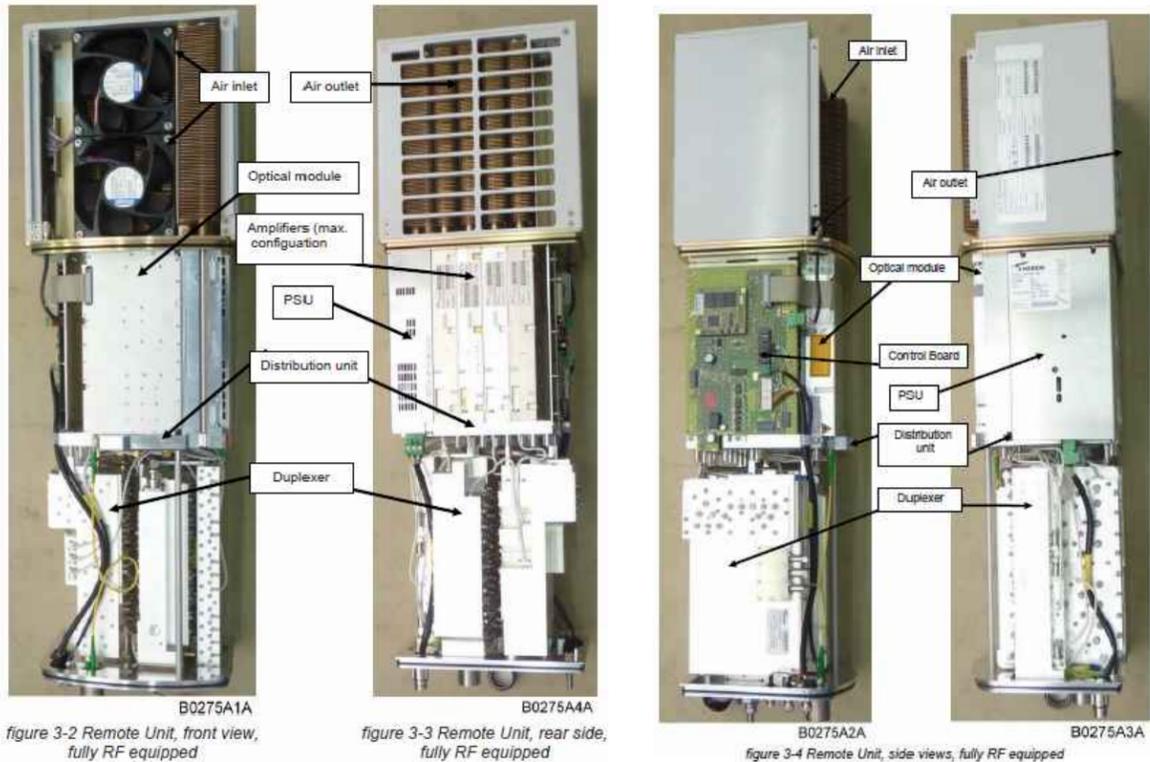
10 N. Southwood Dr.  
 Nashua, NH 03063  
 (603) 598-0096  
 www.waveguidefiber.com

**DRAWN BY:** BJA **CHK.:** SJ **APV.:** RA



**ELECTRICAL DETAILS**

**SHEET NUMBER:** E1 **REVISION:**



**Amphenol ANTENNA SOLUTIONS** 696-960 / 1695-2180 / 1695-2180 MHz

**CWWT070X06Fxy-0**  
Tri Band | Tri Sector Cylindrical Antenna | XXX-Pol | 70° / 70° / 70° | 10.0 / 14.0 / 14.0 dBi | Fixed Tilt

- Tri band, cylindrical antenna
- Tri sector configuration, 120° spacing with 18 connectors
- Ideal for Small Cell / DAS applications
- Can be ordered with a variety of different mounting options
- Also available with internal diplexer and/or GPS system

Ordering Options	Model Number*	Includes
Antenna only, no mounting kit	CWWT070X06Fxy-0	
Antenna with Side Mounting Pipe Mounting Kit	CWWT070X06Fxy-0S	CWTKMS-SIDE
Antenna with Top Mounting Pipe Mounting Kit	CWWT070X06Fxy-0T	CWTKMS-TOP
Antenna with Utility Pole Mounting Kit	CWWT070X06Fxy-0U	WB3X-MKS-01

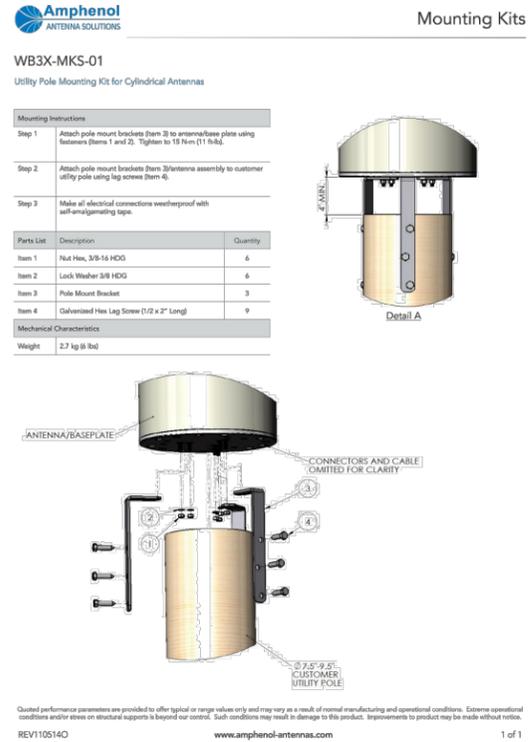
\*When ordering, replace the "x" in the model number with the desired electrical downlink for the 800-900 MHz frequency and replace the "y" in the model number with the desired electrical downlink for the 1710-2170 MHz range. Select from the options listed below under Electrical Downlinks.

Similar antennas are available with the following features. Please refer to antenna data sheets for details. Specifications may differ.

Electrical Characteristics	696-960 MHz	800-900 MHz	High Band #1 and #2: 1695-2180
Frequency Bands (MHz)	696-960	800-900	1695-1880 / 1800-1970 / 1920-2180
Polarization	45°	45°	2x 45° (Quad-Pol)
Horizontal Beamwidth	70°	70°	70°
Vertical Beamwidth	30°	30°	17°
Gain	10.0 dBi	13.0 dBi	13.5 dBi / 14.0 dBi
Electrical Downlink (F)	6, 2, 4, 6	6, 2, 4, 6	6, 2, 4, 6
Impedance	50Ω	50Ω	50Ω
VSWR	≤ 1.5:1	≤ 1.5:1	≤ 1.5:1
Upper Sideband Suppression	> 15 dB	> 15 dB	> 15 dB
Front-to-Back Ratio	> 30 dB	> 30 dB	> 30 dB
Isolation Between Ports	20 dB	20 dB	22 dB
IMD (2-tone Carrier)	< -153 dBc	< -153 dBc	< -153 dBc
Input Power	300 W	300 W	300 W
Number of Connectors Per Band	6 Connectors/Band	12 Connectors/Band	12 Connectors/Band
Total Number of Connectors / Type / Location	18 Connectors / 4, 1, 9, 5 Mini-DIN / Female / Bottom of Antenna		
Diplexed	No	No	No
Number of Sectors / Sector Spacing	3 Sectors / 120° Spacing		
Lightning Protection	Direct Ground		
Dimensions (Height x Diameter)	410 x 371 mm	24.0 x 14.6 in	
Weight without Mounting Brackets	18 kg	40 lbs	
Survival Wind Speed	300 km/hr	125 mph	
Wind Area	0.22 m <sup>2</sup>	2.4 ft <sup>2</sup>	
Wind Loads (160 km/hr or 100 mph)	191 N	43 lb	

Quoted performance parameters are provided to offer typical or range values only and may vary as a result of normal manufacturing and operational conditions. Extreme operational conditions and/or errors on structural supports is beyond our control. Such conditions may result in damage to this product. Improvements to product may be made without notice.

REV101075R www.amphenol-antennas.com 1 of 3



**Network Owner:**  
Extenet Systems  
3030 Warrenville Rd.  
Lisle, IL 60532

**24/7 Network Operations Center:**  
(866)-892-5327

**Network Implementation:**  
Rick Angelini, Extenet Systems  
Director - Network Engineering & Implementation  
RAngelini@extenetsystems.com  
Cell: (508) 776-2161

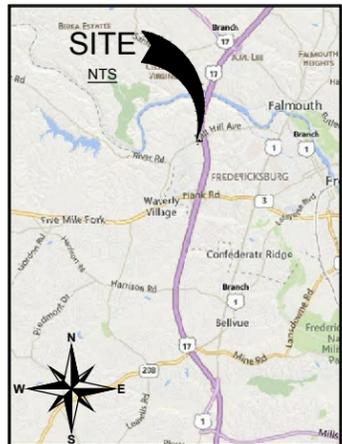
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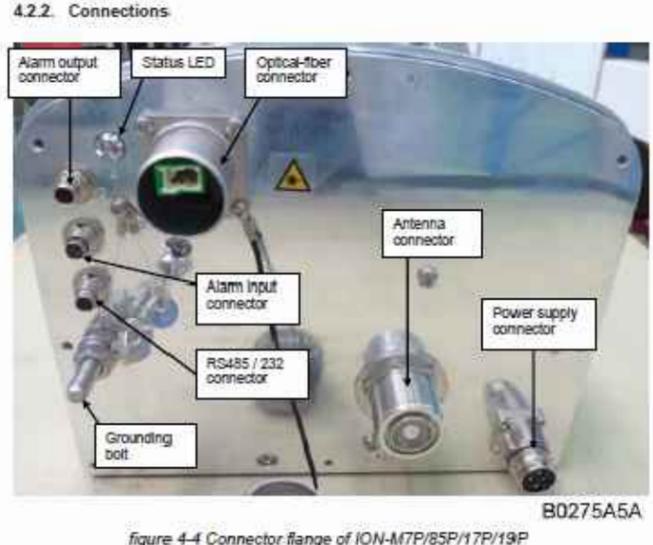
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**SHEET TITLE:**  
EQUIPMENT DETAILS

**SHEET NUMBER:** E2 **REVISION:**

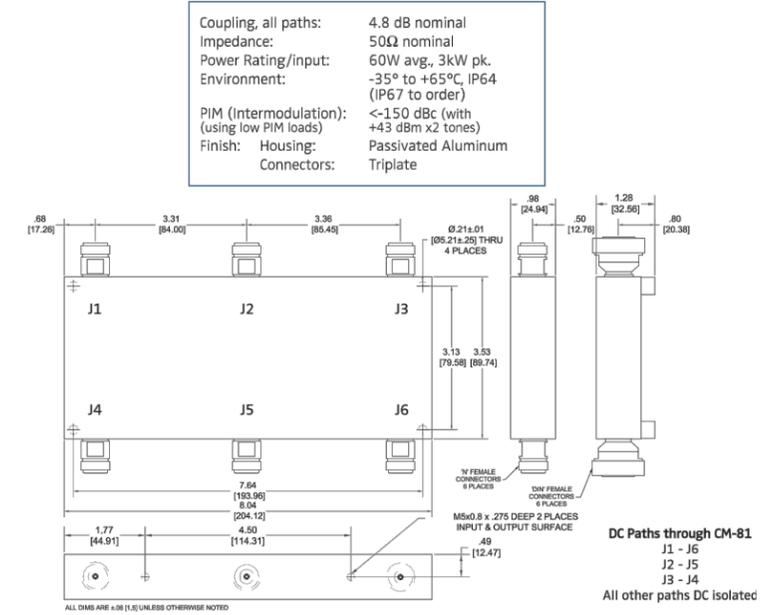
**Optical Remote Unit**  
**ION™ -M7P/85P/17P/19P (ML-Cabinet)**



**4.1 REMOTE RADIO HEAD - ION™ -M7P/85P/17P/19P**  
NOTES: COLOR - LIGHT GRAY



**IMAGE OF (2) RADIO ION'S MOUNTED IN A PROTECTIVE SHROUD**



**4.6 MICROLAB COUPLER - CM-81DP**

**SITE PHOTOGRAPH**



EXISTING SPRINT NODE 20



**EXTENET NODE ID: VZW-NODE-02**  
**VERIZON WIRELESS**  
**SPRINT NODE-020**  
**3000 PLANK RD.**  
**FREDERICKSBURG, VA 22407**

**DRAWING INDEX**

SHEET	DESCRIPTION
T1	TITLE SHEET
S1	POLE ELEVATIONS
S2	SITE PLAN
E1	ELECTRICAL DETAILS
E2-E3	EQUIPMENT DETAILS

**CODE COMPLIANCE**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES:

- 2012 INTERNATIONAL BUILDING CODE
- 2012 NATIONAL ELECTRICAL CODE
- 2012 NFPA 101
- 2012 IFC
- ANSI/TIA-222-G
- TIA 607
- AMERICAN CONCRETE INSTITUTE
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- MANUAL OF STEEL CONSTRUCTION 13TH EDITION
- 2012 INTERNATIONAL PROPERTY MANAGEMENT
- IEEE C2 NATIONAL ELECTRIC SAFETY CODE LATEST EDITION
- TELECORDIA GR-1275
- ANSI/T 311

**GENERAL NOTES TO CONTRACTOR**

**STANDARD CONSTRUCTION NOTES:**

1. THESE NOTES SHALL BE CONSIDERED A PART OF THE WRITTEN SPECIFICATIONS.
2. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE IMPLEMENTATION ENGINEER AND ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
5. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
6. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
7. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK, USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTIONS MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATION ALL PORTION OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE IMPLEMENTATION ENGINEER AND WITH THE LANDLORD'S AUTHORIZED REPRESENTATIVE.
8. SEAL PENETRATIONS THROUGH FIRE RATED AREAS WITH U.L. LISTED FIRE CODE APPROVED MATERIALS.
9. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE PROJECT AREA DURING CONSTRUCTION.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CHAPTER 23 OF THE BC REGARDING EARTHQUAKE PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS AND MECHANICAL EQUIPMENT. ALL WORK MUST BE IN ACCORDANCE WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.
11. DETAILS ARE INTENDED TO SHOW END RESULTS OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUITE JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
12. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, PAVING, CURBS, VEGETATION, GALVANIZED SURFACE, ETC., AND UPON COMPLETION OF WORK REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF EXTENET.
13. KEEP GENERAL AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE.
14. REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWING, SHALL NOT BE USED TO IDENTIFY OR ESTABLISH THE BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK. IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT/ENGINEER.
15. PENETRATIONS OF ROOF MEMBRANES SHALL BE PATCHED/FLASHED AND MADE WATERTIGHT USING LIKE MATERIALS IN ACCORDANCE WITH NRCA ROOFING STANDARDS AND DETAILS. CONTRACTOR SHALL OBTAIN DETAILING CLARIFICATION FOR SITE-SPECIFIC CONDITIONS FROM ARCHITECT/ENGINEER, IF NECESSARY, BEFORE PROCEEDING. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE.
16. ALL ITEMS REMOVED DURING CONSTRUCTION WORK (I.E. DRYWALL, PLYWOOD, CEILING PANELS, ETC.) SHALL BE REPLACED TO MATCH EXISTING.
17. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE.
18. DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON THE DRAWING. DIMENSIONS SHOW AS X-X ± ARE ESTIMATED AND SHALL BE VERIFIED BY A SURVEYOR OR BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
19. ALL SITE WORK SHALL BE CAREFULLY COORDINATED BY GENERAL CONTRACTOR WITH LOCAL UTILITY COMPANY, TELEPHONE COMPANY, AND ANY OTHER UTILITY COMPANIES HAVING JURISDICTION OVER THIS LOCATION.

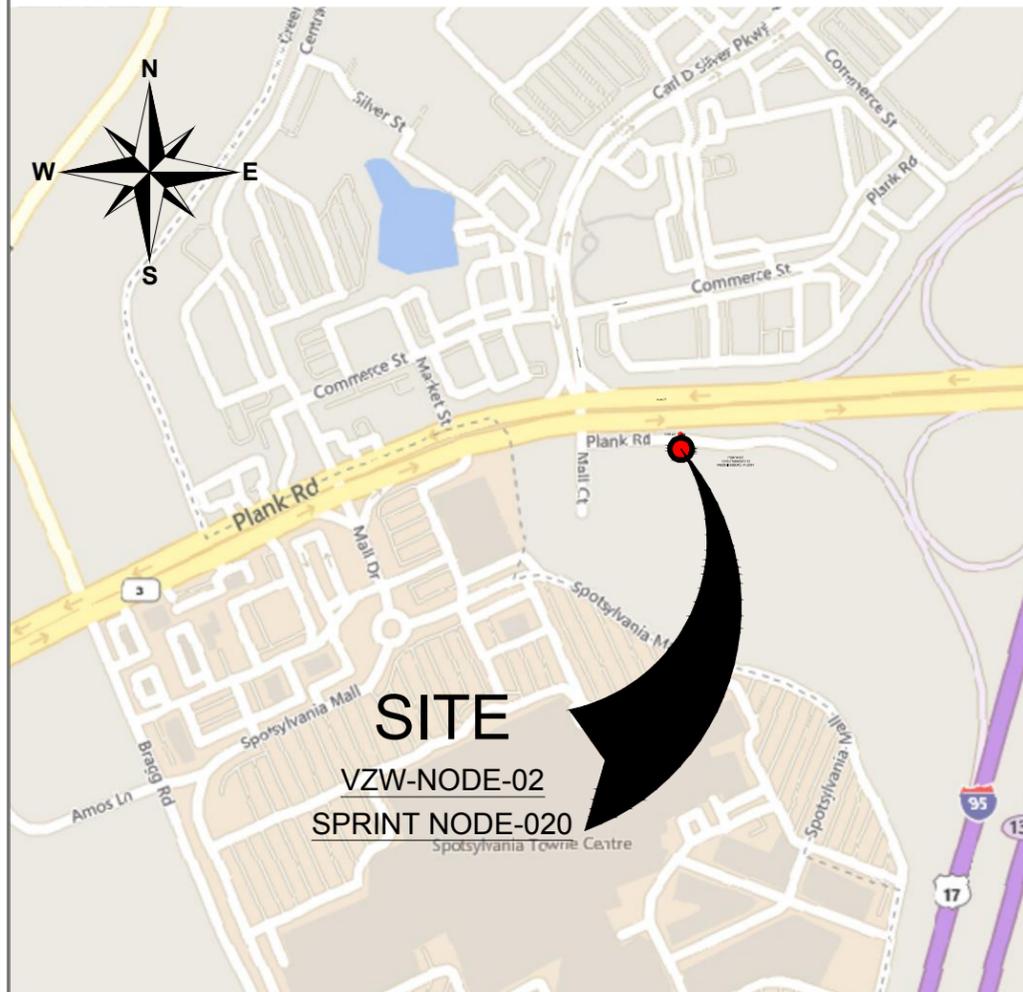
**GENERAL CIVIL NOTES:**

1. ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS AND STIPULATED IN THE SPECIFICATIONS PROJECT SUMMARY.
2. RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
3. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMENT.
4. THE SUB GRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO THE CRUSHED STONE APPLICATION.
5. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY ENGINEERS. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES. CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW.
6. ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND SHALL BE CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF THE ENGINEER.
7. THE AREAS OF PROPERTY DISTURBED BY THE BUILDING, DRIVEWAY OR CRUSHED STONE, SHALL BE GRADED TO A UNIFORM SLOPE, FERTILIZED, SEED, AND COVERED WITH MULCH AS SPECIFIED IN THE SPECIFICATION LANDSCAPE WORK.

**STANDARD CONDUIT NOTES:**

1. 1-(2" MINIMUM DIAMETER) DUCT OF APPROVED MATERIAL, RIGID GALVANIZED STEEL (WHEN REQUIRED) OR ELECTRO-METALLIC TUBING (EMT).
2. ELECTRICAL LB'S AND CONDUITS ARE NOT ACCEPTABLE AS PULL BOXES.
3. NO 90° TRANSITIONS AT OR WITHIN A PULL BOX (UNLESS A BENDING RADIUS 10x THE DIAMETER OF THE CABLE TO BE PLACED CAN BE MAINTAINED).
4. A HORIZONTAL MAXIMUM OF 300 FT. BETWEEN PULL BOXES.
5. A SECTION OF CONDUIT OF 100 FT. VERTICAL WILL REQUIRE A PULL BOX AND AN APPROVED CABLE RESTRAINT.
6. A MAXIMUM OF 2-90° SWEEPING RADIUS BENDS BETWEEN PULL BOXES. (A SWEEPING BEND IS A RADIUS 10x THE CONDUIT DIAMETER).
7. A MEASURING TAPE SHALL ALSO BE IN PLACE TO DETERMINE AS BUILT LENGTH.
8. PULL LINES IN ALL DUCTS (MIN. 400 LBS PULLING TENSION).
9. FIRE STOPPING REQUIRED WHEN OPENINGS ARE MADE IN ANY FIRE BARRIER.
10. ALL EXTERNAL CONDUIT TERMINATION SHALL BE WATER TIGHT.

**VICINITY MAP (NTS)**



**SCOPE OF WORK**

CONSTRUCTION OF A UNMANNED TELECOMMUNICATION FACILITY CONSISTING OF (1) 1900MHZ REMOTE RADIO HEAD, (1) BATTERY BACKUP UNIT, (1) CELLMAO OMNI ANTENNA AND ASSOCIATED CABLES MOUNTED TO AN EXISTING UTILITY POLE.

**PROJECT INFORMATION**

NODE ID NUMBER: VZW-NODE-02  
 HUB ID NUMBER: 3000 PLANK RD.  
 SITE ADDRESS: FREDERICKSBURG, VA 22407  
 POLE NUMBER: G2338/RC-60  
 POLE OWNER: DOMINION  
 POLE OWNER: 38.295784  
 -77.51116  
 LATITUDE (NAD 83):  
 LONGITUDE (NAD 83): SPOTSYLVANIA CO  
 JURISDICTION: CH  
 ZONING: 242'  
 CURRENT: UTILITY POLE  
 GROUND ELEVATION: CLASS 5  
 STRUCTURE TYPE:  
 STRUCTURE HEIGHT: 35'

**Dig With Care**

**KNOW WHAT'S BELOW - CALL BEFORE YOU DIG!!!**  
**3-BUSINESS DAYS PRIOR TO EXCAVATION**  
**CALL 8-1-1 or 1-800-552-7001**



Network Owner:  
 Extenet Systems  
 3030 Warrenville Rd.  
 Lisle, IL 60532

24/7 Network Operations Center:  
 (866)-892-5327

Network Implementation:  
 Rick Angelini, Extenet Systems  
 Director - Network Engineering  
 & Implementation  
 RAngelini@extenetsystems.com  
 Cell: (508) 776-2161

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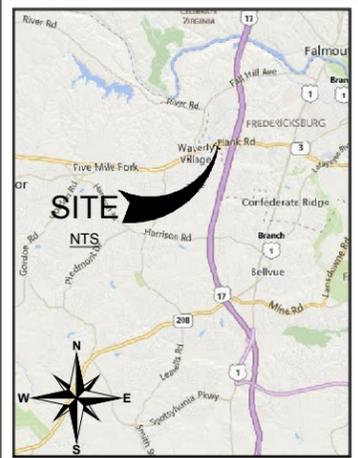
**PLANS PREPARED BY:**



**DRAWN BY: CHK.: APV.:**

BJA SJ RA

**LOCUS**



**SHEET TITLE:**

TITLE SHEET

**SHEET NUMBER: REVISION:**

**T1**

## SITE CONSTRUCTION NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITIES COMPANY OR OTHER PUBLIC AUTHORITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
3. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
6. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
7. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEERING PRIOR TO INSTALLATION.
8. TRANSMITTER EQUIPMENT AND ANTENNAS ARE DESIGNED TO MEET ANSI/EIA/TIA 222-G REQUIREMENTS.
9. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
10. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
11. IF ANY UNDERGROUND UTILITIES OR STRUCTURES EXIST BENEATH THE PROJECT AREA, CONTRACTOR MUST LOCATE IT AND CONTACT THE APPLICANT & THE OWNER'S REPRESENTATIVE.
12. OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION BY TECHNICIANS APPROXIMATELY 2 TIMES PER MONTH.
13. PRIOR TO THE INSTALLATION OF THE PROPOSED EQUIPMENT OR MODIFICATION OF THE EXISTING STRUCTURE, A STRUCTURAL ANALYSIS SHALL BE PERFORMED BY THE OWNER'S AGENT TO CERTIFY THAT THE EXISTING/PROPOSED COMMUNICATION STRUCTURE AND COMPONENTS ARE STRUCTURALLY ADEQUATE TO SUPPORT ALL EXISTING AND PROPOSED ANTENNAS, COAXIAL CABLES AND THEIR APPURTENANCES.
14. PROPERTY LINE INFORMATION WAS PREPARED USING DEEDS, TAX MAPS, AND PLANS OF RECORD AND SHOULD NOT BE CONSTRUED AS AN ACCURATE BOUNDARY SURVEY.
15. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
16. THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORM WATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
17. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
18. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION (NO HANDICAP ACCESS REQUIRED).
19. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
20. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.



SITE PLAN SCALE: 1"=100'



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DRAWN BY: \_\_\_\_\_ CHK.: \_\_\_\_\_ APV.: \_\_\_\_\_

BJA	SJ	RA
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LOCUS



SHEET TITLE:

SITE PLAN

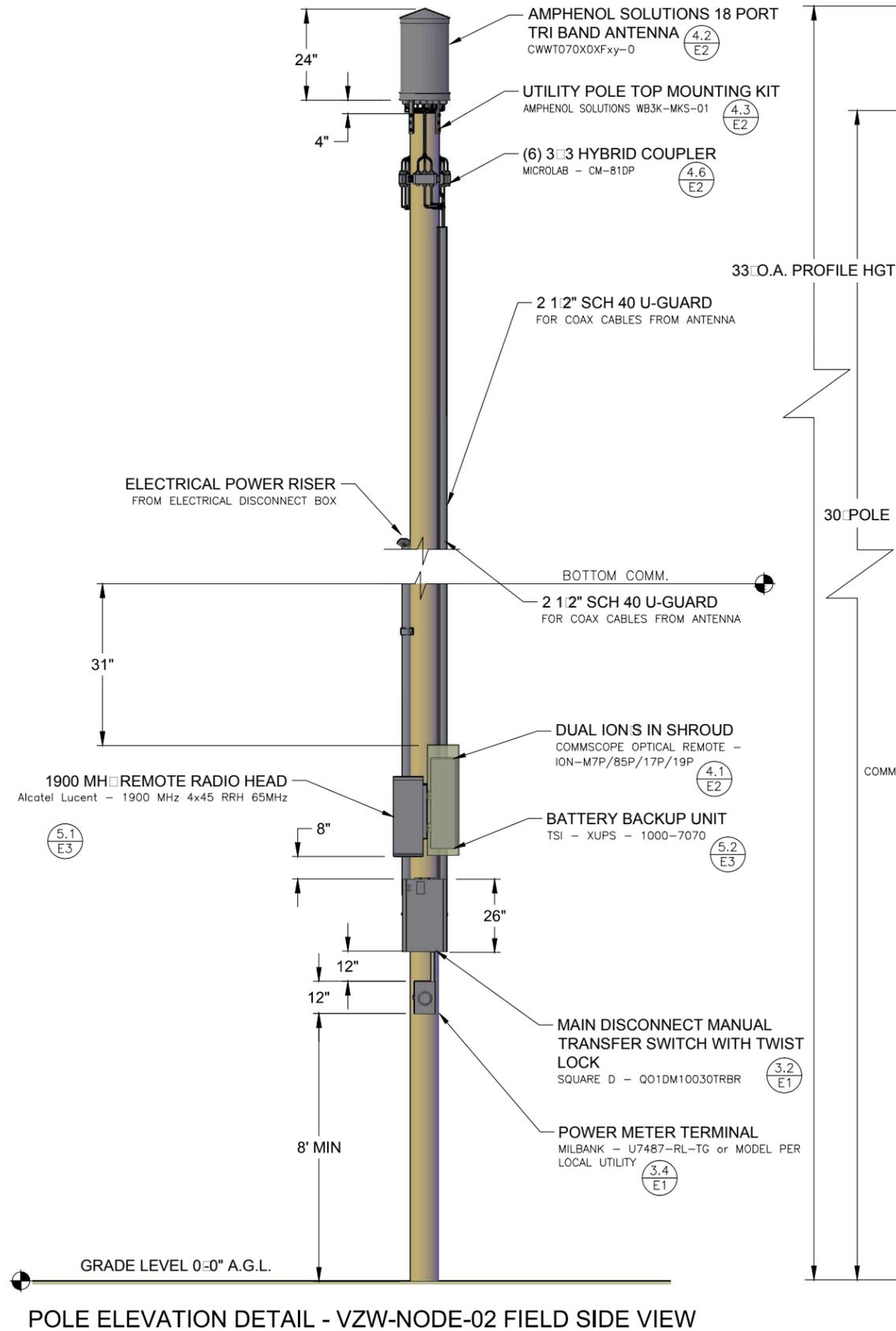
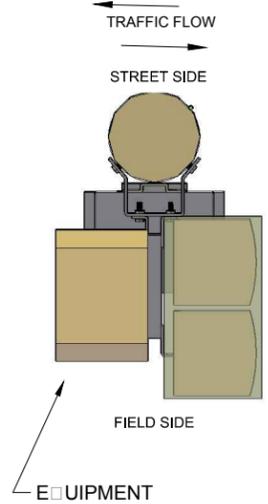
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**S2**

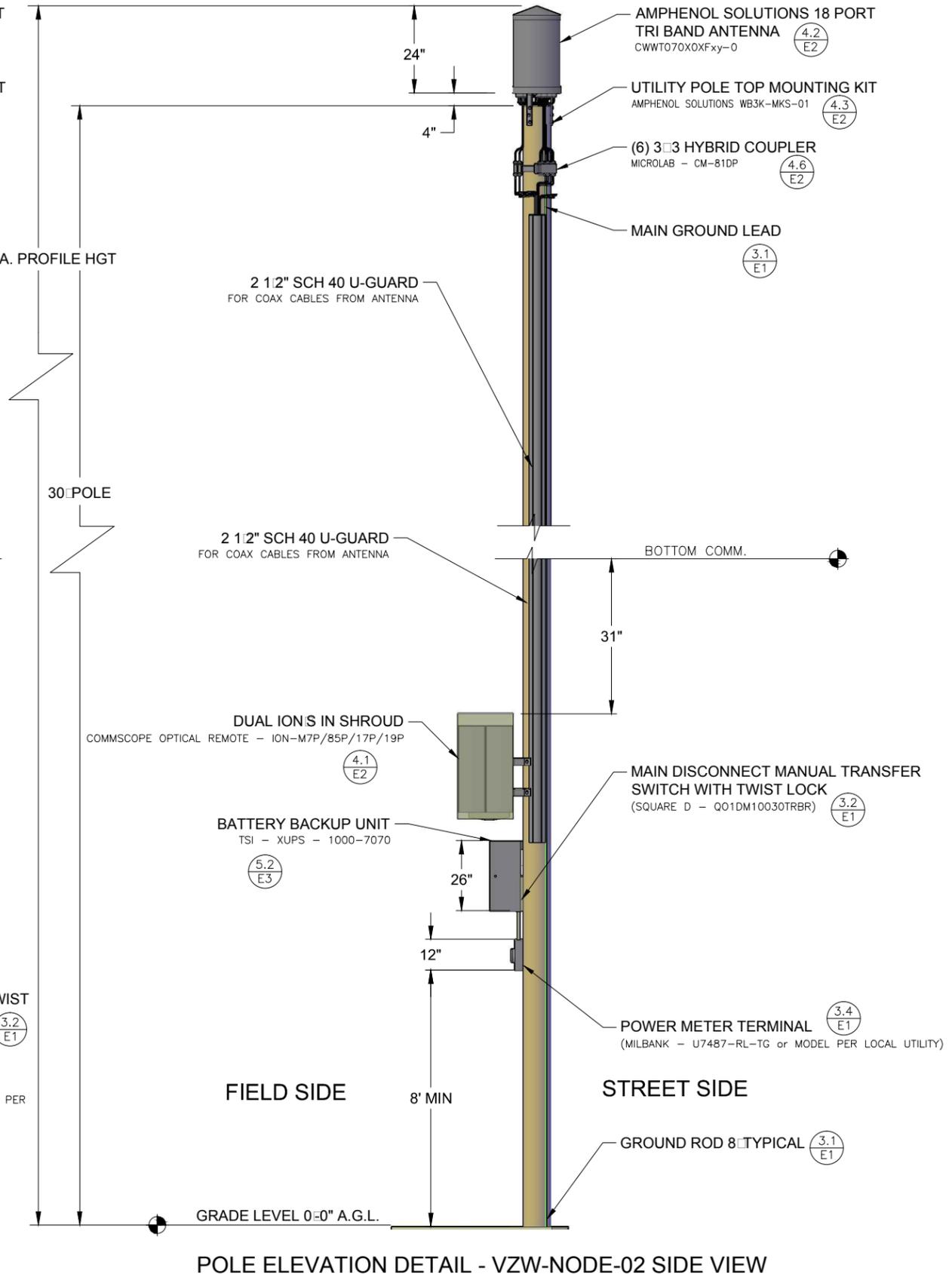
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**UTILITY POLE OVERHEAD VIEW**



POLE ELEVATION DETAIL - VZW-NODE-02 FIELD SIDE VIEW



POLE ELEVATION DETAIL - VZW-NODE-02 SIDE VIEW



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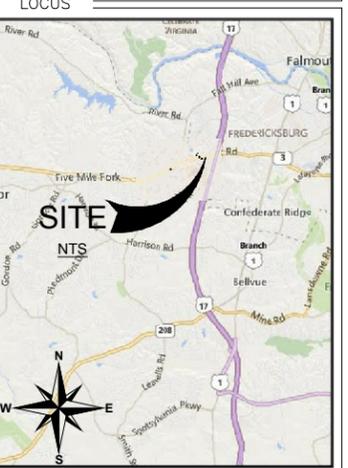
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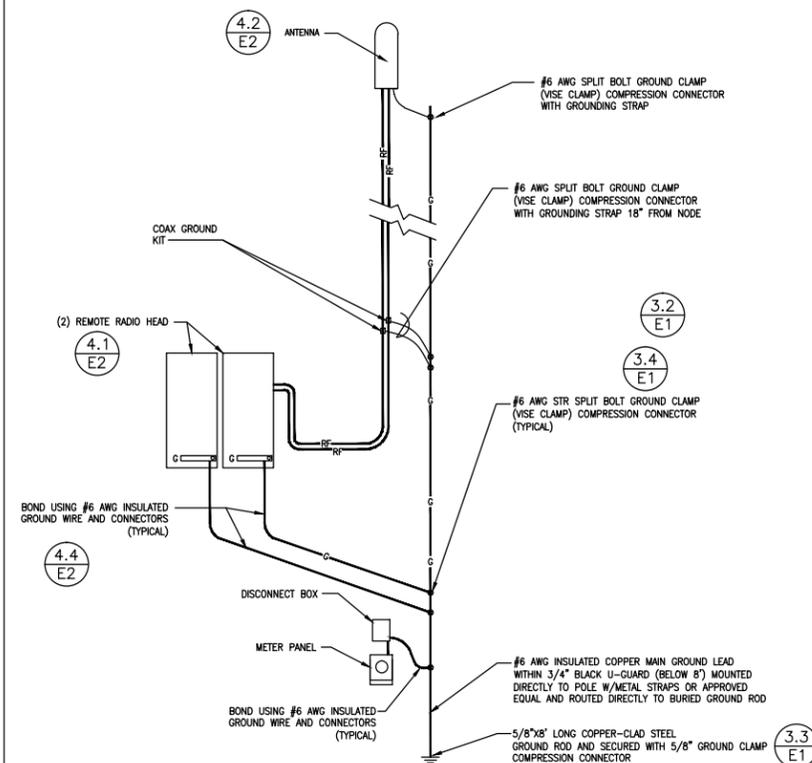
DRAWN BY: BJA CHK.: SJ APV.: RA



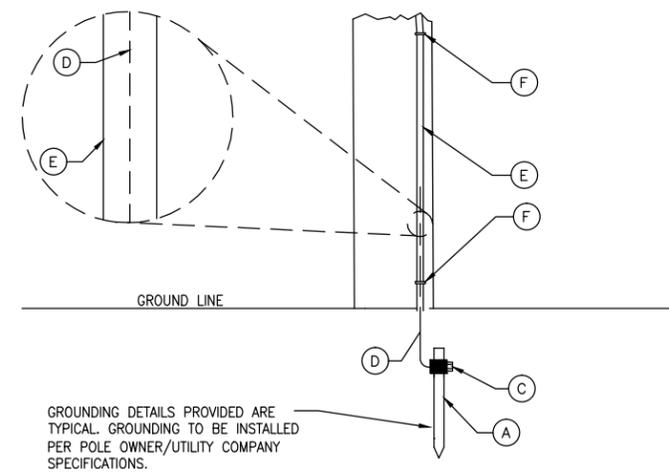
SHEET TITLE:  
POLE ELEVATIONS

SHEET NUMBER: REVISION:  
**S1**

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**3.1 E1 GROUNDING SINGLE LINE W/ POWER METER POLE MOUNTED**  
 NOTE: ENTIRE ABOVE-GRADE ELECTRICAL GROUND SYSTEM SHALL BE INSTALLED WITHIN PVC CONDUIT (SCH80 BELOW 8' HEIGHT), RISER-GUARD, OR APPROVED EQUAL.



GROUNDING DETAILS PROVIDED ARE TYPICAL. GROUNDING TO BE INSTALLED PER POLE OWNER/UTILITY COMPANY SPECIFICATIONS.

**PARTS LIST**

CALLOUT	QTY	DESCRIPTION
A	1	5/8" x 8' STEEL COPPER CLAD GROUND ROD WITHIN 17"x30" HANDHOLE
B		
C	1	5/8" GROUND CLAMP
D	50'	#6 GREEN COATED BARE SOLID COPPER WIRE WITHIN 3/4" PVC SCH80 CONDUIT
E	8'	3/4" PVC SCHEDULE 80 GROUND WIRE CONDUIT
F	8	COPPER STAPLE

**3.3 E1 GROUND ROD DETAIL**  
 NOTE: ENTIRE ABOVE-GRADE ELECTRICAL GROUND SYSTEM SHALL BE INSTALLED WITHIN PVC CONDUIT (SCH80 BELOW 8' HEIGHT)

**DIMENSIONS**

Load center depth (in.)	4.27	Load center width (in.)	8.88
Load center height (in.)	12.65		

**DETAILS**

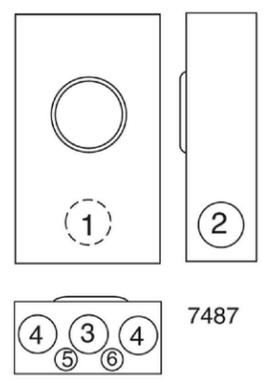
Electrical Product Type	Load Center	Number of Phases	1
Load Center Type	Temporary Power	Number of Spaces	4
Maximum Amperage (amps)	30/100 A	Power Distribution Features	Trip Indicator
Mounting type	Plug In	Product Weight (lb.)	11.53 lb
Number of Gangs	1	Returnable	90-Day
Number of Outlets	1	Voltage (volts)	120/240



**PRODUCT OVERVIEW** Model # QO1DM10030TRBR | Internet # 202495852  
 The Square D by Schneider Electric QO 30/100 Amp 4-Space 8-Circuit Temporary Transfer Generator Panel helps you change from utility power to a standby source with the flip of 2 QO main circuit breakers. The panel is intended for outdoor use to connect to a standby power source for as many as 8 circuits. The ANSI-certified and UL-listed unit features a mechanical interlock to help ensure that only 1 main circuit breaker is in the on position at any time.

- Use to connect to a standby power source to as many as 8 circuits
- Changes from utility power to a standby source with the flip of 2 QO main circuit breakers
- Aluminum buss
- Single phase
- 120/240 Volts
- For outdoor use
- Mechanical interlock helps ensure that only 1 main circuit breaker is in the on position at any time
- Accepts up to 8 QO circuit breakers (sold separately)
- ANSI certified and UL listed
- Includes a 30 Amp 4-Watt L14-30P twist-lock receptacle in the bottom end wall for direct connection from a generator cord supply

**3.2 E1 DISCONNECT BOX - SQUARE D-Q024L70RB**



**125 & 200 AMP-SINGLE POSITION-4 & 5 TERMINAL-RINGLESS-1Ø3W**

NO. OF TERMS	AMP	SERVICE	CATALOG NUMBER	HUB	CONNECTORS CU/AL	BY-PASS	DIMENSIONS			CONCENTRIC K.O.'S					
							D"	W"	H"	1	2	3	4	5	6
4	125	OH/UG	U7487-RL-TG-KK	H.O.	#6 - 2/0	HORN	3 5/16	8	11 1/2	1 1/2	1 1/2	2	1 1/4	-	1/4

**FIFTH TERMINAL:** For field mounted fifth terminal: Order catalog number **K5T** to fit into square opening at the 9 o'clock position of the *new style block* (#6-350 kcmil.) Order catalog number **5T8K2** to fit into round opening at the 9 o'clock position of the *old style block* (#6-2/0 kcmil.)  
**HUBS:** For proper hub selection see the hub suffix chart on the accessory page.  
**CONNECTORS:** Extruded aluminum connectors are tin plated.  
**BYPASS:** Units provided with horn type bypass (suffix -KK).

**3.4 E1 METER SOCKET - U7487-RL-TG**

**ELECTRICAL & GROUNDING NOTES**

- ALL ELECTRICAL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE (NEC) AS WELL AS APPLICABLE STATE AND LOCAL CODES.
- ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED AND PROCURED PER SPECIFICATION REQUIREMENTS.
- THE ELECTRICAL WORK INCLUDES ALL LABOR AND MATERIAL DESCRIBED BY DRAWINGS AND SPECIFICATION INCLUDING INCIDENTAL WORK TO PROVIDE COMPLETE OPERATING AND APPROVED ELECTRICAL SYSTEM.
- GENERAL CONTRACTOR SHALL PAY FEES FOR PERMITS, AND IS RESPONSIBLE FOR OBTAINING SAID PERMITS AND COORDINATION OF INSPECTIONS.
- ELECTRICAL AND TELCO WIRING AT EXPOSED INDOOR LOCATIONS SHALL BE IN ELECTRICAL METALLIC TUBING OR RIGID NONMETALLIC TUBING (RIGID SCHEDULE 40 PVC OR RIGID SCHEDULE 80 PVC FOR LOCATIONS SUBJECT TO PHYSICAL DAMAGE) (AS PERMITTED BY CODE).
- ELECTRICAL AND TELCO WIRING AT CONCEALED INDOOR LOCATIONS SHALL BE IN ELECTRICAL METALLIC TUBING, ELECTRICAL NONMETALLIC TUBING, OR RIGID NONMETALLIC TUBING (RIGID SCHEDULE 40 PVC AS PERMITTED BY CODE).
- ELECTRICAL AND TELCO WIRING OUTSIDE A BUILDING, ABOVE GRADE AND EXPOSED TO WEATHER SHALL BE IN WATER TIGHT GALVANIZED RIGID STEEL CONDUITS (RGS) AND WHERE REQUIRED IN LIQUID TIGHT FLEXIBLE METAL OR NONMETALLIC CONDUITS.
- BURIED CONDUIT SHALL BE RIGID NONMETALLIC CONDUIT (RIGID SCHEDULE 40 PVC); DIRECT BURIED IN AREAS OF OCCASIONAL LIGHT TRAFFIC, ENCASED IN REINFORCED CONCRETE IN AREAS OF HEAVY TRAFFIC.
- LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT SHALL BE USED INDOORS AND OUTDOORS IN AREAS WHERE VIBRATION OCCURS AND FLEXIBILITY IS NEEDED.
- ELECTRICAL WIRING SHALL BE COPPER WITH TYPE THHN, THWN-2, OR THIN INSULATION.
- RUN ELECTRICAL CONDUIT OR CABLE BETWEEN ELECTRICAL UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE PPC AS INDICATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE. COORDINATE INSTALLATION WITH UTILITY COMPANY.
- RUN TELCO CONDUIT OR CABLE BETWEEN TELEPHONE UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE TELCO CABINET AND BTS CABINET AS INDICATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE IN INSTALLED TELCO CONDUIT. PROVIDE GREENLEE CONDUIT MEASURING TAPE AT EACH END.
- ALL EQUIPMENT LOCATED OUTSIDE SHALL HAVE NEMA 3R ENCLOSURE.
- PPC SUPPLIED BY PROJECT OWNER.
- GROUNDING SHALL COMPLY WITH NEC ART. 250. ADDITIONALLY, GROUNDING, BONDING AND LIGHTING PROTECTION SHALL BE DONE IN ACCORDANCE WITH METRO MOD CELL SITE GROUNDING STANDARDS.
- GROUND CABLE SHIELDS MINIMUM AT BOTH ENDS USING MANUFACTURERS CABLE GROUNDING KITS SUPPLIED BY PROJECT OWNER.
- USE #6 COPPER STRANDED WIRE WITH GREEN COLOR INSULATION FOR ABOVE GRADE GROUNDING (UNLESS OTHERWISE SPECIFIED) AND #2 SOLID TINNED BARE COPPER WIRE FOR BELOW GRADE GROUNDING AS INDICATED ON THE DRAWING.
- ALL POWER AND GROUND CONNECTIONS TO BE CRIMP-STYLE, COMPRESSION WIRE LUGS AND WIRE NUTS BY HARGER (OR APPROVED EQUAL) RATED FOR OPERATION AT NO LESS THAN 75°C OR CADWELD EXOTHERMIC WELD. DO NOT ALLOW BARE COPPER WIRE TO BE IN CONTACT WITH GALVANIZED STEEL.
- ROUTE GROUNDING CONDUCTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED. GROUNDING LEADS SHOULD NEVER BE BENT AT RIGHT ANGLE. ALWAYS MAKE AT LEAST 12" RADIUS BENDS. #6 WIRE CAN BE BENT AT 6" RADIUS WHEN NECESSARY. BOND ANY METAL OBJECTS WITHIN 6 FEET OF PROJECT OWNER EQUIPMENT OR CABINET TO MASTER GROUND BAR OR GROUNDING RING.
- CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO HOLE COMPRESSION TYPE COPPER LUGS. APPLY OXIDE INHIBITING COMPOUND TO ALL LOCATIONS.
- APPLY OXIDE INHIBITING COMPOUND TO ALL MECHANICAL GROUND CONNECTIONS.
- CONTRACTOR SHALL PROVIDE AND INSTALL OMNI DIRECTIONAL ELECTRONIC MARKER SYSTEM (EMS) BALLS OVER EACH GROUND ROD AND BONDING POINT BETWEEN EXISTING TOWER/ MONOPOLE GROUNDING RING AND EQUIPMENT GROUNDING RING.
- CONTRACTOR SHALL TEST COMPLETED GROUND SYSTEM AND RECORD RESULTS FOR PROJECT CLOSE-OUT DOCUMENTATION. 5 OHMS MINIMUM RESISTANCE REQUIRED.
- CONTRACTOR SHALL CONDUCT ANTENNA, CABLE, AND LNA RETURN-LOSS AND DISTANCE-TO-FAULT MEASUREMENTS (SWEEP TESTS) AND RECORD RESULTS FOR PROJECT CLOSE OUT.
- THE T-MOBILE ELECTRICAL EQUIPMENT INCLUDING PANEL, SWITCH GEAR AND DISCONNECT ARE TO BE LABELED WITH ENGRAVED BAKELITE LABELS.



**Network Owner:**  
 Extenet Systems  
 3030 Warrenville Rd.  
 Lisle, IL 60532

**24/7 Network Operations Center:**  
 (866)-892-5327

**Network Implementation:**  
 Rick Angelini, Extenet Systems  
 Director - Network Engineering & Implementation  
 RAngelini@extenetsystems.com  
 Cell: (508) 776-2161

**PROJECT INFORMATION:**

CELLULAR DAS NETWORK  
**VZW-NODE-02**  
 FREDERICKSBURG, VA

**CURRENT ISSUE DATE:**

9/22/2015

**ISSUED FOR:**

**PROPOSED**

**PLANS PREPARED BY:**

**Waveguide**  
 10 N. Southwood Dr.  
 Nashua, NH 03063  
 (603) 598-0096  
 www.waveguidefiber.com

**DRAWN BY: CHK.: APV.:**

BJA SJ RA

**LOCUS**

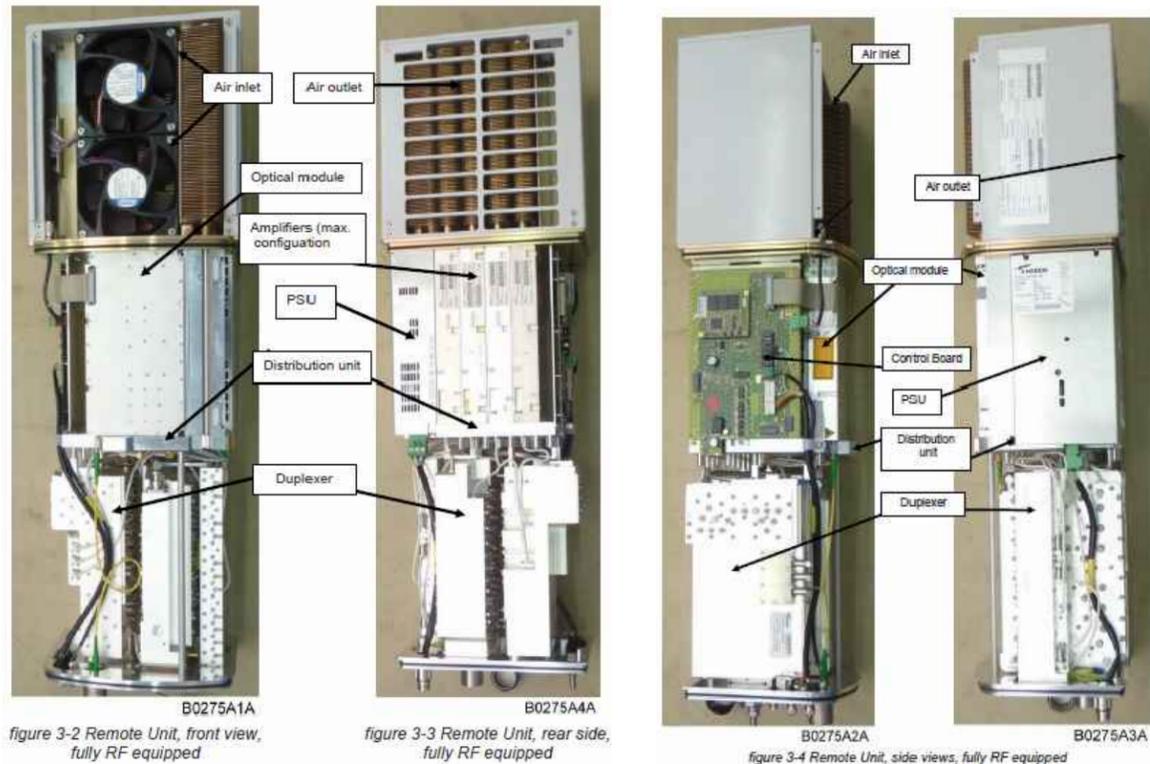


**SHEET TITLE:**

ELECTRICAL DETAILS

**SHEET NUMBER: REVISION:**

**E1**



**Amphenol ANTENNA SOLUTIONS** 696-960 / 1695-2180 / 1695-2180 MHz

**CWWT070X06Fxy-0**  
Tri Band | Tri Sector Cylindrical Antenna | XXX-Pol | 70°/70°/70° | 10.0/14.0/14.0 dBi | Fixed Tilt

- Tri band, cylindrical antenna
- Tri sector configuration, 120° spacing with 18 connectors
- Ideal for Small Cell / DAS applications
- Can be ordered with a variety of different mounting options
- Also available with internal diplexer and/or GPS system

Ordering Options	Model Number*	Includes
Antenna only, no mounting kit	CWWT070X06Fxy-0	
Antenna with Side Mounting Pipe Mounting Kit	CWWT070X06Fxy-0S	CWTKMKS-SIDE
Antenna with Top Mounting Pipe Mounting Kit	CWWT070X06Fxy-0T	CWTKMKS-TOP
Antenna with Utility Pole Mounting Kit	CWWT070X06Fxy-0U	WB3X-MKS-01

\*When ordering, replace the "x" in the model number with the desired electrical downlink for the 696-960 MHz frequency and replace the "y" in the model number with the desired electrical downlink for the 1710-2170 MHz range. Select from the options listed below under Electrical Downlinks.

**Additional Antenna Options:**  
Similar antennas are available with the following features. Please refer to antenna data sheets for details. Specifications may differ.

Electrical Characteristics	696-960 MHz	800-900 MHz	High Band #1 and #2: 1695-2180 MHz
Frequency Bands (MHz)	696-960	800-900	1695-1880 / 1800-1970 / 1920-2180
Polarization	45°	45°	2x 45° (Quad-Pol)
Horizontal Beamwidth	70°	45°	70°
Vertical Beamwidth	30°	30°	17°
Gain	10.0 dBi	10.0 dBi	13.5 dBi / 14.0 dBi
Electrical Downlink (F)	600.5	800.5	(1) 6, 2, 4, 6
Impedance	50Ω	50Ω	
VSWR	≤ 1.5:1	≤ 1.5:1	
Upper Sideband Suppression	> 15 dB	> 15 dB	
Front-to-Back Ratio	> 30 dB	> 30 dB	
Isolation Between Ports	20 dB	22 dB	
IM3 (2-tone Carrier)	< -153 dBc	< -153 dBc	
Input Power	300 W	300 W	
Number of Connectors Per Band	6 Connectors/Band	12 Connectors/Band	
Total Number of Connectors / Type / Location	18 Connectors / 4, 1, 9, 5 Mini-DIN / Female / Bottom of Antenna		
Diplexed	No		
Number of Sectors / Sector Spacing	3 Sectors / 120° Spacing		
Lightning Protection	Direct Ground		
Dimensions (Height x Diameter)	410 x 371 mm	24.0 x 14.6 in	
Weight without Mounting Brackets	18 kg	40 lbs	
Survival Wind Speed	300 km/hr	125 mph	
Wind Area	0.22 m <sup>2</sup>	2.4 ft <sup>2</sup>	
Wind Loads (140 km/hr or 100 mph)	191 N	43 lb	

Quoted performance parameters are provided to offer typical or range values only and may vary as a result of normal manufacturing and operational conditions. Extreme operational conditions and/or stress on structural supports is beyond our control. Such conditions may result in damage to this product. Improvements to product may be made without notice.

REV10151R www.amphenol-antennas.com 1 of 3

**Amphenol ANTENNA SOLUTIONS** Mounting Kits

**WB3X-MKS-01**  
Utility Pole Mounting Kit for Cylindrical Antennas

**Mounting Instructions:**

- Attach pole mount brackets (Item 3) to antenna base plate using fasteners (Items 1 and 2). Tighten to 15 Nm (11 ft-lb).
- Attach pole mount brackets (Item 3) to antenna assembly to customer utility pole using lag screws (Item 4).
- Make all electrical connections weatherproof with self-amalgamating tape.

Parts List	Description	Quantity
Item 1	Nut Hex, 3/8-16 HDG	6
Item 2	Lock Washer 3/8 HDG	6
Item 3	Pole Mount Bracket	3
Item 4	Galvanized Hex Lag Screw (1/2 x 2" Long)	9

**Mechanical Characteristics:**  
Weight: 2.7 kg (6 lbs)

**DETAIL A**

ANTENNA/BASEPLATE  
CONNECTORS AND CABLE OMITTED FOR CLARITY  
3/8" x 2" x 5/8" CUSTOMER UTILITY POLE

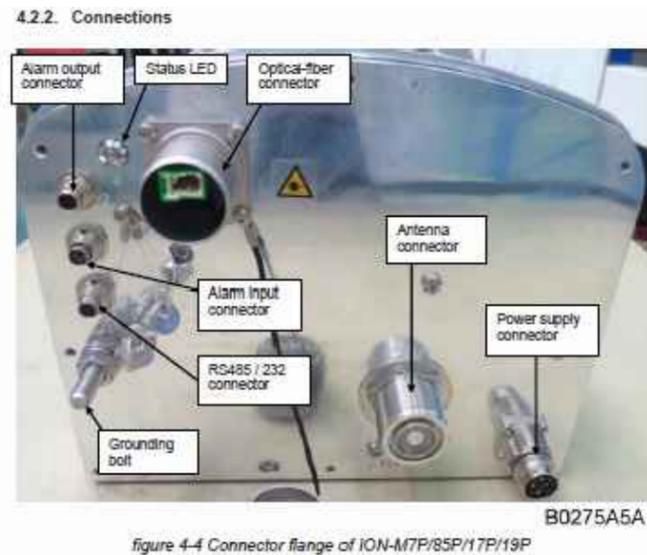
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REV110514O www.amphenol-antennas.com 1 of 1

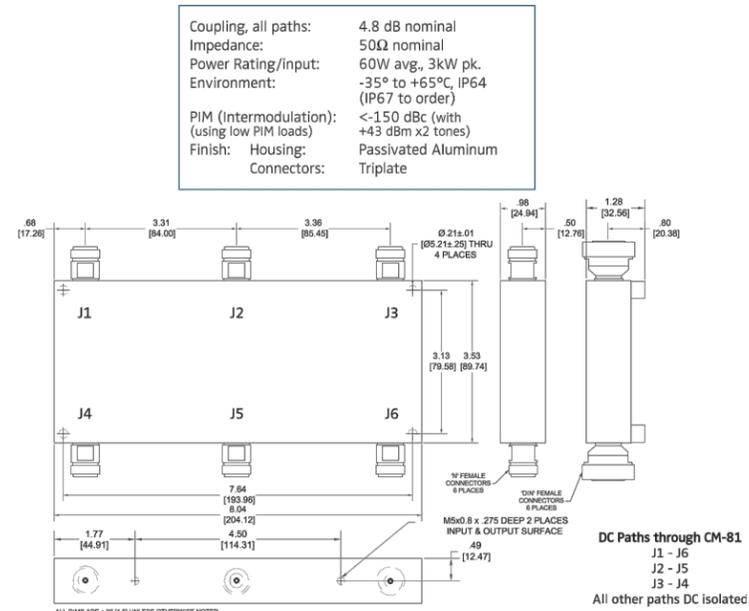
**4.2 E2 AMPHENOL ANTENNA 18 PORT CWWT070X06Fxy-0**

**4.3 E2 AMPHENOL LOPE TOP MTG KIT WB3X-MKS-01**

**Optical Remote Unit**  
**ION™-M7P/85P/17P/19P (ML-Cabinet)**



**4.1 E2 REMOTE RADIO HEAD - ION™-M7P/85P/17P/19P**  
NOTES: COLOR - LIGHT GRAY



**4.6 E2 MICROLAB COUPLER - CM-81DP**



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Cell: (508) 776-2161

**PROJECT INFORMATION:**

**CELLULAR DAS NETWORK**  
**VZW-NODE-02**  
**FREDERICKSBURG, VA**

**CURRENT ISSUE DATE:**

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**PLANS PREPARED BY:**

**Waveguide**  
10 N. Southwood Dr.  
Nashua, NH 03063  
(603) 598-0096  
www.waveguidefiber.com

**DRAWN BY: BJA CHK.: SJ APV.: RA**

**LOCUS**



**SHEET TITLE:**

**EQUIPMENT DETAILS**

**SHEET NUMBER: REVISION:**

**E2**

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### Capacity & Features

CDMA / LTE Multi technology RRH 65MHz bandwidth (PCS A-G Band)

- Sprint is free to deploy any combination of CDMA (1XRTT or EVDO) and LTE carriers in Sprint's spectrum up to 160 Watts of RF power.
- E.g. "A block" and "G block" both with 4 branch MIMO (4Tx & 4Rx)

2 CPRI Optical Connections for multi-carrier LTE and CDMA (1X & DO)

Power Supply: -48 VDC

Power Consumption: 700W Typical

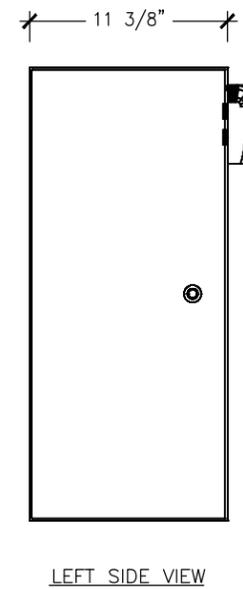
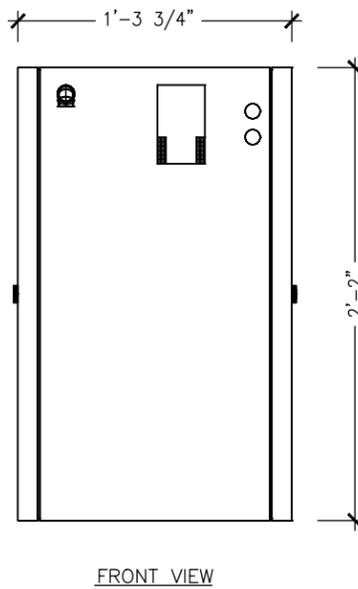
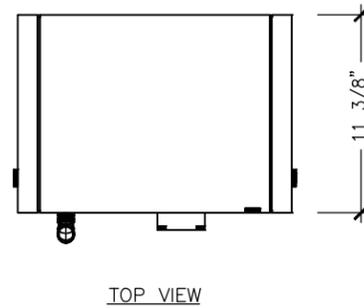
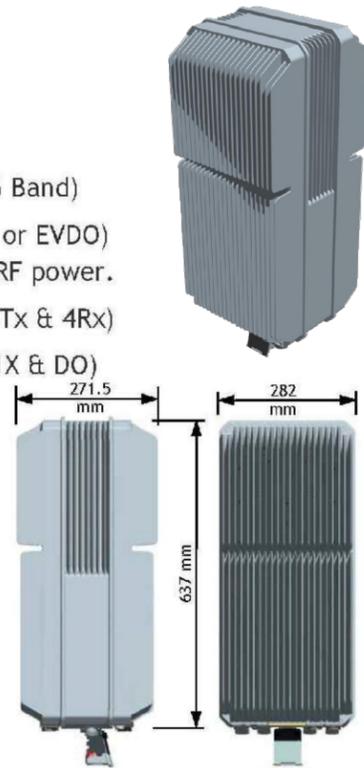
Dimensions:

- Size: 282 x 271.5 x 637mm (11.1" x 10.69" x 25.1")
- Volume: 49 Liter  
56 liters with solar shield & mounting OD

Weight: 27 kg (59.5 lbs)

Operating Temp range -40° C/+55° C

5.1  
E3 1900 MHz REMOTE RADIO HEAD



5.2  
E3 BATTERY BACKUP UNIT TSI-XUPS-1000-7070

**OutdoorXUPS-1000-7070 at a glance**  
Heavy-duty outdoor UPS with line-interactive automatic voltage regulation and extreme/wide temperature batteries

- Wide ambient temperature range sealed gel-cell batteries: 0° to 55°C (32° to 131°F); -40° to +55° C (-40° to +131° F) with optional battery heater
- 115 vac +/-8% output from 95-140 vac input without going to batteries
- 2 hours @ 840 watts load, 4.5 hours @ 450 watts load, 6 hours @ 700 watts load, 8 hours @ 550 watts load with the addition of an EXL-7070
- Microprocessor-controlled 20 kHz PWM sine wave inverter
- Pure sine wave output
- Surge protection and noise filtering



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Network Implementation:  
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Director - Network Engineering & Implementation  
RAngelini@extenetsystems.com  
Cell: (508) 776-2161

PROJECT INFORMATION:

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VZW-NODE-02  
FREDERICKSBURG, VA

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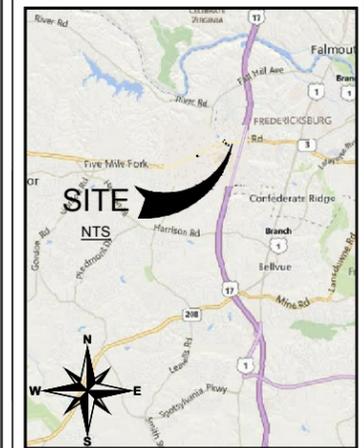
PLANS PREPARED BY:

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www.waveguidefiber.com

DRAWN BY: \_\_\_\_\_ CHK.: \_\_\_\_\_ APV.: \_\_\_\_\_

BJA SJ RA

LOCUS



SHEET TITLE:

EQUIPMENT DETAILS

SHEET NUMBER: \_\_\_\_\_ REVISION: \_\_\_\_\_

**E3**

August 12, 2016

Michael Bortz  
Network Building & Consulting  
6095 Marshalee Drive, Suite 300  
Elkridge, MD 21075

Re: Fredericksburg, VA ROW License Agreement

Michael:

Enclosed you will find (2) Two ExteNet executed ROW License Agreements between ExteNet Systems Inc. and the City of Fredericksburg, VA.

Please have the City of Fredericksburg counter-sign the ROW Agreement and return a fully executed original to my attention at:

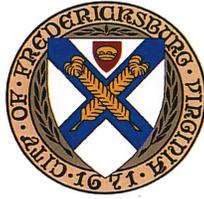
Cathy Hapanionek  
ExteNet Systems, Inc.  
3030 Warrenville Rd., Suite 340  
Lisle, IL 60532

Thank you,



Cathy Hapanionek  
Project Coordinator

Location: public rights-of-way (no GPIN)



## LICENSE

This license agreement, dated August 10, 2016, is between the CITY OF FREDERICKSBURG, VIRGINIA, a municipal corporation, and EXTENET SYSTEMS (VIRGINIA) LLC, a Virginia limited liability company (“Licensee”).

### **Recitals**

Licensee seeks to install, maintain, and use telecommunication cable and equipment in public rights-of-way owned and controlled by the City.

The City Council, by Ordinance 16-\_\_\_\_, adopted on \_\_\_\_\_, 2016 after a public hearing, authorized the City Manager to sign this license agreement.

### **Terms**

The City hereby grants a license to use the public rights-of-way within the city’s boundaries to Licensee, on these terms:

1. **Term.** The term of this license is from August 23, 2016 to August 23, 2031 (15 years).
2. **Location.** This license is for use of City property in accordance with the two sets of plans (VZW-2 and VZW-11) submitted to City on July 12, 2016 for DPW approval. Licensee shall not deviate from those plans without written permission from the City Manager.
3. **Generally applicable requirements.** This license is not a waiver of the requirements of any City ordinance, resolution, regulation, or permitting process. Licensee is responsible for obtaining all required permits at its own expense, and for complying with all City requirements.
4. **Safety and quality.** Licensee shall ensure that all activity under this license is performed safely, thoroughly, reliably, and in accordance with all relevant industry, professional, and federal and state-mandated standards and laws. All materials installed in the public right-of-way under this license must be of good and durable quality. If the City concludes that work or materials under this license are harmful to the health or safety of any person or property, Licensee shall correct the problem at its own expense.
5. **Termination.**
  - a. Licensee may terminate this agreement by notifying the City at least 30 days in advance that it intends to do so, in which case the license terminates on the date the City receives written confirmation from Licensee that Licensee has removed all of its cables and equipment from City property, restored all affected City property to its original condition, and paid all amounts due to the City under the license.

- b. The City may terminate this agreement if Licensee (i) has not completed installation of its cables and equipment within one year of the start of the license term; (ii) ceases use of its cables and equipment; (iii) has not paid an amount due to the City under this license; (v) removes its cables and equipment; or (iv) violates any provision of this license.
  - c. If the City intends to terminate the license, it shall notify Licensee of the specific reason why and allow Licensee 30 days to respond to the notice. The City shall then notify Licensee in writing that either (i) Licensee has responded adequately to the notice, or (ii) Licensee has not responded adequately to the notice and that the license is terminated immediately.
  - d. Upon termination or expiration of this license, Licensee shall remove all of its cables and equipment from City property and restore all affected City property to its original condition.
6. **Non-exclusivity.** This is a non-exclusive license. It does not limit the City's right to grant permission to any other person or entity to use the public rights-of-way.
7. **Disturbing rights-of-way.**
- a. Licensee shall notify the City Public Works Department and receive a City utility permit before disturbing any street, alley, or sidewalk. Licensee's permit application must include any plans, specifications, traffic control plans, and other information that the Public Works Department deems necessary for an adequate review of the proposed work. The City shall approve or deny the permit application promptly, and shall not unreasonably withhold a permit. This section does not apply to emergency situations or where the Director of Public Works has expressly waived a requirement in writing.
  - b. If Licensee disturbs streets, alleys, sidewalks, utility lines, or other public property, it shall restore the property to its original condition as soon as practicable in accordance with City standards. If Licensee does not do so within a reasonable time, the City may do so at Licensee's expense.
8. **Records.** At the City's request, Licensee shall send the City (at no cost to the City and within 10 days of the request) copies of Licensee's plans, maps, and records pertaining to this license.
9. **Removal and relocation.**
- a. If the City determines that Licensee's cables or equipment need to be removed or relocated, Licensee shall remove or relocate its cables and equipment as requested by the City within a reasonable time.
  - b. Generally, removal or relocation is at Licensee's expense. If the City requests a removal or relocation, the City shall provide a substitute location for Licensee's facilities and shall obtain all required City permits. If the removal or relocation is for the benefit of a third party (a developer, for example), the third party is responsible for all costs.
  - c. If the Licensee does not remove or relocate its cables and equipment within a reasonable time of the City's request to do so, the City may, after 30 days written notice to Licensee, remove or relocate the cables and equipment itself at Licensee's expense.
10. **Trees.** Licensee shall not damage trees in or near the public rights-of-way more than reasonably necessary.
11. **Assumption of Risk.** Licensee assumes all risks of loss and damage to its cables and equipment, including any interference or loss of service and any resultant consequential damages that result from City operations.
12. **Indemnification.** Licensee shall save, defend, hold harmless, and indemnify the City, and all of its elected and appointed officials, officers, employees, agents, departments, agencies, boards, and commissions from and against any and all claims, losses, damages, injuries, fines, penalties, costs

(including court costs and attorney's fees), charges, liability, or exposure, however caused, resulting from, arising out of, or in any way connected with Licensee's negligent acts, errors or omissions, recklessness or intentionally wrongful conduct of Licensee in performance or nonperformance of its work under the license. This indemnification survives the termination of the license.

13. **Insurance.** Licensee shall maintain the following insurance coverage during the entire term of this license:

- a. Two million dollars for bodily injury to or the death of any one person.
- b. Three million dollars for bodily injury or death resulting from any one event.
- c. Three million dollars in commercial general liability insurance.

The City must be named as an additional insured on these policies, and Licensee shall provide copies of its certificates of insurance to the City. Licensee may instead maintain self-insurance that meets the requirements of this section.

14. **Assignment.** Licensee shall not assign or otherwise transfer any of its rights, obligations, or interests in this license without the written permission of the City.

15. **Choice of Law, Venue.** This license is governed by Virginia law. The Circuit Court of Fredericksburg, Virginia is the exclusive venue for any state litigation regarding this license.

16. **Authorization to do Business in Virginia.** Licensee is authorized to do business in Virginia as a domestic or foreign business entity under Title 13.1 or Title 50 of the Virginia Code. Licensee shall not allow its existence to lapse or its certificate of authority or registration to do business in Virginia to be revoked or cancelled during the term of this license.

17. **Notices.** Notices pertaining to this license must be sent by first-class mail to:

To the City:  
Fredericksburg City Manager  
PO Box 7447  
Fredericksburg, Virginia 22404-7447

To Licensee:  
ExteNet Systems (Virginia) LLC  
3030 Warrenton Road, Suite 340  
Lisle, Illinois 60532  
ATTN: CFO

With a copy to General Counsel at the same address.

18. **Severability.** If a court declares any part of this license to be invalid, void, or unenforceable, the rest of the license remains in effect.

19. **Strict Performance.** The failure of a party to insist upon the other party's strict performance of the terms of the license is not a waiver of the right to insist upon strict performance of those terms at a later time.

By signing below, the City and Licensee agree to the terms of this license.

**CITY OF FREDERICKSBURG**

By: \_\_\_\_\_  
Timothy Baroody, City Manager

Attest:

\_\_\_\_\_  
Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

EXTENET SYSTEMS (VIRGINIA) LLC

By: \_\_\_\_\_  
Daniel L. Timm  
Vice President  
DATE: 08/11/16

STATE OF ILLINOIS  
County of DuPage:

This license agreement was acknowledged on August 12, 2016, by Daniel L. Timm as Vice President of EXTENET SYSTEMS (VIRGINIA) LLC, on behalf of the company.

Mary C Arena  
Notary Public

Certification # \_\_\_\_\_  
My Commission Expires: 9-19-16



Location: public rights-of-way (no GPIN)



## LICENSE

This license agreement, dated August 10, 2016, is between the CITY OF FREDERICKSBURG, VIRGINIA, a municipal corporation, and EXTENET SYSTEMS (VIRGINIA) LLC, a Virginia limited liability company (“Licensee”).

### **Recitals**

Licensee seeks to install, maintain, and use telecommunication cable and equipment in public rights-of-way owned and controlled by the City.

The City Council, by Ordinance 16-\_\_\_\_, adopted on \_\_\_\_\_, 2016 after a public hearing, authorized the City Manager to sign this license agreement.

### **Terms**

The City hereby grants a license to use the public rights-of-way within the city’s boundaries to Licensee, on these terms:

1. **Term.** The term of this license is from August 23, 2016 to August 23, 2031 (15 years).
2. **Location.** This license is for use of City property in accordance with the three sets of plans (VZW-2, VZW-11 & VZW-14 submitted to City on July 12, 2016 for DPW approval. Licensee shall not deviate from those plans without written permission from the City Manager.
3. **Generally applicable requirements.** This license is not a waiver of the requirements of any City ordinance, resolution, regulation, or permitting process. Licensee is responsible for obtaining all required permits at its own expense, and for complying with all City requirements.
4. **Safety and quality.** Licensee shall ensure that all activity under this license is performed safely, thoroughly, reliably, and in accordance with all relevant industry, professional, and federal and state-mandated standards and laws. All materials installed in the public right-of-way under this license must be of good and durable quality. If the City concludes that work or materials under this license are harmful to the health or safety of any person or property, Licensee shall correct the problem at its own expense.
5. **Termination.**
  - a. Licensee may terminate this agreement by notifying the City at least 30 days in advance that it intends to do so, in which case the license terminates on the date the City receives written confirmation from Licensee that Licensee has removed all of its cables and equipment from City property, restored all affected City property to its original condition, and paid all amounts due to the City under the license.



**MEMORANDUM**

**TO:** Timothy J. Baroody, City Manager  
**FROM:** Mark Whitley, Assistant City Manager  
**RE:** FY 2016 Year-end Adjustments  
**DATE:** August 16, 2016 *{Update September 7, 2016}*

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**ISSUE**

The City Council is asked to consider an amendment to the FY 2016 budget for final year-end adjustments.

**RECOMMENDATION**

*{Update: Staff recommends approval on second reading.}*

Original: Staff recommends approval of the attached resolution on first reading. The resolution will require two readings for final approval. Second reading, if first reading is approved, would be scheduled for Council's regular meeting of September 13, 2016.

**BACKGROUND**

As part of the annual process of preparing for the FY 2016 audit, the City Council is asked to make adjustments to the budget at the close of the fiscal year.

**Final Adjustments – General Fund**

The City staff has identified several adjustments necessary in the General Fund to cover various shortfalls. They include the following items:

- a) ARB - Legal – The cost for the representation for the ARB in FY 2016 was \$99,843. There are sufficient funds in the General Fund Contingency to cover this expense.
- b) Public Works – Snow Removal – the Public Works Snow Removal division is over budget for FY 2016 because of the severe winter weather. The resolution recognizes revenue received for Street and Highway Maintenance to cover these expenses.

**Final Adjustments – Other Funds**

The City also has several other funds that require final adjustments.

- a) Prisoner Extradition Fund – the City maintains a small fund for prisoner extradition activity, some of which is reimbursed by the Commonwealth. The requested appropriation is taken from state reimbursement revenue and prior year balance in this fund, and no local funds are needed.

- b) Debt Service Funds – the City needs to make an adjustment in the budget to recognize the annual fund balance usage in the Debt Service fund that resulted from the VPSA advance refundings for the school bonds several years ago. There is also recognition needed for the 2016 bond issuance costs. Neither of these transactions require additional local funds.
- c) Special Welfare Fund – The Special Welfare Fund is a special fund set up for special welfare items under the direction of the Department of Social Services. The City serves as the fiscal agent for this fund.
- d) Riparian Lands Stewardship Fund – Funds are available in the General Fund to transfer an additional \$35,000 into the Riparian Lands Stewardship Fund to help meet the expenses of the Fund which are not being met through interest earnings on the endowment.

### **FISCAL IMPACT**

The attached resolution appropriates a total of \$524,982. Of this total, \$99,843 is activity from the General Fund Contingency. If the resolution is approved, the balance of the General Fund Contingency at the close of FY 2016 will be \$57,094.

In addition, the resolution transfers \$35,000 in local funding to the Riparian Lands Stewardship Fund to meet expenses in that fund. (This is a transfer so it is included both in the General Fund and in the Riparian Lands Stewardship Fund).

The other activity represents reimbursements, debt service fund activity, or special funds. There is no additional local City funding associated with the other activity.

Attachment: Appropriation Resolution



MOTION:

September 13, 2016  
Regular Meeting  
Resolution No. 16-76

SECOND:

RE: **AMENDING THE FISCAL YEAR 2016 BUDGET FOR FINAL ADJUSTMENTS**

ACTION: **APPROVED: Ayes: 0; Nays: 0**

FIRST READ: August 23, 2016 SECOND READ: \_\_\_\_\_

WHEREAS, the City Council of the City of Fredericksburg wishes to make final adjustments for the FY 2016 budget in preparation for the annual audit;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations amending the FY 2016 budget be recorded in various funds as listed below.

### Section 1. General Fund Adjustments

#### GENERAL FUND

##### Source:

##### Contingency

4-100-099100-9901	General Fund Contingency	\$ 99,843
Department Total:		<u>\$ 99,843</u>

##### Categorical Aid

3-100-024040-0006	Street and Highway Maintenance	\$ 125,000
Department Total:		<u>\$ 125,000</u>

**Total Source** \$ 224,843

##### Use:

##### Architectural Review Board

4-100-081600-3150	Professional Services - Legal	\$ 99,843
Department Total:		<u>\$ 99,843</u>

##### Public Works – Snow Removal

4-100-041330-1201	Overtime Pay	\$ 50,000
4-100-041330-3165	Contracted Services	50,000
4-100-041330-6023	Chemicals	25,000
Department Total:		<u>\$ 125,000</u>

**Total Use** \$ 224,843

**Section 2. Prisoner Extradition Fund**

**PRISONER EXTRADITION FUND**

**Source:**

Prisoner Extradition Reimbursement

3-225-019020-0064	Reimbursements	\$	<u>3,300</u>
Department Total:		\$	<u>3,300</u>

Fund Balance

3-225-061010-0012	Fund Balance (Committed)	\$	<u>1,000</u>
Department Total:		\$	<u>1,000</u>

**Total Source** **\$ 4,300**

**Use:**

Prisoner Extradition

4-225-031400-5550	Prisoner Extradition	\$	<u>4,300</u>
Department Total:		\$	<u>4,300</u>

**Total Use** **\$ 4,300**

**Section 3. Debt Service Funds**

**EDUCATION BOND FUND**

**Source:**

Bond Issues

3-403-041040-0001	Bond Issues	\$	<u>50,955</u>
Department Total:		\$	<u>50,955</u>

Fund Balance

3-403-061010-0012	Fund Balance (Committed)	\$	<u>153,884</u>
Department Total:		\$	<u>153,884</u>

**Total Source** **\$ 204,839**

**Use:**

2016 VRA Bonds

4-403-095136-9140	Issuance Costs	\$	<u>147,190</u>
Department Total:		\$	<u>147,190</u>

2004 VPSA Bonds

4-403-095206-9110	Principal	\$	<u>57,649</u>
Department Total:		\$	<u>57,649</u>

**Total Use** **\$ 204,839**

### Section 4. Special Welfare Fund

#### SPECIAL WELFARE FUND

**Source:**

Recovered Costs

3-739-019020-0035 Special Welfare \$ 21,000

Department Total: \$ 21,000

**Total Source** \$ **21,000**

**Use:**

Special Welfare

4-739-053520-5846 Special Welfare Expenses \$ 21,000

Department Total: \$ 21,000

**Total Use** \$ **21,000**

### Section 5. Riparian Lands Stewardship Fund

#### GENERAL FUND

**Source:**

Interfund Transfers

4-100-093100-9205 Transfer to Debt Service \$ 35,000

Department Total: \$ 35,000

**Total Source** \$ **35,000**

**Use:**

Interfund Transfers

4-100-093100-9226 Transfer to Riparian Lands Fund \$ 35,000

Department Total: \$ 35,000

**Total Use** \$ **35,000**

#### RIPARIAN LANDS STEWARDSHIP FUND

**Source:**

Interfund Transfers

3-801-041050-0003 Transfer from General Fund \$ 35,000

Department Total: \$ 35,000

**Total Source** \$ **35,000**

**Use:**

Watershed Property Manager

4-801-041150-8111 Depreciation \$ 35,000

Department Total: \$ 35,000

**Total Use** \$ **35,000**

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16-76 duly adopted at a meeting of the City Council meeting held September 13, 2016 at which a quorum was present and voted.*

---

***Tonya B. Lacey, CMC***  
***Clerk of Council***



*Deidre G. Jett*

**MEMORANDUM**

**TO:** Timothy J. Baroody, City Manager  
**FROM:** Deidre G. Jett, Budget Manager  
**DATE:** September 2, 2016  
**RE:** Amending the FY 2017 City Grants Fund Budget for Police Donations

---

**ISSUE**

The City Council is asked to consider appropriation of various funding received by the Fredericksburg Police Department from donations.

**RECOMMENDATION**

Staff recommends approval of the attached resolution appropriating current year donations and carryover fund balances in the amount of \$8,889 to purchase equipment and to support approved initiatives. This appropriation requires one reading.

**BACKGROUND**

The Police Department receives donations throughout the year for police activities. These revenues are recorded in various programs within the City Grants Fund. Unspent balances carryover from year to year. Current fiscal year donations and unspent balances must be appropriated by the City Council for use by the Police Department. Therefore, the Police Department is requesting the appropriation of \$8,889.

The request includes the appropriation of donations for Community Projects in Fiscal Year 2017 totalling \$3,367. In addition, the Police Department requests the appropriation of \$5,522 of fund balance in the City Grants Funds. The balances consist of \$2,286 in the PD Community Projects program and \$3,236 in the Crime Prevention program.

The donations and prior year balance for PD Community Projects total \$5,653. These funds will be used for youth programs and police supplies. The funding for Crime Prevention totals \$3,236 and will be used for tips to solve crimes.

**FISCAL IMPACT**

The attached resolution appropriates a total of \$8,889 in the City Grants Fund for law enforcement activities. No local funds are required.



September 13, 2016  
Regular Meeting  
Resolution No. 16-\_\_

**MOTION:**

**SECOND:**

**RE: AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE CITY  
GRANTS FUND FOR POLICE DEPARTMENT PROGRAMS**

**ACTION: APPROVED: Ayes: 0; Nays: 0**

**WHEREAS**, the Fredericksburg Police Department has accumulated donations from various sources and wishes to re-appropriate balances remaining in those grant accounts in the City Grants Fund; and

**WHEREAS**, the Fredericksburg Police Department has received or anticipates receiving additional donations in the current fiscal year; and

**WHEREAS**, the City wishes to appropriate these donations in the current fiscal year for use by the Police Department;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fredericksburg that the FY 2017 Budget be amended to include the following appropriations, and authorizing the following expenditures, in the City Grants Fund (Fund 210);

### **CITY GRANTS FUND**

#### **Source**

##### Miscellaneous Revenue

3-210-018990-0061	PD Unrestricted Funds	\$	3,367
	Department Total	\$	<u>3,367</u>

##### City Grants Fund – Fund Balance

3-210-061010-0010	Fund Balance - Surplus	\$	5,522
	Department Total	\$	<u>5,522</u>

**Total Source:** \$ 8,889

#### **Use**

##### PD Community Projects (Unrestricted)

4-210-031320-5670	Other Youth Programs	\$	2,393
4-210-031320-6010	Police Supplies	\$	3,260
	Department Total	\$	<u>5,653</u>

Police – Crime Prevention

4-210-031314-3849 Informant Payments \$ 3,236

Department Total \$ 3,236

**Total Use: \$ 8,889**

236

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

\*\*\*\*\*

***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held September 13, 2016 at which a quorum was present and voted.*

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***Tonya B. Lacey, CMC***  
***Clerk of Council***



*D. Fawcett*

**MEMORANDUM**

**TO:** Timothy J. Baroody, City Manager  
**FROM:** Doug Fawcett, Director of Public Works  
**DATE:** September 7, 2015  
**SUBJECT:** Dr. Martin Luther King, Jr. Memorial Bridge – License Agreement

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**ISSUE**

Shall the City Council authorize the City Manager to execute a License Agreement with the estate of Dr. Martin Luther King, Jr. related to the naming of the new Fall Hill Avenue Bridge over Interstate 95 the “Dr. Martin Luther King, Jr. Memorial Bridge?”

**RECOMMENDATION**

Yes. Staff recommends the Council adopt the attached resolution related to this matter.

**DISCUSSION**

In April, 2015, the City Council petitioned the Commonwealth Transportation Board to approve the naming of the new Fall Hill Avenue Bridge over Interstate 95 (currently under construction) the “Dr. Martin Luther King, Jr. Memorial Bridge.”

In September, 2015, the Commonwealth Transportation Board approved the naming of the bridge as proposed by the City Council.

The estate of Dr. King asserts authority over the use of Dr. King’s name in situations such as described above. The estate has agreed to grant a license in perpetuity to the City to use Dr. King’s name as proposed.

**FISCAL IMPACT**

Dr. King’s estate charges a one-time \$250 fee related to the issuance of the licensing agreement.

Attachment: Resolution



September 13, 2016  
Regular Meeting  
Resolution No. 16-\_\_

**MOTION:**

**SECOND:**

**RE: AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH THE ESTATE OF DR. MARTIN LUTHER KING, JR. RELATED TO THE NAMING OF THE NEW FALL AVENUE BRIDGE OVER INTERSTATE 95 THE “DR. MARTIN LUTHER KING, JR. MEMORIAL BRIDGE”**

**ACTION: APPROVED: AYES: 0; NAYS: 0**

**WHEREAS**, in April, 2015, the City Council petitioned the Commonwealth Transportation Board to approve the naming of the new Fall Hill Avenue Bridge over Interstate 95 (currently under construction) the “Dr. Martin Luther King, Jr. Memorial Bridge”; and

**WHEREAS**, in September, 2015, the Commonwealth Transportation Board approved the naming of the bridge as proposed by the City Council; and

**WHEREAS**, the estate of Dr. Martin Luther King, Jr. asserts authority over the use of Dr. King’s name in situations such as described above; and

**WHEREAS**, the estate has agreed to grant a license in perpetuity to the City to use Dr. King’s name as proposed.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby authorizes the City Manager to execute the license agreement with the estate.

**Votes:**

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

\*\*\*\*\*

***Clerk’s Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16-\_\_ duly adopted at a meeting of the City Council meeting held September 13, 2016 at which a quorum was present and voted.*

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***Tonya B. Lacey, CMC  
Clerk of Council***



## **ITEM #8F**

**TO:** Timothy J. Barody, City Manager  
**FROM:** Erik F. Nelson, Senior Planner  
**DATE:** September 6, 2016  
**RE:** Transmittal of Recommended Comprehensive Plan Amendments Related to New Proffer Legislation

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### **ISSUE**

The City of Fredericksburg seeks to amend its Comprehensive Plan to address new legislation from the General Assembly related to conditional rezoning proffers. The City Council initiated this process on July 12, 2016, through Resolution 16-65, and the necessary amendments are ready to be considered by the Planning Commission.

### **RECOMMENDATION**

Staff recommends that City Council receive the attached information, which outlines the changes to the Comprehensive Plan that will be publicly heard by the Planning Commission on October 12.

### **BACKGROUND**

During its 2016 session, the General Assembly passed a bill (SB 549) that creates new rules related to proffers associated with conditional zoning applications. The new legislation did not change the rules related to special use permits, special exceptions, or variances.

For residential development or residential uses proposed under the new law, proffers must address an impact specifically attributable to the proposed development/use. The identified impacts can be within the boundaries of a property as well as outside those boundaries if they affect specific facilities. An applicant for a residential development/use, for instance, can offer proffers for facilities outside the property boundaries if the development will specifically impact public transportation facilities, public safety facilities, public school facilities, or public parks.

The new law does not apply to land encompassed by an approved small area comprehensive plan. A small area comprehensive planning area, however, must be designated a revitalization area that encompasses mass transit, includes mixed use development, and allows a commercial density of at least 3.0 Floor Area Ratio in identified areas. The phrase “small area comprehensive plan” was created in the new law and does not occur in Code of Virginia Section 15.2-2223 (the enabling legislation for comprehensive plans) so such designations were not part of the City’s recently adopted comprehensive plan.

To address the new legislation, the City is considering amending its overall comprehensive plan to identify areas as small area comprehensive plans. This step will help to ensure that the City's public facilities and services are adequately maintained when new development occurs. To this end, the Planning staff has evaluated the ten planning areas identified in the current comprehensive plan and determined that nine of them are appropriate for delineation as revitalization areas, as defined in SB 549. In addition, staff has examined how certain public services are defined in the comprehensive plan and clarified their levels of service.

The Planning Commission will evaluate the proposed amendments, hold a public hearing on October 12, and forward them to the City Council with a recommendation for action.

### **FISCAL IMPACT**

The proposed amendments will provide the basis for amending the Unified Development Ordinance and position the City to be able to consider development proffers that are consistent with the new state legislation.

Attachment: Master List of proposed amendments

# Comp plan amendments to address the proffer bill

September 6, 2016

Page 4, Plan Implementation	Insert following last paragraph: <u>The built environment in an established and growing community experiences an ongoing process of development and redevelopment, which is commonly understood as revitalization. These terms are interchangeable within this Comprehensive Plan, to describe efforts to improve an area, to make it better, and to pursue an evolving density of uses that occurs in a busy place like Fredericksburg.</u>
Page 8, Goal 1	Provide <u>adequate public facilities and services</u> , in an efficient and effective manner, to all City residents.
Page 27, Background	Amend the second to last sentence as follows: The overall transportation system includes a coordinated hierarchy of interstate highways, regional arterial roads, local collector roads, and neighborhood streets, but the City seeks to ensure the community is accessible to all persons, by emphasizing pedestrian sidewalks and trails, bicycle facilities, and fully accessible transit, <u>all provided at safe levels of service.</u>
Page 36, Transit	Amend the first sentence as follows: The City of Fredericksburg operates the FREDericksburg Regional Transit (FRED), a local bus system that <u>meets the State definition of mass transit and serves the greater Fredericksburg area.</u>
Page 50, Fire and Rescue	Insert the following last paragraph: <u>The Insurance Services Office (ISO) is an independent company that analyzes data about communities nationwide and assigns a Public Protection Classification (PPC) number related to risk. Class 1 represents an exemplary fire suppression program while Class 10 indicates an area does not meet even minimal standards. The City’s PPC rating is Class 3, which indicates the City Fire Department meets high standards in communications, department function, available water supply, and risk reduction efforts as defined through prevention, education, and investigation.</u>
Page 57, Goal 1	Provide <u>adequate public facilities and services</u> , in an efficient and effective manner, to all City residents.
Page 58, Policy 5	Remove existing Policy #5 and replace with the following: <u>Work with private developers, as appropriate, to ensure that the levels of service provided by the following public facilities are maintained in accordance with standards established by the Commonwealth and the City, when new development occurs:</u> <ul style="list-style-type: none"> <li>a) <u>Transportation: As noted in Chapter 3.</u></li> <li>b) <u>Public safety: Maintain ISO rating of 3 Citywide</u></li> <li>c) <u>Schools: As specified in criteria developed by the Fredericksburg School Board and the Virginia Department of Education.</u></li> <li>d) <u>Parks: As noted in Chapter 4, page 58.</u></li> </ul>

Page 115, first column	Remove heading: The Land Use Plan. Insert heading from top of second column, as follows: <u>Land Use Categories and Classifications.</u>
Page 115, Commercial-General, brought forward to bottom of second column	Add the following to last sentence of paragraph: <u>which will include a 3.0 Floor Area Ratio.</u>
Page 116, Commercial-Downtown	Insert the following sentence at end of paragraph: <u>A 3.0 Floor Area Ratio is allowed in this category.</u>
Page 116, Planned Development-Commercial	Insert the following sentence at end of paragraph: <u>A 3.0 Floor Area Ratio should be allowed in this category.</u>
Page 116, Planned Development – Mixed Use	Insert the following sentence at end of paragraph: <u>A 3.0 Floor Area Ratio should be allowed in this category.</u>
Page 116, Institutional	Insert the following sentence at end of paragraph: <u>This category should allow a 3.0 Floor Area Ratio for these uses.</u>
Page 116, Planned Development – Medical Center	Insert the following sentence at end of paragraph: <u>This category should allow a 3.0 Floor Area Ratio for these uses.</u>
Page 116, Land Use Planning Areas	Amend paragraph as follows: This Comprehensive Plan designates 10 <u>Small Area Comprehensive Planning Areas</u> , to more effectively evaluate specific conditions and to make clear recommendations for land use within the City of Fredericksburg. In this manner, the general land use principles described in this Plan can be translated into clear policies. <u>These areas are designated as revitalization areas that encompass mass transit, include mixed use development as an allowed land use, and are planned to allow for a commercial density of at least 3.0 Floor Area Ratio.</u>
Page 121, Land Use Potential	Insert the following sentence to the end of the paragraph: <u>This section of the City is designated as a revitalization area that encompasses mass transit , includes and provides for mixed use development, and allows for a density of at least 3.0 Floor Area Ratio in certain areas.</u>
Page 129, Land Use Potential	Same as above
Page 135, Land Use Potential	Same as above
Page 141, Land Use Potential	Same as above
Page 147, Land Use Potential	Same as above
Page 153, Land Use Potential	Same as above
Page 162, Land Use Potential	Same as above
Page 166, Land Use Potential	Same as above
Page 170, Land Use Potential	Same as above
Page 174, Land Use Potential	Same as above



*Timothy J. Baroody*

**MEMORANDUM**

**TO:** Mayor Greenlaw and Members of Council  
**FROM:** Timothy J. Baroody, City Manager  
**DATE:** September 8, 2016  
**RE:** Cancellation of October 11, 2016 Council Meeting

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Staff believes it is prudent for Council to consider cancelling the regular meeting now scheduled for Tuesday, October 11, 2016. This is the same week that Council Members are attending the Virginia Municipal League Annual Conference and plan their biennial Council Offsite. Having reviewed the pending matters now planned for that meeting, it has been determined that no immediately urgent business will be delayed.

Adoption of this consent agenda item will signify concurrence with Staff's recommendation.



CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL  
**MINUTES**  
Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

**ITEM #9A**

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. BRADFORD C. ELLIS, WARD ONE  
HON. DR. TIMOTHY P. DUFFY, WARD THREE  
HON. CHARLIE L. FRYE, JR., WARD FOUR

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**Council Work Session**  
**July 12, 2016**

**Riverfront Park Update**

**The Council** of the City of Fredericksburg, Virginia held a work session on Tuesday, July 12, 2016, beginning at 5:30 p.m. in the City Hall Conference Room.

**Council Present.** Mayor Mary Katherine Greenlaw, Presiding. Councilors William C. Withers, Jr., Kerry P. Devine, Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

**Also Present.** City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Parks, Recreation & Public Facilities Director Jane Shelhorse, Planning Services Director Charles Johnston, Assistant Economic Development Director Bill Freehling and Clerk of Council Tonya B. Lacey.

**Others Present.** Riverfront Taskforce Members George Solley, Carolyn Helfrich and Anne Little, Rhodeside and Harwell Representatives Elliott Rhodeside, Derrick Wolbaum and David Bayer.

**Riverfront Park Update.** Riverfront Taskforce Chair Mr. Solley gave a brief background on the Riverfront Park stating it had been 10 years since the City Council formed the Riverfront Taskforce to help with the design of the park. At that time the concept the City Manager had was for the parking lot where the Masonic Lodge was located. He said the Taskforce expanded the horizon. In 2008, the Taskforce had an initial concept design, the City purchased additional property and removed some buildings and by 2009 the interim park was in use. The park was put on hold during the recession for a few years. In 2012, the City purchased the Masonic Lodge and that allowed the Taskforce to think broader. Over time the City contracted Rhodeside and Harwell and they began the design process again for the larger area. The concept first presented by Rhodeside and Harwell was too expensive and with the help of Council, Rhodeside and Harwell took a step back and produced in stages a new design.

## **ITEM #9A**

Mr. Rhodeside presented a PowerPoint showing the concept plan, drawings showing the different views of the park, the cost, the updated site survey, site utility plan, grading plan, materials plan, site materials, splash zone materials, play zone materials, planting plan, planting concept, planting typologies, installation and management plan, land occupancy study and the cost estimate. See attached document for more information.

Councilor Ellis asked Parks and Recreation Director Shelhorse if additional staff would be needed and she said they would need additional staff because they were currently short staffed.

Councilor Frye thanked Mr. Rhodeside for incorporating parking alongside the church. Vice-Mayor Withers said he liked the plans but the City would be losing over 100 parking spaces and he would like to see a parking study done to see where the park visitors would park and he would like to see it all coordinated together.

Councilor Kelly said he wanted to see the power lines buried and he would like to see that as a prerequisite. Mr. Rhodeside stated that if the funds were not available now the lines could be buried later. He said the current plans include the power lines and the proposed trees would grow below the power lines. Councilor Devine agreed that no power lines would be great but she did not want to see the park halted because of the power lines. She said they could be removed later.

Mr. Rhodeside said after meeting with a focus group they decided to include a maintenance area with electrical hookups.

Vice-Mayor Withers stated that later on they may need to include restrooms and Mr. Rhodeside stated that they had a temporary place for port-a-potties and he added that it was discussed before that restrooms would not be a part of the plan and after meeting with the focus group they said there needed to be a place for port-a-potties which will be located near the maintenance area. Councilor Kelly said he would prefer to see a regular facility instead of port-a-potties and Mr. Solley said it was not the intent for the port-a-potties to remain there. Councilor Frye said he would have liked to have seen the Masonic Lodge used for restrooms but Mr. Rhodeside said it was not a good option because it would have cost too much to make the restrooms accessible.

Councilor Kelly said he liked the direction the project was going in but he would like to see the parking issues resolved.

## **ITEM #9A**

Councilor Duffy stated that he liked the incorporation of the kid's splash park and Mr. Rhodside said they felt very strongly that this should be a family park and the splash park would be a great attraction. Councilor Devine added that she loved how the park was a combination of a passive park and it had the ability to be an active park for events which works for residents and tourist. She said it was a wonderful amenity and would be similar to the City's pathway, a place that draws the community.

City Manager Baroody said staff was excited and they were ready to execute by continuing the design and engineering work to 100% completion and execute construction by 2018. Councilor Kelly said he had no problem continuing with the design but he would like to look at ways to replace the parking and he would like to see the budget needed for parks and recreation. Mr. Baroody said a study would need to be done and they plan to do that on a parallel track.

Councilor Devine said a parking deck was a community amenity and it needed to be kept in line with community amenities. She said she would hate to hold up the park because of the parking.

Councilor Ellis said he would not support a parking study because they already knew there was a need for a parking garage. Mr. Baroody said the study would help the City understand the strains citywide and it would help with the future of the City down the road with commercial build outs. He said it would help answer questions. Mr. Ellis agreed with Councilor Devine and he did not want the parking to holding up the park.

Vice-Mayor Withers asked if they were required to have a public hearing on the park and City Attorney Dooley explained that when you establish public facilities they must be shown in the Comprehensive Plan (Comp Plan) and with the Comp Plan update the park was shown and it would not require a separate public hearing. Assistant City Manager said it would also be part of the budget, bond issuance and the Capital Improvements Plans so there were three separate opportunities for the public to comment on this. Vice-Mayor said he had talked to merchants and they do not support the loss of the 100 parking spaces. He would like staff to meet with the merchants to air out their concerns.

Councilor Frye said he agreed with Vice-Mayor Withers on the parking. He said with the eliminating of the parking he would like to see the parking on either end of the park.

## **ITEM #9A**

Mayor Greenlaw thanked the Taskforce for their work. She said she did not know of any City that did not benefit from the use of their riverfront. She agreed that parking was needed but did not want the parking on the riverfront.

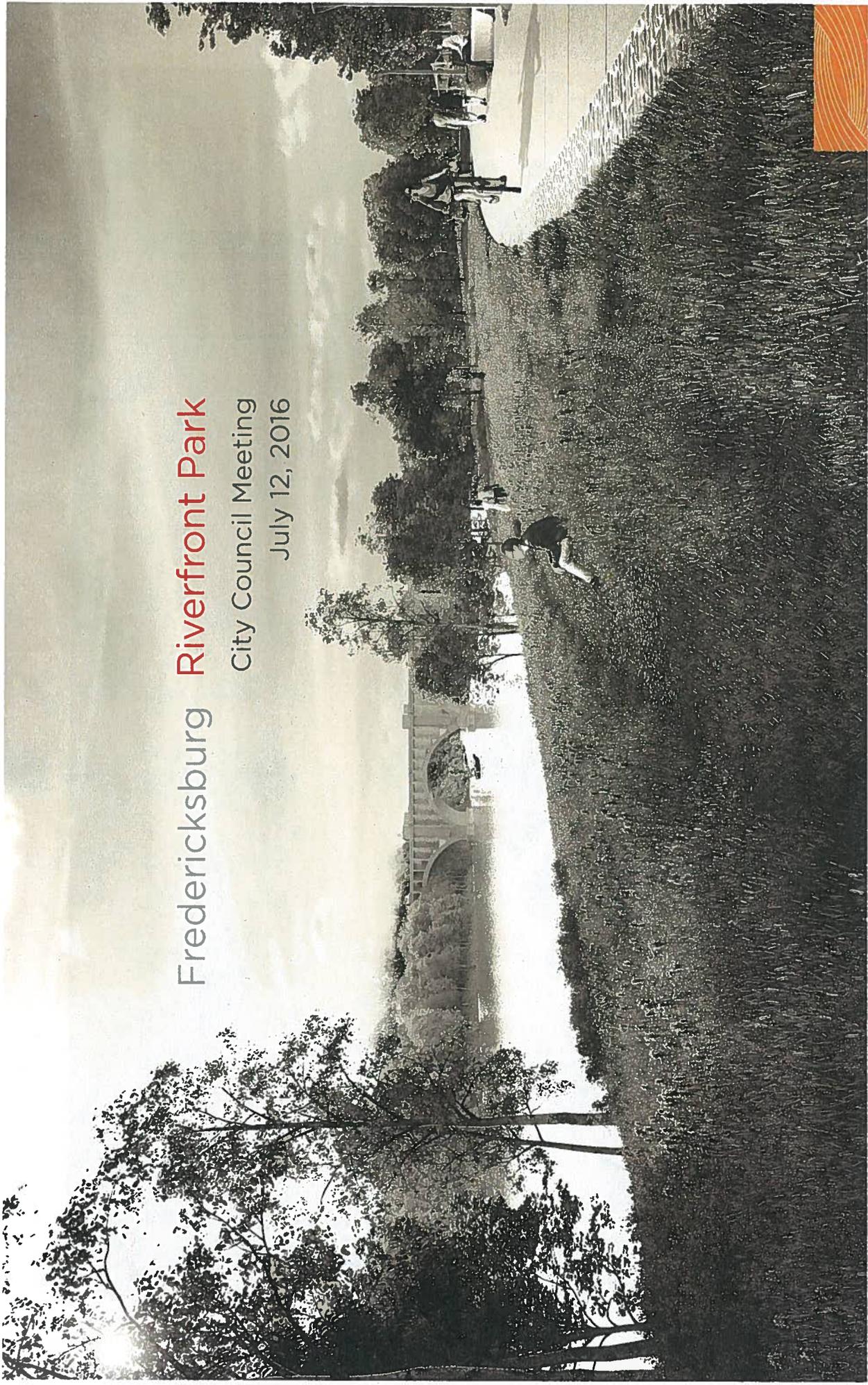
Council was in agreement to take the next steps in the design and to work concurrently on the parking. Mayor Greenlaw said the cost for the park would be \$5 million and another \$5-6 million on the parking. She also requested cost estimate on putting the power lines underground. Vice-Mayor Withers said he has heard there were grants through Dominion Power to bury lines.

**Adjournment.** There being no further business to come before the Council at this time. Mayor Greenlaw declared the work session officially adjourned at 6:29 p.m.

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**Tonya B. Lacey  
Clerk of Council  
City of Fredericksburg**

Fredericksburg **Riverfront Park**  
City Council Meeting  
July 12, 2016

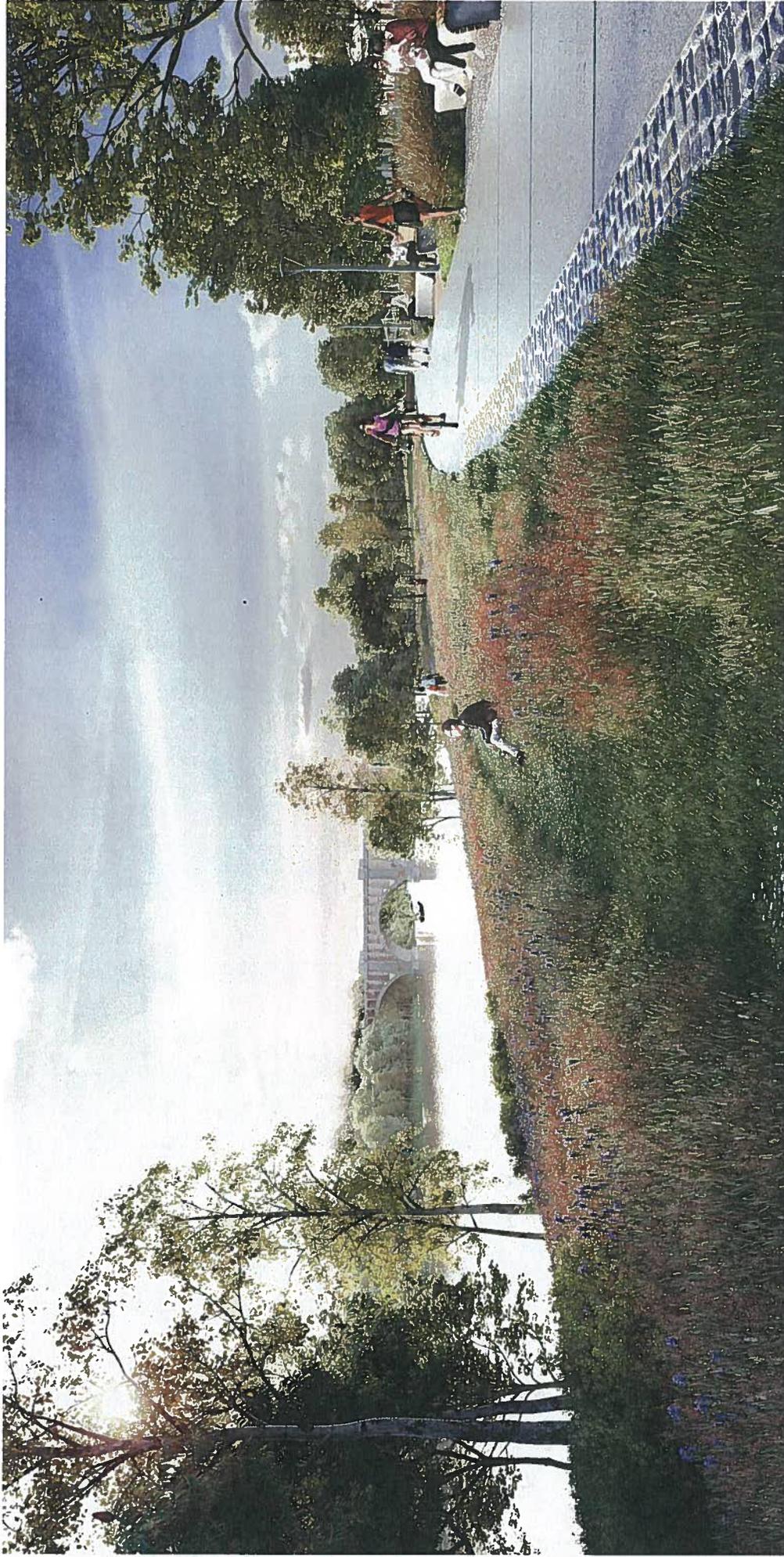


RHODESIDE & HARWELL

Concept Plan



Promenade & Meadow



# Garden & Event Lawn



# Play Zone



Cost

CITY COUNCIL BUDGET

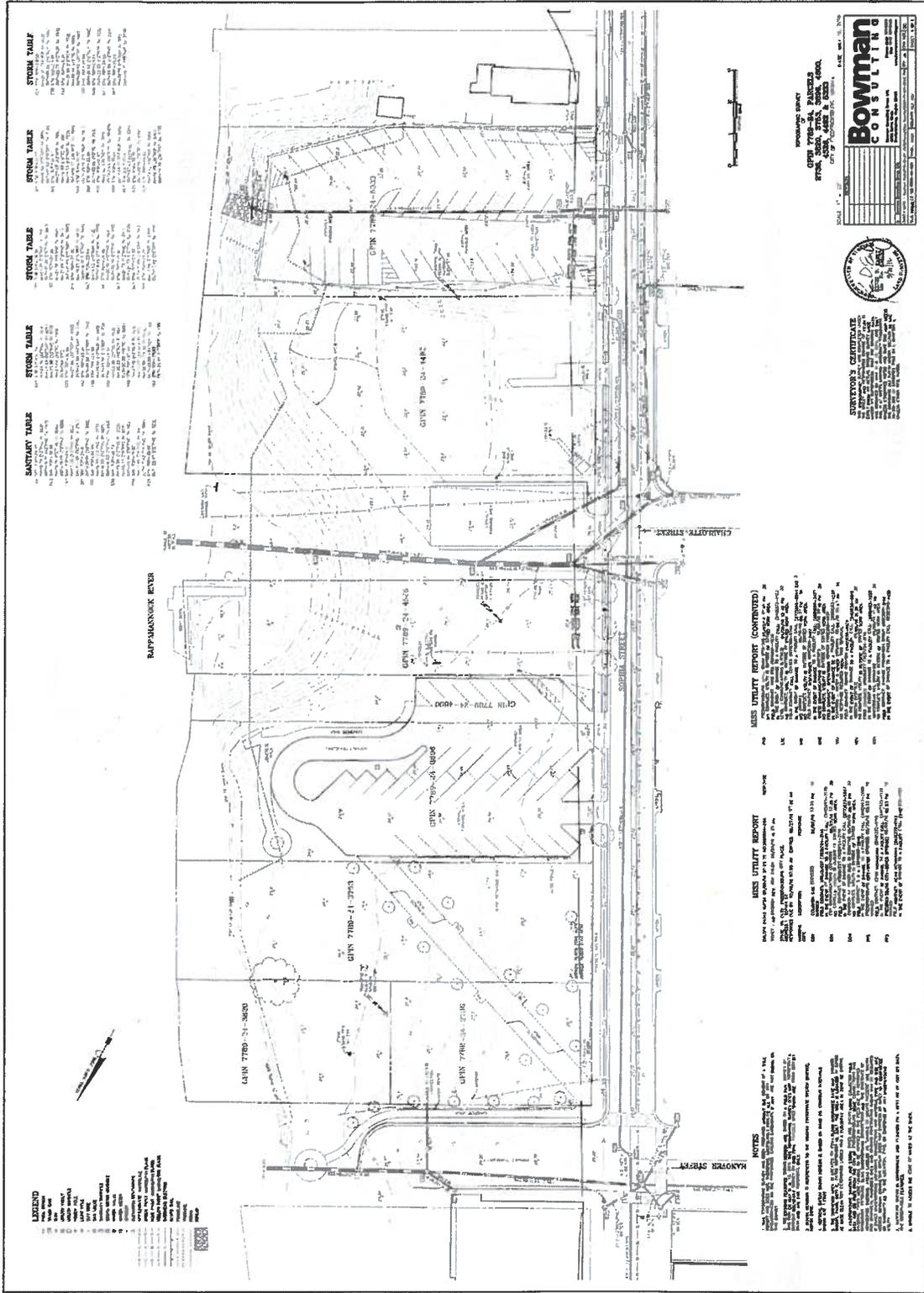
\$5,000,000

.....

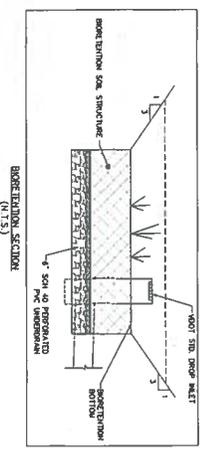
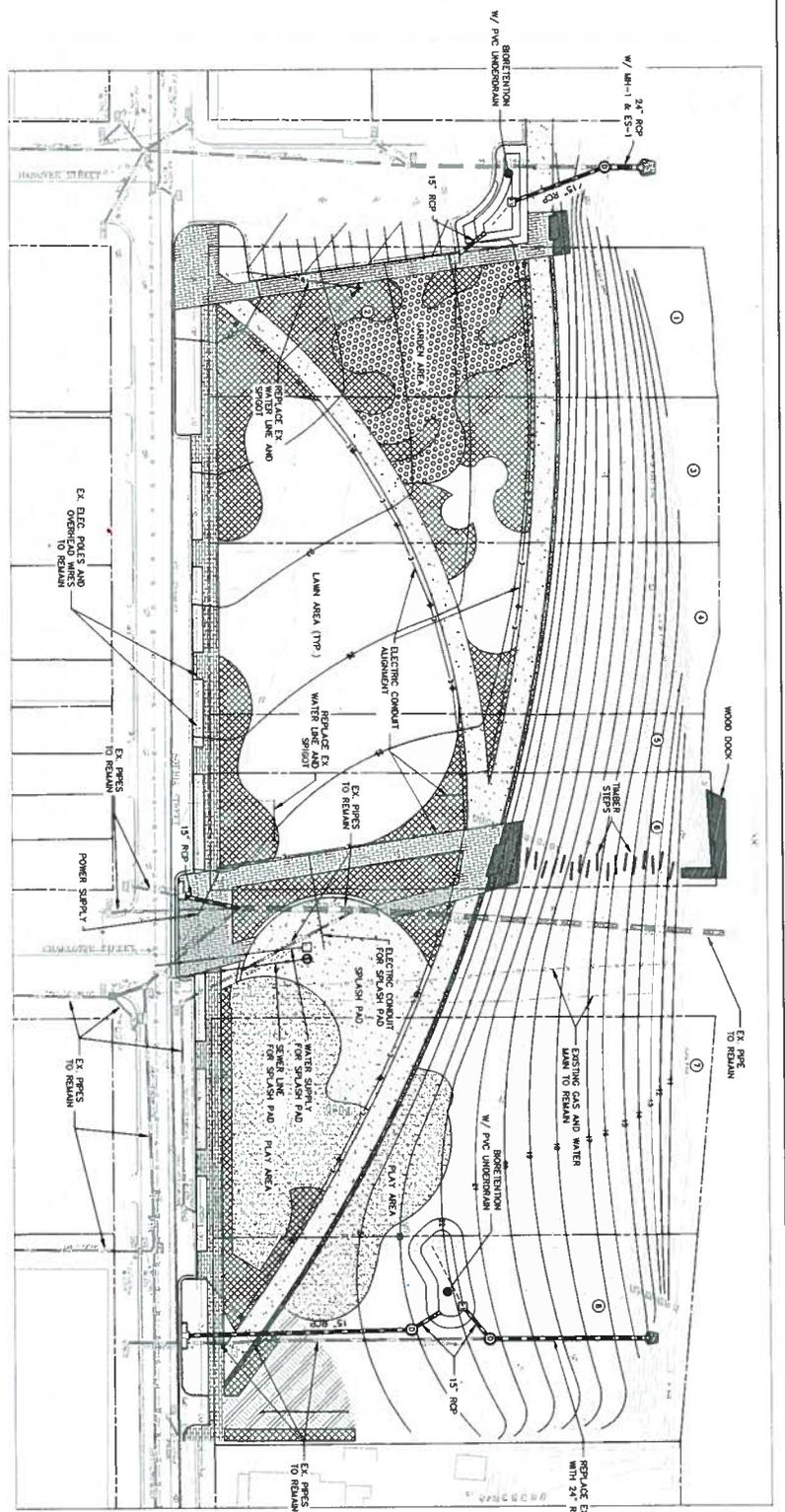
SCHEMATIC DESIGN COST ESTIMATE

\$4,973,819

# Updated Site Survey



# Site Utility Plan

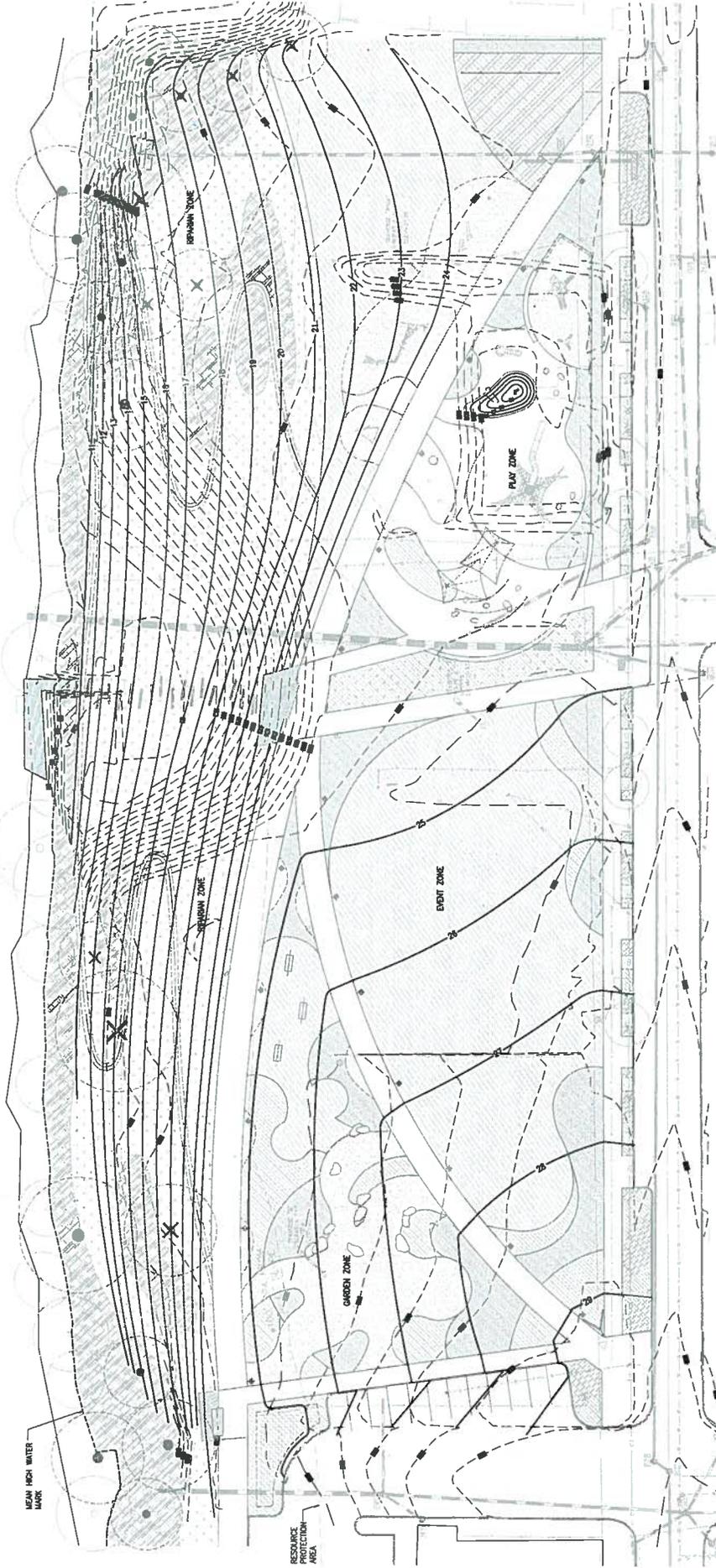


- LANDSCAPE LEGEND:**
- ① 7789-24-3250
  - ② 7789-24-2736
  - ③ 7789-24-3753
  - ④ 7789-24-3686
  - ⑤ 7789-24-4600
  - ⑥ 7789-24-4526
  - ⑦ 7789-24-4492
  - ⑧ 7789-24-4533



<p><b>Kimley-Horn</b></p> <p>4000 West Sheltie Street, Suite 200, Bethesda, MD 20814          Phone: 202-217-2600 Fax: 202-217-1600          www.kimley-horn.com</p>	<p><b>RIVERFRONT PARK</b></p> <p>PREPARED FOR  <b>CITY OF FREDERICKSBURG</b></p>	<p><b>SCHEMATIC DESIGN SITE PLAN</b></p>
<p>PROJECT NO. 1165120001          DATE: 07/12/2016          DRAWN BY: JLD          CHECKED BY: JLD          PROJECT MANAGER: JLD          CITY OF FREDERICKSBURG</p>	<p>SCALE: AS SHOWN          SHEET NO. 101          TOTAL SHEETS: 101</p>	<p>SHEET NUMBER  <b>A1</b></p>

# Grading Plan

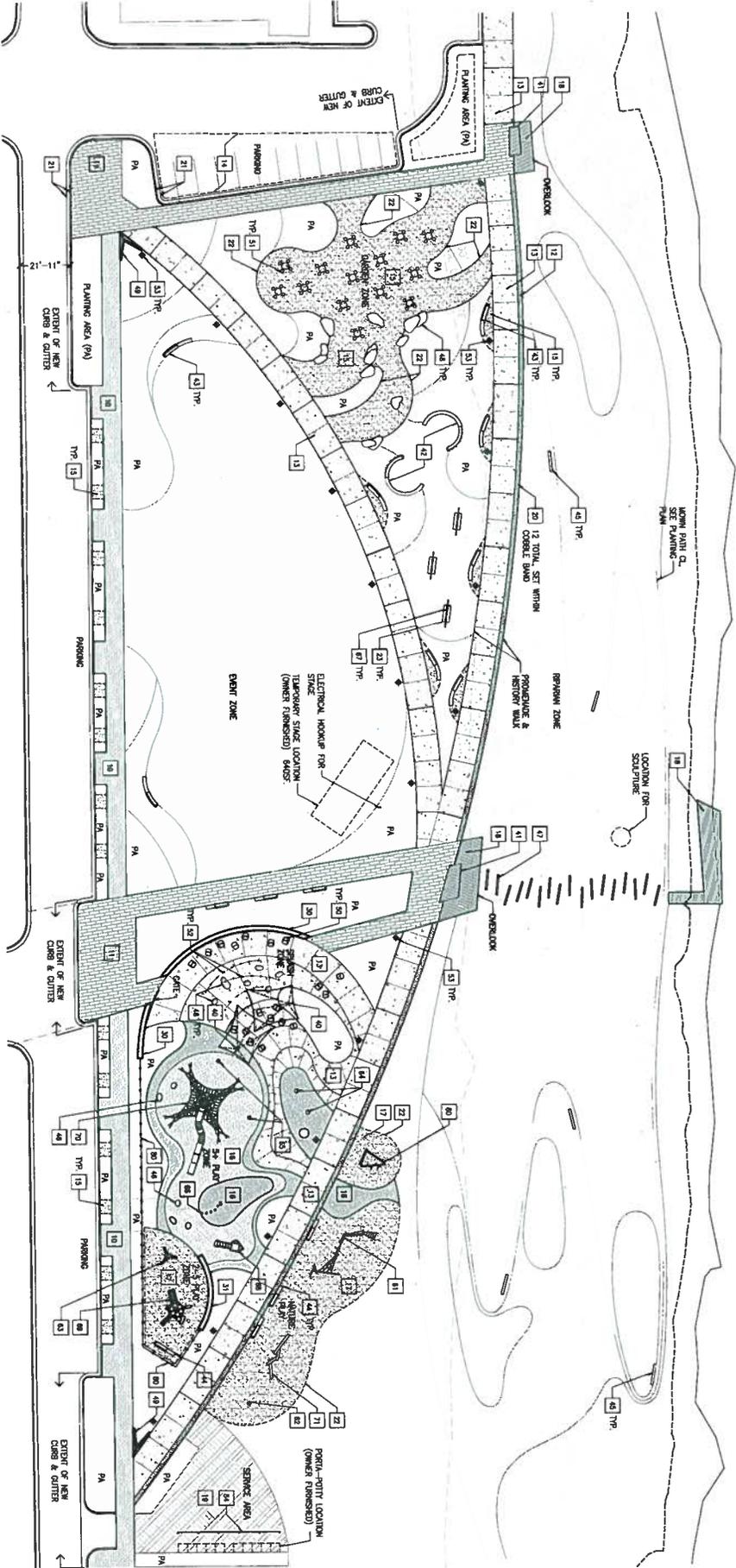


- EXISTING GRADE
- PROPOSED GRADE
- - - MHW (MEAN HIGH WATER) LINE
- RPA (RESOURCE PROTECTION AREA)

Item	Description	Volume (Cubic Yards) with 10% Contingency	Volume Estimate (Cubic Yards)	Notes
Excavation - On Site	excavate	2053.23	2361.22	baseline cut minus unsuitable fill and existing pavement
Excavation - Haul Off	excavate and remove from site	3314.46	3811.63	unsuitable fill, existing pavement, excess top soil (not needed in ultimate condition)
Borrow - On Site	place and compact	2053.23	2361.22	on site excavated material placed and compacted on site
Borrow - Haul On	bring to site; place and compact	1913.37	2200.37	Needed borrow minus the on site stockpiles



# Materials Plan



- LEGEND**
- 10 BRICK PAVERS
  - 11 PRECAST CONCRETE PAVERS - 3'x8'x4" - 2-3 COULDS
  - 12 RECYCLED GRANITE COBBLE PAVERS - OWNER FURNISHED
  - 13 CONCRETE PAVING - BROOK FINISH (ALTERNATE - EXPOSED AGGREGATE FINISH)
  - 14 ASPHALT PAVING
  - 15 CHANGED STONE - DECOMPOSED GRANITE
  - 16 PAVED IN PLACE RUBBER SURFACING - 2" DEEPS
  - 17 ENHANCED WOOD FIBER
  - 18 WOOD DECKING
  - 19 REINFORCED TYP - GANSSPWEZ BY
  - 20 STONE MESH - WITH HISTORICAL INTERPRETATION - GROUND MOUNTED 2'X2' - 12 TOTAL
  - 21 CONCRETE CURB & GUTTER
  - 22 STEEL EDGE RESTRAINT
  - 23 RUBBER TILES - 63 SF
  - 24 FERRITE WALL - PRECAST CONCRETE - 24"HT. X 24"W.
  - 25 SEAL WALL - PRECAST CONCRETE - 18"HT. X 24"W.
  - 26 SHADE STRUCTURE - VEGE BY TENSEL SHADE PRODUCTS - 2 TOTAL
  - 27 PLANTING - WOOD DECKING - 18"HT.
  - 28 SITE BENCH - TYPE A - PRECAST CONCRETE BASE WITH WOOD DECKING TOP - 2 TOTAL
  - 29 SITE BENCH - TYPE B - PRECAST CONCRETE BASE WITH WOOD DECKING TOP - 8 TOTAL
  - 30 SITE BENCH - TYPE C - PRECAST CONCRETE BASE WITH WOOD DECKING TOP - 8 TOTAL
  - 31 SITE BENCH - TYPE D - THUNDER - DATED WITH STEEL LENS - 5 TOTAL
  - 32 SITE BENCH - TYPE E - PRECAST CONCRETE - STONE BENCH BY WILDFLOW SOLUTIONS - 11 TOTAL LENGTH - 17 TOTAL
  - 33 BOLLARD - 4'-5" DIA. - 13 TOTAL
  - 34 SON COLUMN - STONE VENEER - 2'-4" HT. - 2 TOTAL
  - 35 RAMP/BOARDING GAUGES - COMPOSITE BY DOLL DESIGNS - 19 TOTAL
  - 36 TABLE & CHAIRS - TYPE C - COMPOSITE BY WILDFLOW SOLUTIONS - 14 TABLES & 40 CHAIRS TOTAL
  - 37 SPRAY NOZZLE - GROUND MOUNTED - 20 TOTAL
  - 38 LIGHT FIXTURE - TYPE BY WILDFLOW SOLUTIONS - 18 TOTAL
  - 39 STEEL WALL - WOOD - 7' HT. \*RAMPOR 2 - 1800W SERIES - 1 TOTAL
  - 40 \*RAMPOR 4 - 1800W SERIES - 1 TOTAL
  - 41 \*SPANNER PLATE - 1 TOTAL
  - 42 \*SESSUM - BOLLARD - 1 TOTAL
  - 43 \*SPANNER BOWL - 2 TOTAL
  - 44 \*SPINA - 2 TOTAL
  - 45 \*CORBS - 4 TOTAL
  - 46 \*SING - 'SALO' HORIZONTAL - 3 TOTAL
  - 47 \*POUT 02218 - 'LENDERS' SERIES - 1 TOTAL
  - 48 \*MGA TOWER PHYSICAL - 'WANDERS' SERIES - 1 TOTAL
  - 49 \*PRESSURE SLAND - WITH PLASTIC SLIDE CONDUIT SERIES - 1 TOTAL
  - 50 \*BALANCE LOSS - OWNER FURNISHED & INSTALLED
  - 51 \*FENCE WITH GATE - WOOD POST & CABLE RAIL (NEAR HIGH WATER) LINE
  - 52 \*FENCE WITH GATE - WOOD POST & CABLE RAIL (RESURFACE PROTECTION AREA)
  - 53 \*PLAY EQUIPMENT BY KOMPAN



# Site Materials



**FEATURE WALL** - Precast concrete.

**SITE BENCH TYPE A,B,C** - Precast concrete base with wood decking seat.

**SITE BENCH TYPE D** - Natural timber.

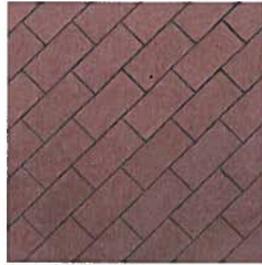
**FENCE** - Wood post and cable rail.



**PROMENADE PAVING (OPTION A)** - Broom finish concrete

**(OPTION B)** - Exposed aggregate concrete.

**CRUSHED STONE** - Decomposed granite.



**BRICK PAVERS** - To match existing downtown sidewalk brick.



**RECYCLED GRANITE COBBLE PAVERS** - Owner furnished. Acquired from the City of Fredericksburg.



**SIGN COLUMN** - Stone veneer with graphics



**BOARDWALK PAVING** - Precast concrete pavers.



**OVERLOOK** - Wood decking

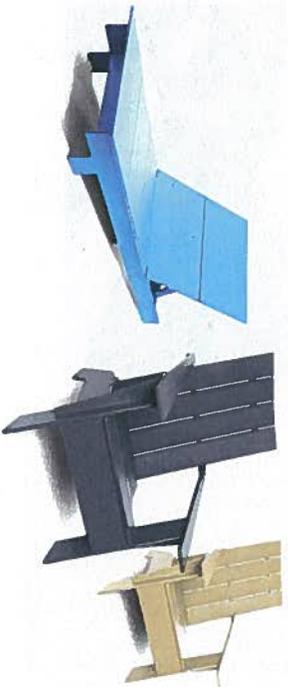
**PLATFORM** - Wood decking

**LIGHT FIXTURE** - FGP by Landscapeforms.

# Splash Zone Materials



**SHADE STRUCTURE** - 'Visor' by Tensile Shade Products.



**ADIRONDACK CHAIRS** - Colored composite by Loll Designs.



**SPLASH ZONE** - Ground mounted spray nozzles



Pop-It



DEX Geyser-Low

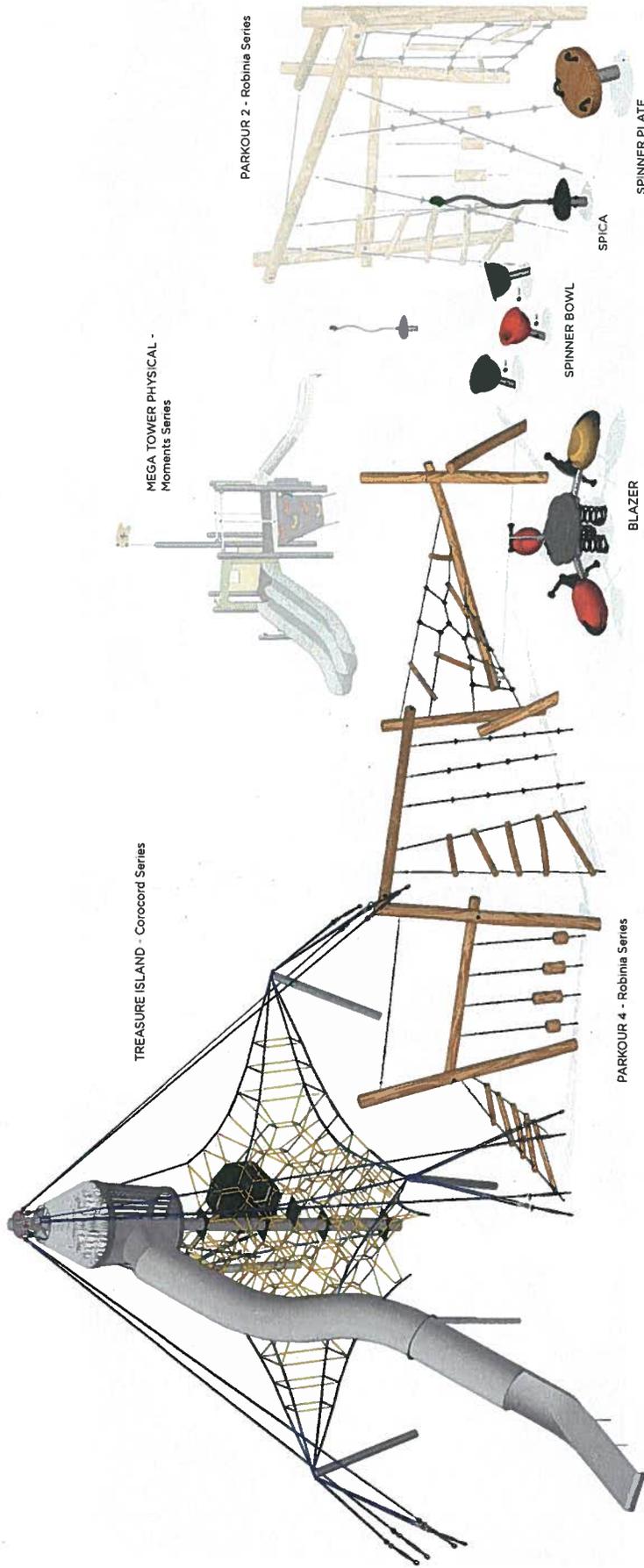
**SPRAY NOZZLE** - 'Pop-It' & 'DEX Geyser' ground mounted by Waterplay Solutions.



Sand Stone 2

**SITE BENCH TYPE E** - 'Sand Stone' series by Waterplay Solutions.

# Play Zone Materials



PLAY ZONE - Play equipment by Kompan

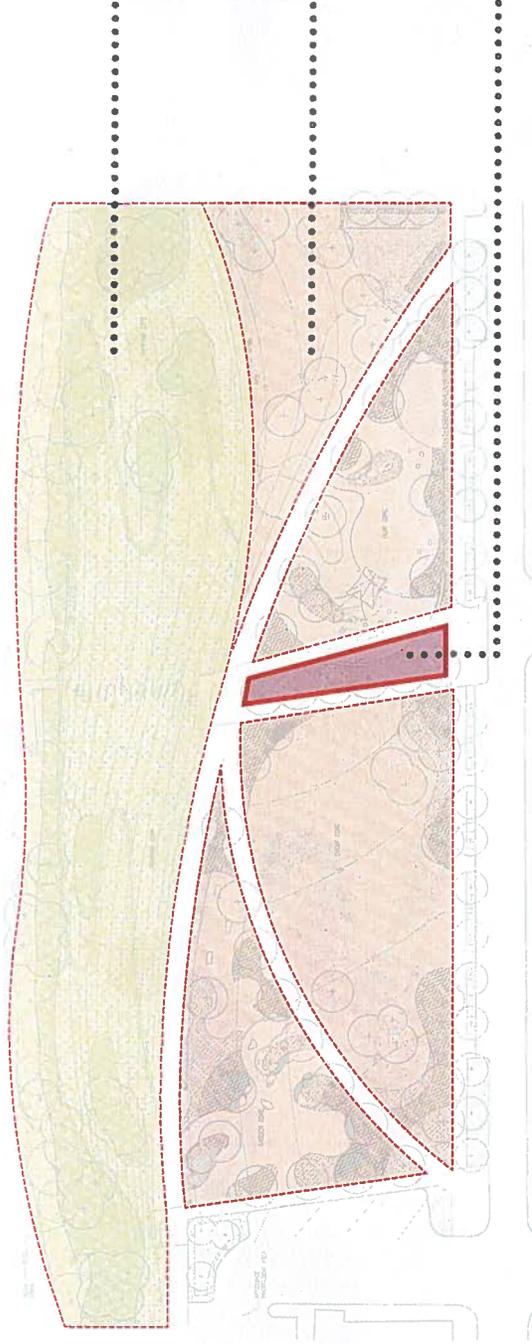


PLAY SURFACE - Poured in place rubber

PLAY SURFACE - Engineered wood fiber



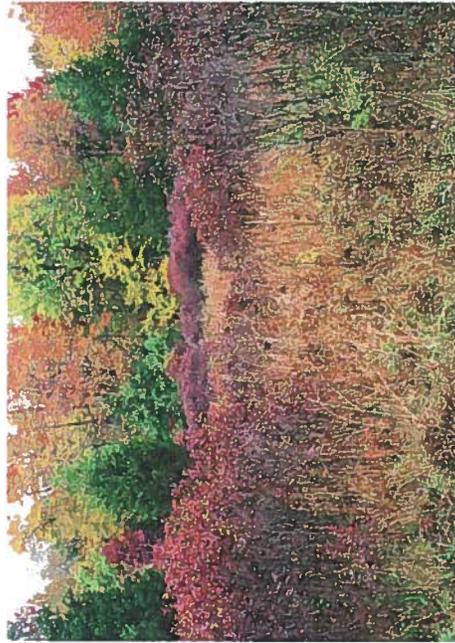
# Planting Concept



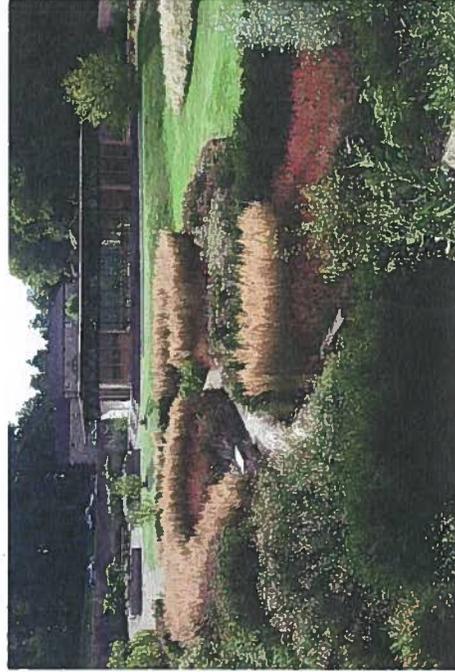
**RIPARIAN ZONE**  
WILD PLANT SPECIES  
NATURALISTIC LANDSCAPE

**GARDEN ZONE**  
CULTIVARS OF PLANTS IN RIPARIAN ZONE  
DESIGNED LANDSCAPE

**RIPARIAN + GARDEN ZONE**



RIPARIAN ZONE



GARDEN ZONE



RIPARIAN + GARDEN ZONE

# Planting Typologies



## Planting Typologies



Fredericksburg Riverfront Park

07.12.2016

RHODESIDE & HARWELL

# Planting Typologies

## RIPARIAN TREES



American Sycamore



Tulip tree



Blackgum



River Birch

## MEADOW TREES



Redbud



Ironwood



Smooth Sumac



Sweetbay Magnolia

## SHRUB MASSES



American Beautyberry



Elderberry



Black Chokeberry



Blackhaw Viburnum

## RIPARIAN EDGE



Riverbank Wild Rye



Mayapple



Beebalm



Golden Ragwort

# Planting Typologies

SEEDED  
MEADOW



Spiltbeard Bluestem



Purpletop



Foxglove Beardtongue



New England Aster

TALL LIVE  
PLANT  
DRIFTS



Big Bluestem



Wild Bergamot



Tall Coreopsis



Giant Purple Hyssop

MEDIUM  
LIVE PLANT  
DRIFTS



Little Bluestem



Butterflyweed



Virginia Spiderwort



Summer Phlox

ACCENT  
LIVE PLANT  
DRIFTS



Culver's Root



Pale Indian Plantain



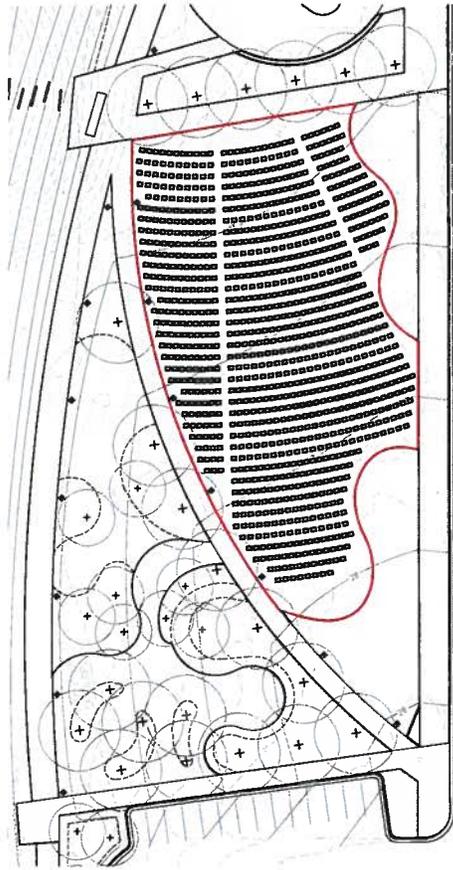
Virginia Cup Plant



Steeplebush



# Lawn Occupancy Study



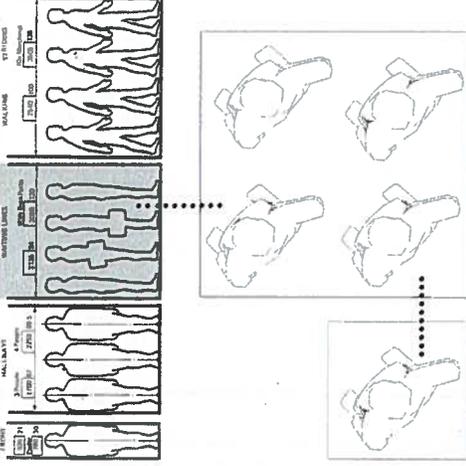
Lawn Area  
 17,000 Sq Ft  
 Occupant Load Factor  
 Maximum Occupancy  
 1 occupant per seat  
 1,000



Lawn Area  
 17,000 Sq Ft  
 Occupant Load Factor  
 Maximum Occupancy  
 Standing Space = 1 occupant per 5 Sq Ft  
 3,400\*

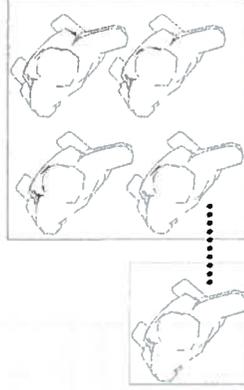
\* Assuming similar criteria for 'outdoor areas'; this study is based on occupant load factors for assembly in enclosed spaces. From the 2012 Virginia Construction Code (VCC). See part II of this study.

## I. ARCHITECTURAL STANDARDS (AIA)\*\*



1 occupant max. per 0.58 Sq M (6.25 Sq Ft)  
 or 4 occupants max. per 2.32 Sq M (25 Sq Ft)

## II. 2012 VIRGINIA CONSTRUCTION CODE (VCC)\*\* HEALTH & SAFETY EXECUTIVE (HSE)\*\* INTERNATIONAL FIRE CODE (IFC)\*\*



1 occupant max. per 0.47 Sq M (5 Sq Ft)  
 or 4 occupants max. per 1.86 Sq M (20 Sq Ft)

\*\* While no universal international code requirement exists for maximum occupancy for outdoor spaces, this study references 4 institutions: The American Institute of Architects (AIA), 2012 Virginia Construction Code, Health & Safety Executive (HSE) and International Fire Code (IFC) as criteria for this analysis.

## Cost Estimate

PROJECT PHASE & SECTOR		Base
GROSS FLOOR AREA:		Riverfront Park
DIV	SCOPE OF WORK	Amount
G	BUILDING SITEWORK	2,900,148
Subtotal - Building & Site Cost of Work		2,900,148
***General Conditions***		
	General Conditions	12.50% 362,519
	Testing & Inspections	0.40% 11,601
***General Conditions***		374,119
***Bonds / Insurance***		
	- Performance & Payment Bond	2.00% 65,485
	- Builder's Risk Insurance	0.50% 16,699
	- General Liability Insurance	0.50% 16,782
***Bonds / Insurance***		98,966
*** Design Contingency***		
		15.00% 505,985
***Overhead & Fee***		
	Contractor's G&A	5.00% 193,961
	Contractor's FEE	5.00% 193,961
***Overhead & Fee***		387,922
Subtotal Cost of Work		4,267,141
***Construction Escalation***		
	- Escalation at 2.5%/year:	2.50% 106,679
	Anticip. Mid Pt of Construction	1-Aug-17
***Construction Escalation***		106,679
***Design Cost***		
	- Design	15 600,000
***Design***		600,000
ESTIMATED CONTRACT COST (ECC)		\$4,973,819







CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL  
**MINUTES**

Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

**ITEM #9B**

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. BRADFORD C. ELLIS, WARD ONE  
HON. DR. TIMOTHY P. DUFFY, WARD THREE  
HON. CHARLIE L. FRYE, JR., WARD FOUR

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**Council Work Session**  
**August 9, 2016**

**Briefing on Greenville, South Carolina Redevelopment**

**The Council** of the City of Fredericksburg, Virginia held a work session on Tuesday, August 9, 2016, beginning at 5:30 p.m. in the City Hall Conference Room.

**Council Present.** Mayor Mary Katherine Greenlaw, Presiding. Councilors William C. Withers, Jr., Kerry P. Devine, Timothy P. Duffy, Charlie L. Frye, Jr. and Matthew J. Kelly.

**Council Absent.** Councilor Bradford C. Ellis, vacation.

**Also Present.** City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant Economic Development Director Bill Freehling, Planning Services Director Charles Johnston and Clerk of Council Tonya B. Lacey.

**Briefing on Greenville, South Carolina Redevelopment.** Assistant Economic Development Director Freehling presented a PowerPoint discussing the background and introduction, what's been built downtown, how they accomplished it, pictures of street signs, streets, hotels signage, performing arts center, amphitheater, event facility and public restrooms, public restrooms located in restaurants, Liberty Bridge, transportation options, calendar of events, downtown maps, private sponsorship obtained for different items, water fountains for refilling water bottles, bikes for rent, visitor center inside City Hall, lots of seating, chain stores mixed with indies, public art sculptures, outdoor dining next to the park, outdoor music and seating, splash zone by the riverfront, minor league baseball stadium, West End Market (redeveloped by the City), public-private partnership by numbers, Fredericksburg's advantages and elements needed to advance.

Mayor Greenlaw asked if Greenville was a City within a County and Mr. Freehling said they were and they had city taxes, county taxes as well as school taxes.

Councilor Duffy asked what the timeframe was for doing all the projects mentioned and Mr. Freehling said it was all done over 30 years. Councilor Kelly said the City had secured

## **ITEM #9B**

several corporate users before the redevelopment. Mr. Freehling said because they have city tax, county tax and school tax that helped a lot.

Mayor Greenlaw agreed that the City of Fredericksburg had different challenges but it had more opportunity.

Councilor Kelly said he would be interested in how they put their TIF district together and how it survived the downfall of the economy. He said the City needed to sit down and develop a master plan. Mayor Greenlaw said the vision must assume that the community was willing to invest as well as the private sector. Councilor Kelly felt if there was a Master Plan they may be interested. Vice-Mayor Withers said with the retreat coming up he felt that would be a good place to start the plan.

Councilor Kelly said he would like to see the City go out to the development community and national parks to see what they would like to see in the City. City Manager Baroody said he had already reached out to them and he would like to have an open forum in October.

Councilor Frye suggested that the City do more smaller things to attract more foot traffic in the City for example putting a sign on route one for Carl's ice cream saying "best ice cream in America". He felt doing little things like this would get people off route one who had no intentions of stopping in the City.

**Closed Meeting Approved.** Upon the motion of Vice-Mayor Withers, seconded by Councilor Devine and passed by the following recorded votes, Council approved a closed session to discuss the performance of the Clerk of Council, under Virginia Code §2.2-3711(A)(1). Ayes (6) Councilors Greenlaw, Withers, Devine, Duffy, Frye, and Kelly. Nays (0).

**Return to Open Meeting Approved.** Upon the motion of Vice-Mayor Withers, seconded by Councilor Devine and passed by the following recorded votes, Council approved a return to an open meeting. Ayes (6) Councilors Greenlaw, Withers, Devine, Duffy, Frye, and Kelly. Nays (0).

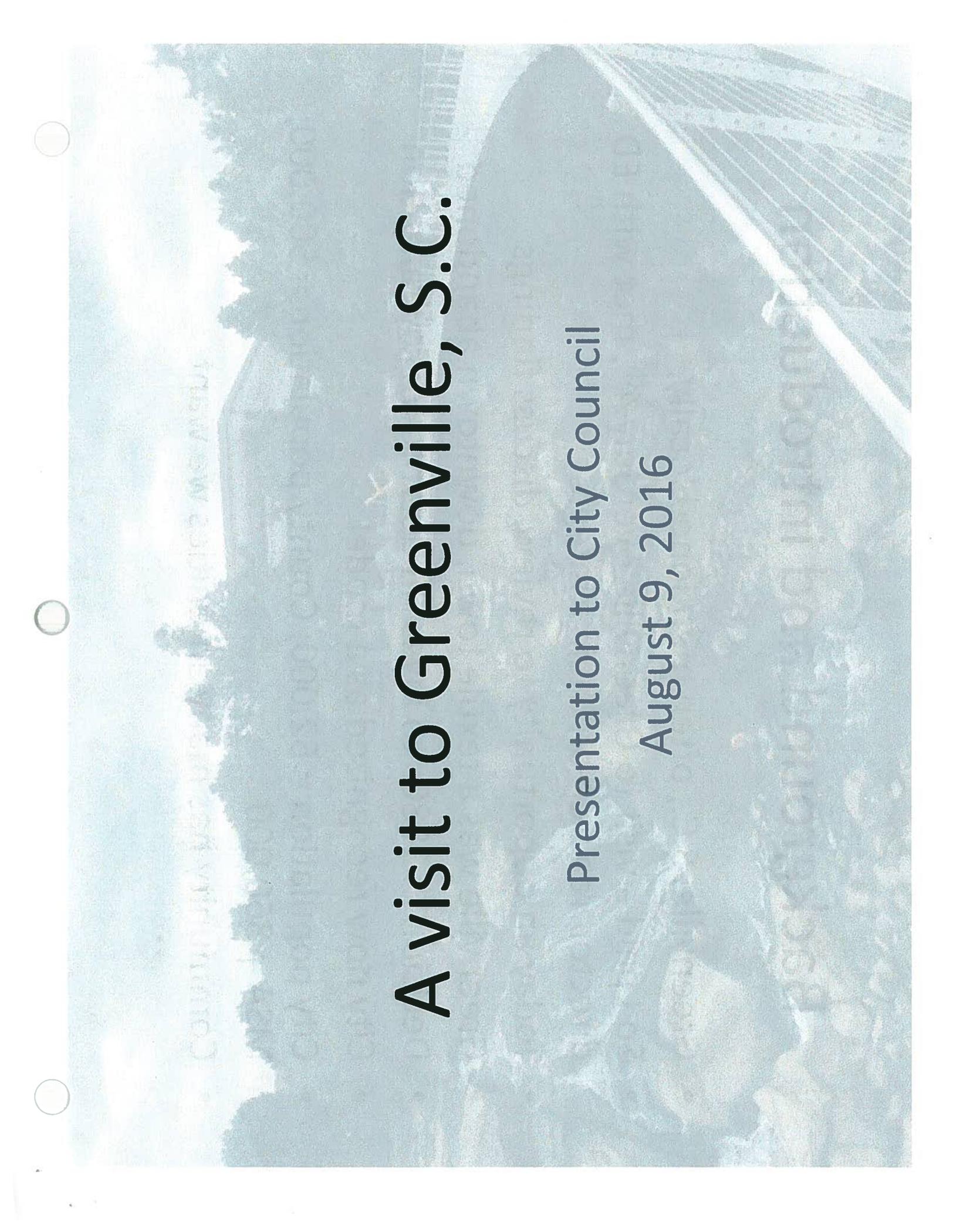
**Resolution 16-69, Approved, Certifying Closed Meeting.** Upon the motion Vice-Mayor Withers approved Resolution 16-69 certifying the closed meeting; seconded by Councilor Devine and passed by the following recorded votes. Ayes (6) Councilors Greenlaw, Withers, Devine, Duffy, Frye, and Kelly. Nays (0).

**ITEM #9B**

**Adjournment.** There being no further business to come before the Council at this time. Mayor Greenlaw declared the work session officially adjourned at 6:56 p.m.

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**Tonya B. Lacey  
Clerk of Council  
City of Fredericksburg**

An aerial photograph of a large stadium with a distinctive curved, ribbed roof. The stadium is surrounded by lush green trees and a clear blue sky. The text is overlaid on the image.

# A visit to Greenville, S.C.

Presentation to City Council

August 9, 2016

# Background and introduction

- Greenville, S.C., often mentioned locally
- So I paid a visit to Greenville over July 4<sup>th</sup>, met with ED director, read up on their strategies
- Today an opportunity to review, discuss findings
- Greenville was a textile town, downtown abandoned
- Decision in 1980s to invest in downtown revitalization
- City now recognized as a model
- City population = 62,000; County population = 500,000; MSA = 860,000
- Community has many amenities we want

# What has been built downtown

- Riverfront park with suspension bridge
- Performing arts center
- Single A baseball stadium (Greenville Drive)
- Outdoor concert and event pavilions
- Numerous parking decks
- High-end retailers, office users, restaurants
- Beautiful streetscaping, landscaping

# How accomplished

- Community resolve, support, master planning
- Real estate TIF (city, county and schools)  
*This is how they paid for the projects*
- 2 percent meals tax and dedicated revenue from it
- Steady leadership of key officials (mayor, ED director)
- Next slides: Photos of Greenville

# Large street signs



# Main St. four lanes to two lanes



# Westin Hotel

*lots of public/private  
partnerships*



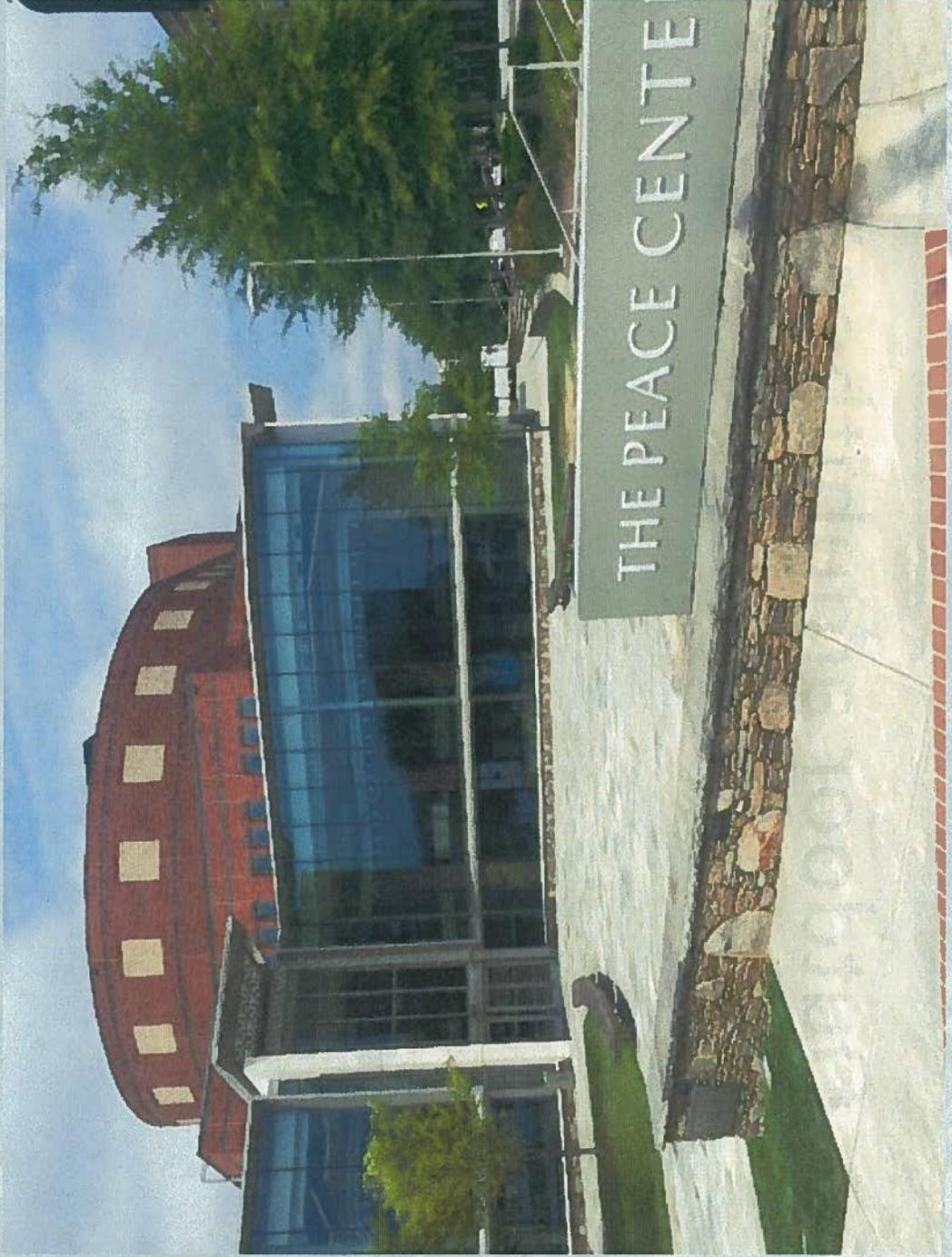
# Ample signage



more to enjoy  
Go East, West St.

more to enjoy  
Go East, West St.  
Lodging & More  
Northampton Drive  
The Wine Cafe  
downtown

# Performing arts center



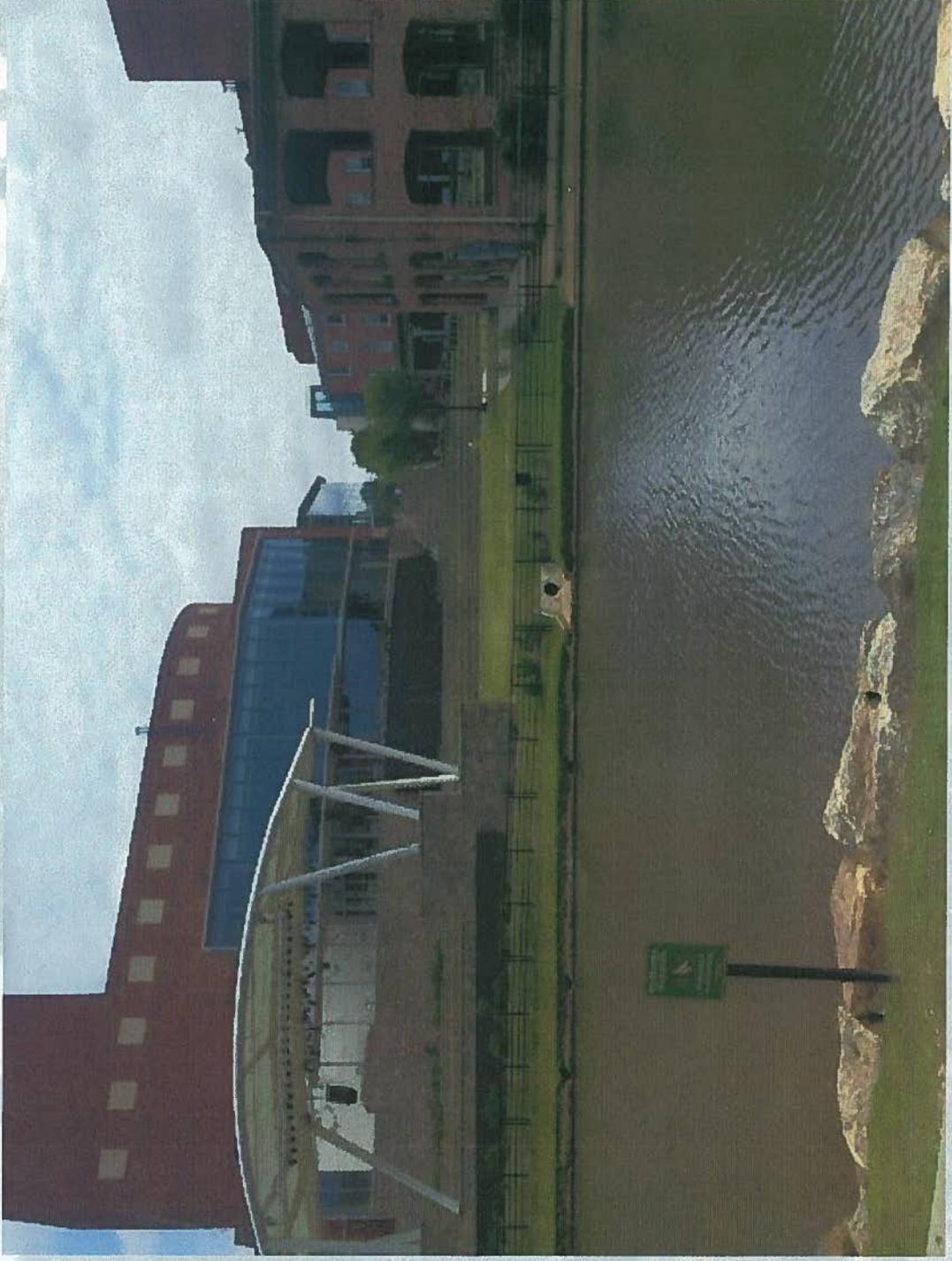
# Outdoor amphitheater



# Event facility, public restrooms



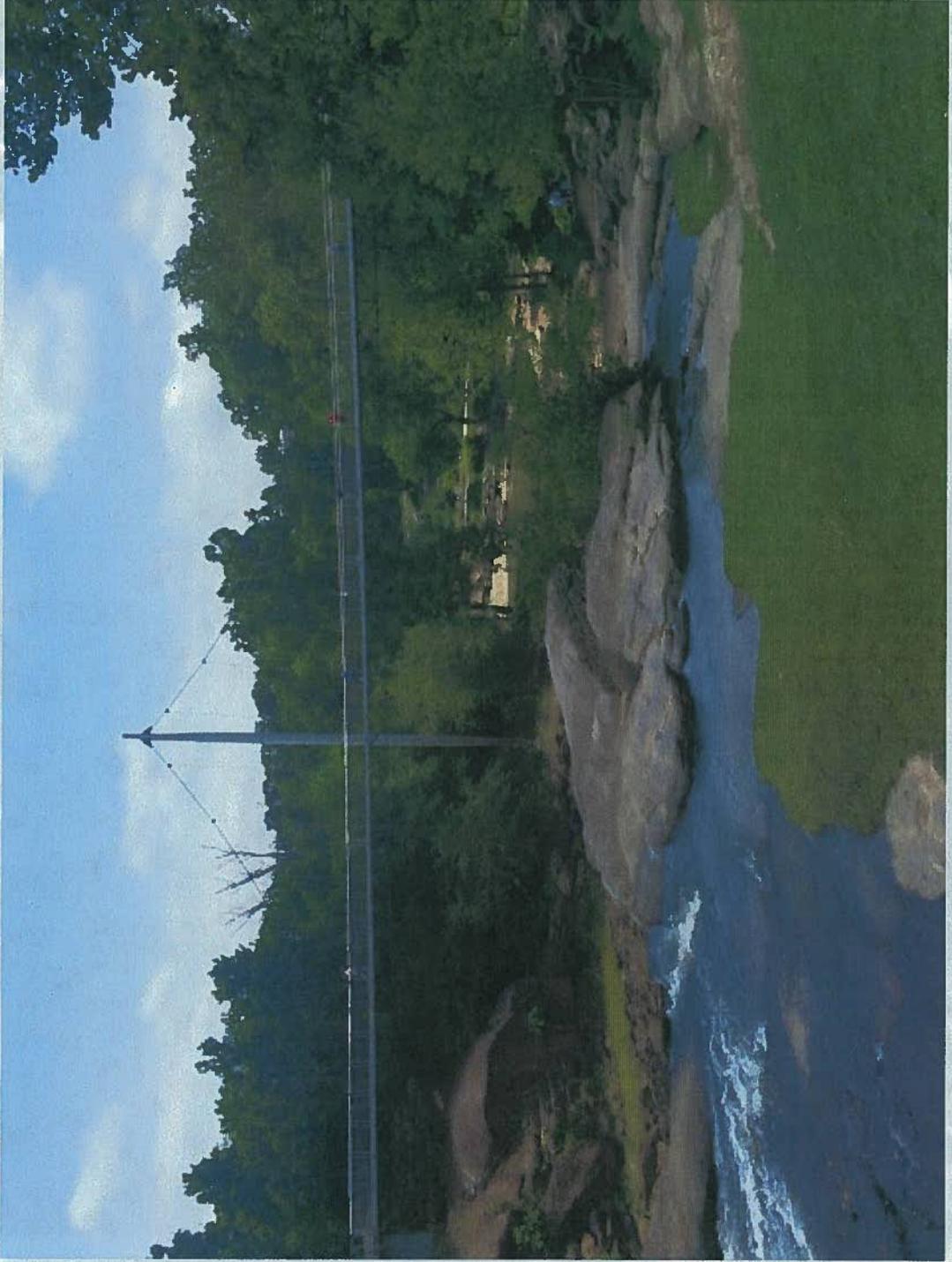
# Performing arts complex



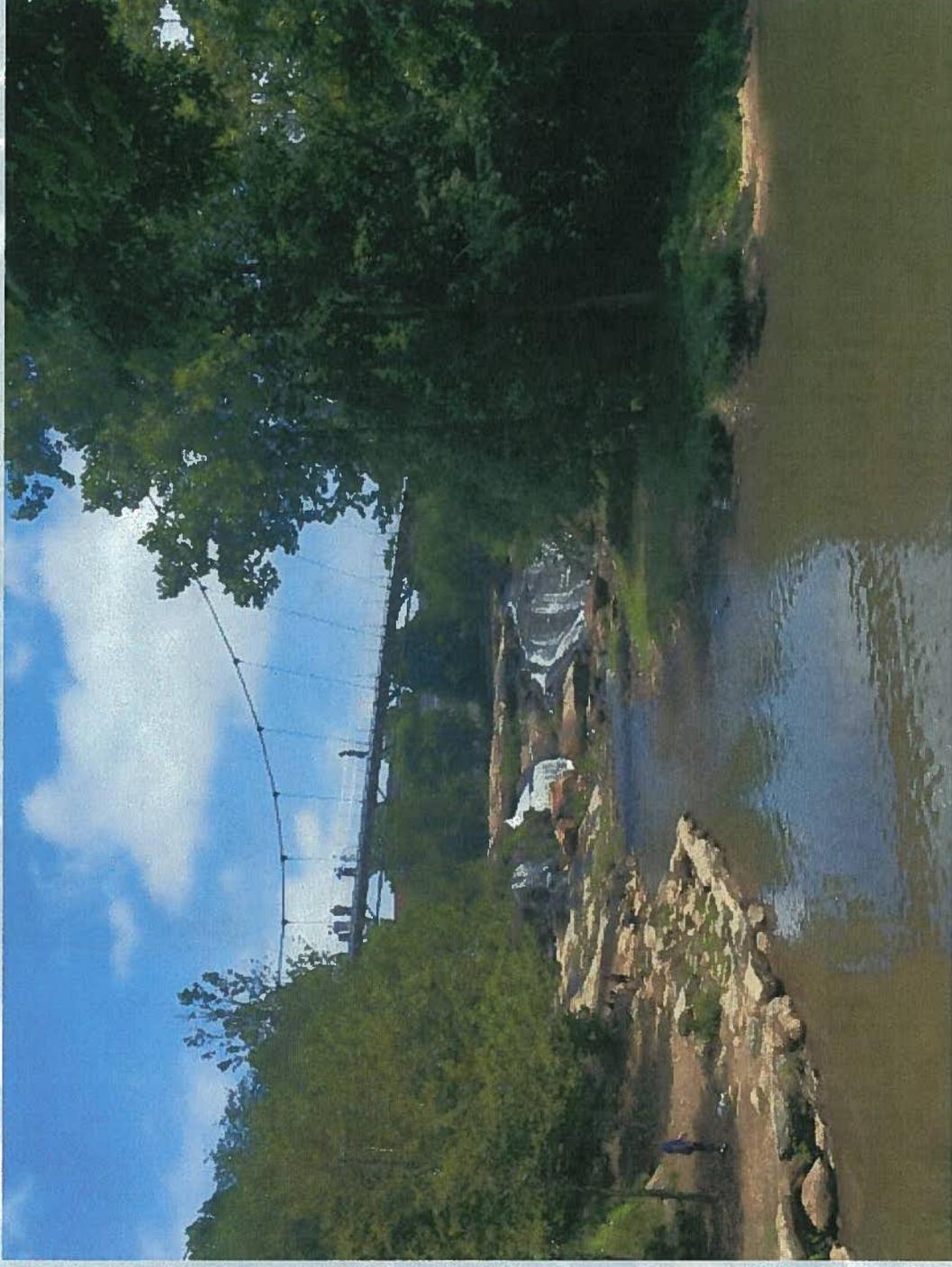
# Public restrooms in restaurant



# Liberty Bridge



# Liberty Bridge showing waterfall



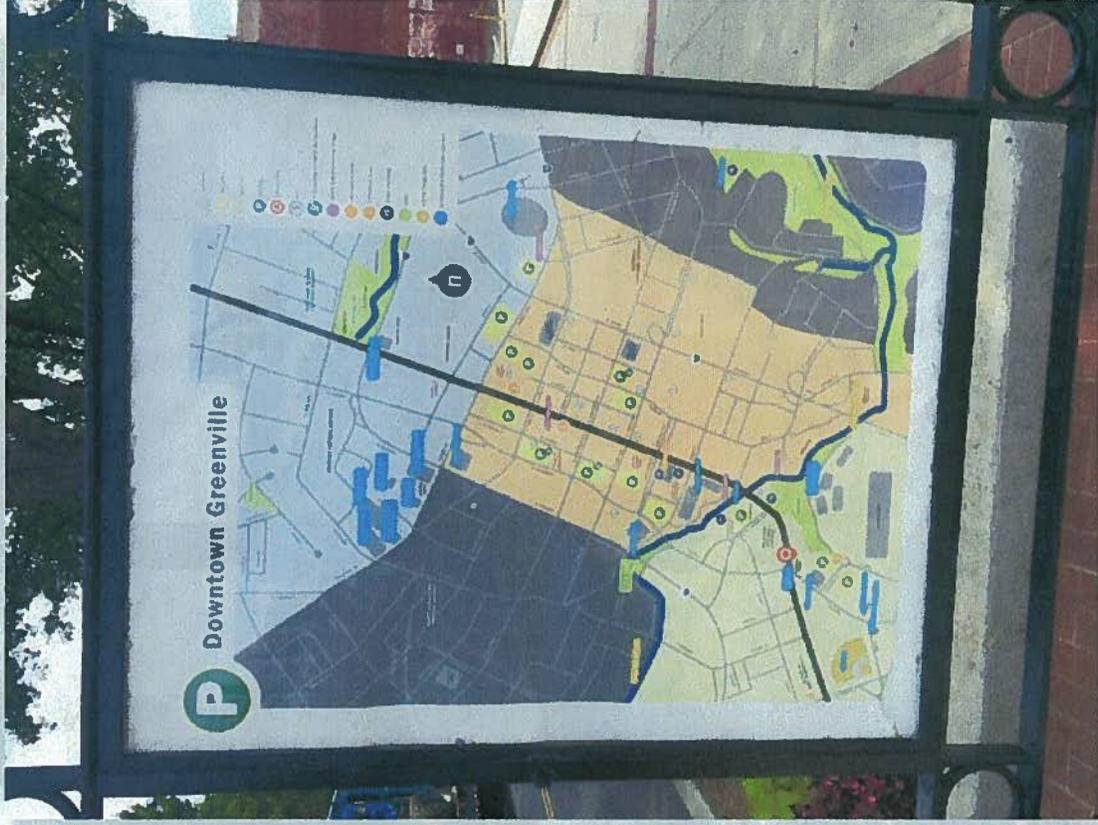
# Transportation options



# Calendar of events posted



# Downtown maps



# Bridge over riverfront park



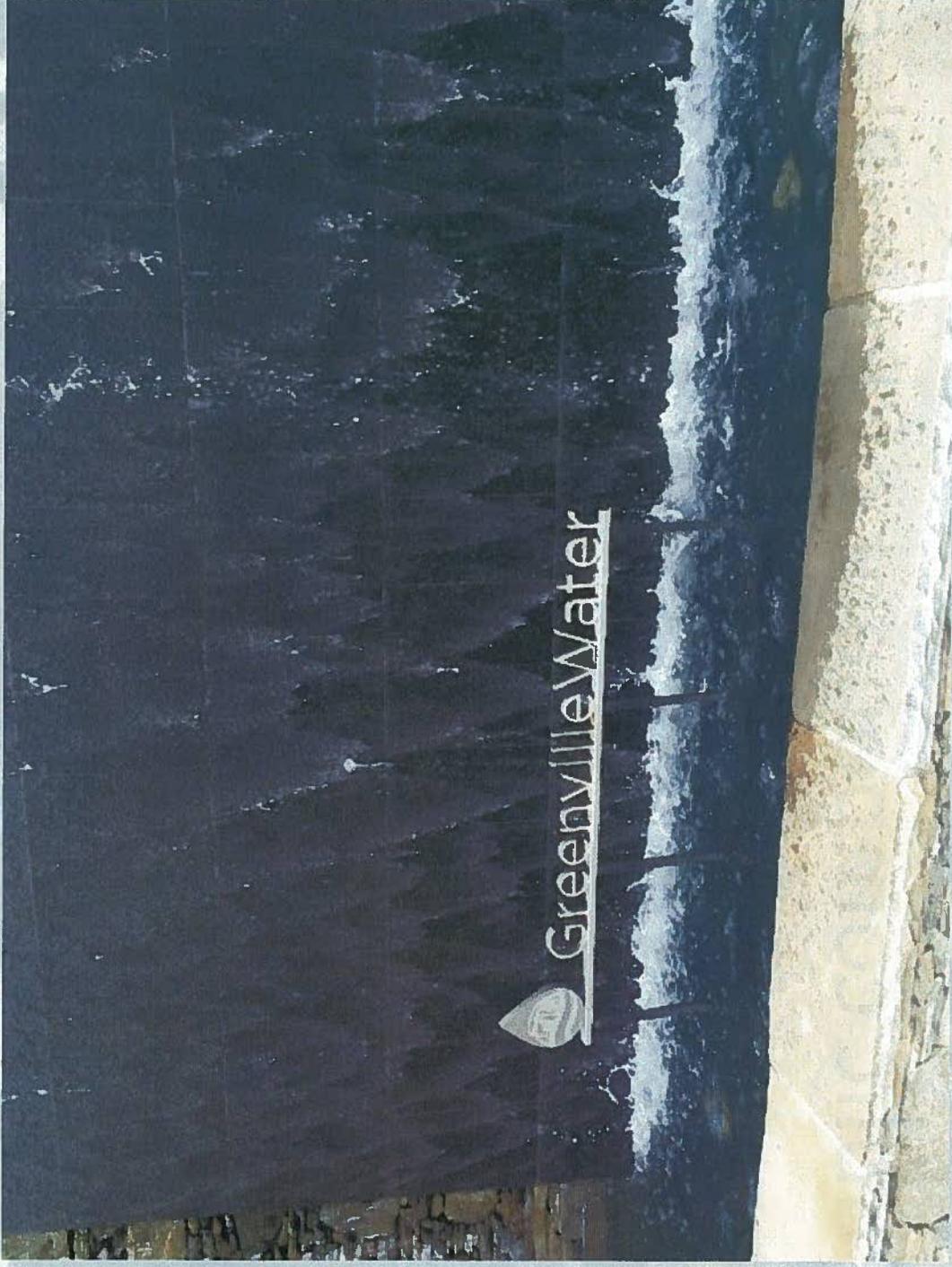
# More signage



# Public component of RiverPlace



# Private sponsorships obtained



# Public elevator sponsored



# Public water fountain for bottles



# Bikes for rent



# Visitor Center in City Hall lobby, city PIO and visitor rep both at front desk



Lots of places to sit



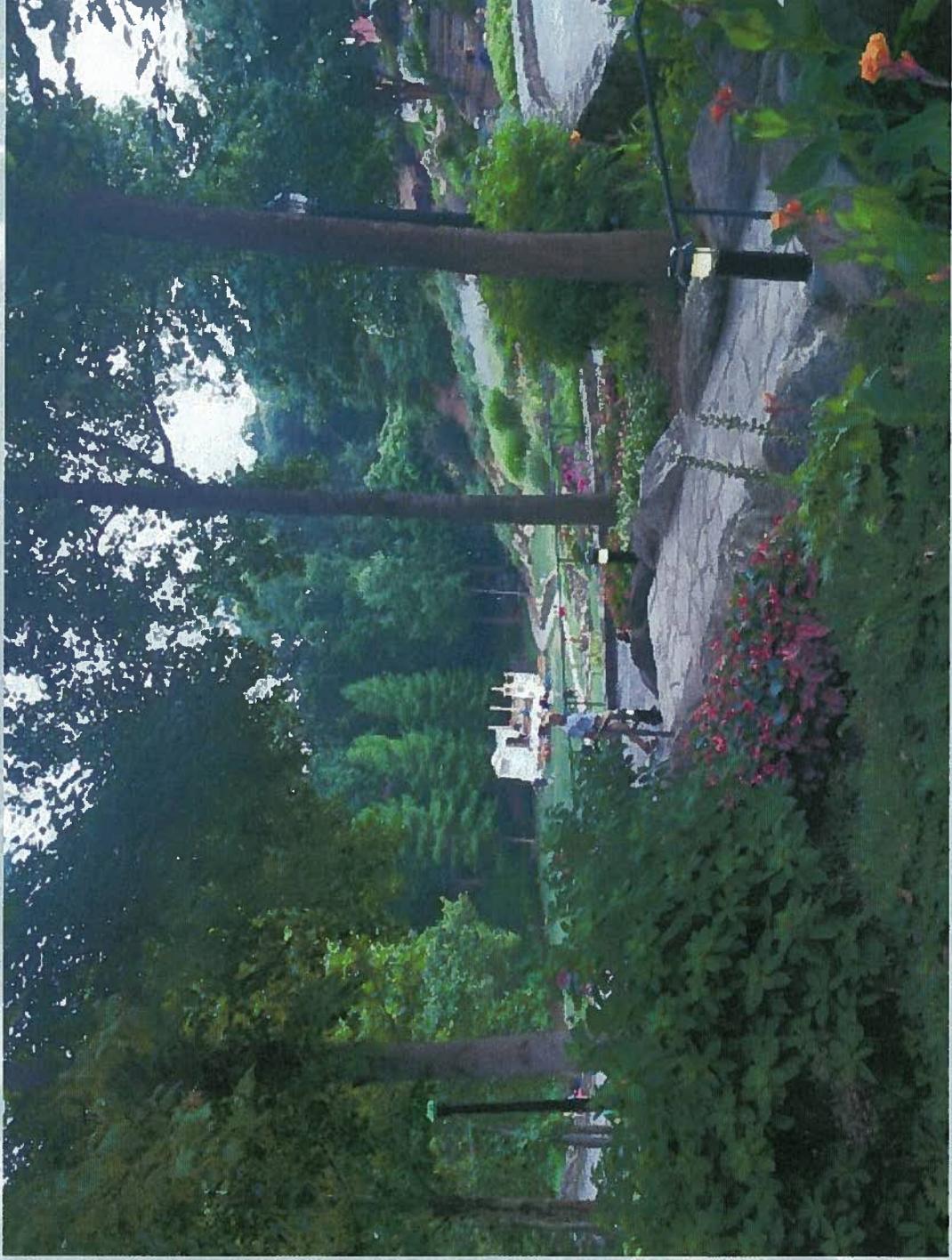
# Chains mixed in with indies



# Public art and sculpture



# Shakespeare in the park



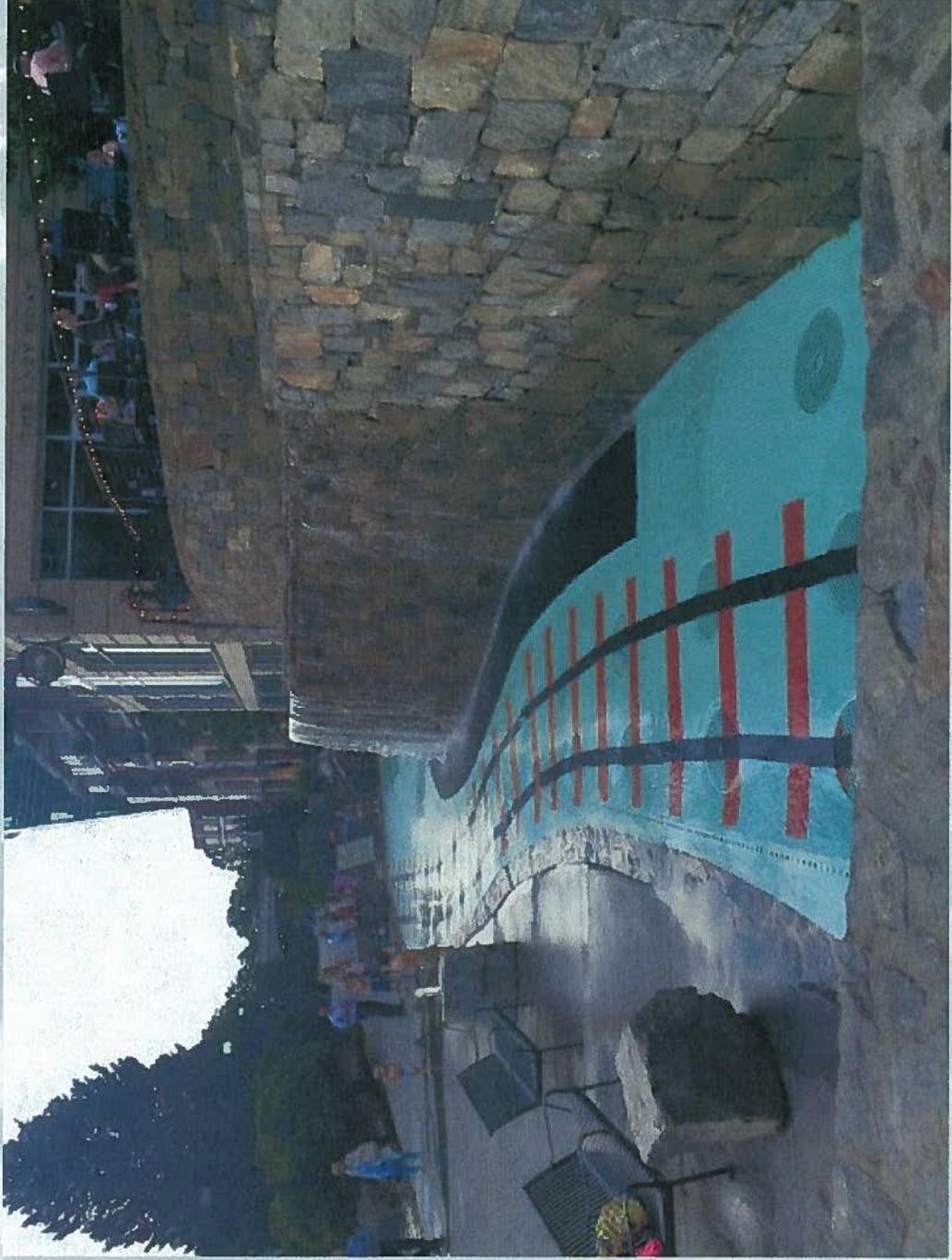
# Outdoor dining next to park



# Outdoor music, seating



# Splash zone by riverfront



# Mice scattered through downtown



# Minor League Baseball stadium

*privately owned  
public did contribute*



# West End Market (city redeveloped)



# Public-private partnership by numbers

- Projects: Greenville Commons, Performing Arts Center, West End Market, Westin, Baseball, RiverPlace, riverfront park and Liberty Bridge
- Public investment: \$78.2 million (one-third)
- Private investment: \$152.6 million (two-thirds)
- Total investment: \$230.8 million

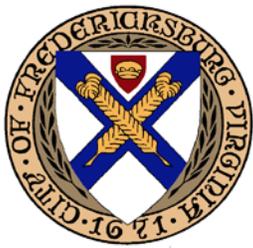
# Fredericksburg's advantages

- S-F homes near Central Business District  
(Singlefamily)
- More diverse, older architecture in downtown
- More flowing river
- Location near larger population center
- Better walkability, more compact
- Train station more central to downtown
- Colonial, Civil War history
- Not starting from a depressed state

# Elements needed to advance

- Buy-in from community, elected officials
- Master planning to decide what want to be
- Dedicated funding source/s
- Steady execution
- **DISCUSSION**





CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL  
**MINUTES**  
Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

**ITEM #9C**

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. BRADFORD C. ELLIS, WARD ONE  
HON. DR. TIMOTHY P. DUFFY, WARD THREE  
HON. CHARLIE L. FRYE, JR., WARD FOUR

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**Council Work Session**  
**August 23, 2016**

**Discussion on Riverwalk Square (Timbernest, LLC)**

**The Council** of the City of Fredericksburg, Virginia held a work session on Tuesday, August 23, 2016, beginning at 5:30 p.m. in the City Hall Conference Room.

**Council Present.** Mayor Mary Katherine Greenlaw, Presiding. Councilors William C. Withers, Jr., Kerry P. Devine, Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

**Also Present.** City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant Economic Development Director Bill Freehling, Planning Services Director Charles Johnston, Zoning Administrator Michael Craig and Clerk of Council Tonya B. Lacey.

**Others Present.** Van Perroy, General Partner, Timbernest, LLC.

**Discussion on Riverwalk Square.** Zoning Administrator Craig explained that the special exception request covers the reconfiguration of two parcels. On one parcel there is the gazebo and dining area, tent and special event area and the 26 space parking lot. The other parcel holds the thirteen existing townhomes and 14 existing parking spaces. The applicant proposes to demolish the three buildings and the 13 townhome units to rebuild 14 new units of mixed townhome and multifamily on reconfigured the .52 acre lot. The density of the revised site is proposed to be 29 units per acre and it exceeds the general density in the Commercial Downtown zoning district and the floodplain requirement.

Mr. Craig presented a PowerPoint presentation and in the presentation he discussed the exception request, he asked was the request special, did the request conform to the City Vision and Policy and what are the impacts of the project and how or could they be mitigated? He also discussed the downtown public parking supply. He presented the parking solution that Mr. Perroy proposed. The parking solution proposed was to sublease spaces in the parking

## **ITEM #9C**

garage from Mr. Rich Palmer at the Marriott because he rarely uses all of his leased spaces. See Attachment B for more information.

Vice-Mayor Withers pointed out that there were more parking spaces being used than what was being shown in the parking display that Mr. Craig presented. He said to make sure this was taken into account when looking for solutions.

Mr. Perroy warned Council to be careful when looking at the footprint. He said it was true that the new development would have a larger footprint, but the existing townhomes currently sit on the ground and if the water was to rise and they would be destroyed. He said the new footprint would allow the water to flow if the water rose to flood levels. The current units have structural problems such as cracks in the foundation. He also noted that each unit would have two parking spaces.

Mr. Perroy stated that people use his lot because the parking was free but he also noted that the Unified Development Ordinance states that buildings in the Historic District does not require parking and it does not address existing parking. Mr. Perroy presented Council with four parking options: Option 1: temporary leasing spaces in the parking garage on an as needed basis (possibly 12 spaces). The spaces would only be used when there was an event at Fredericksburg Square; Option 2: Sublease spaces from Rich Palmer, Courtyard Marriott. Mr. Palmer said they only use the spaces on an as needed basis and they rarely use them. Option 3: using the VRE lot and Option 4: cease doing events at Fredericksburg Square. Mr. Perroy said they were reducing density and addressing parking issue in a better way.

Mr. Perroy also addressed the access to Caroline Street. He said if they opened up the Chapel area as a driveway it may take away from the walkway and he was not sure this would work because of space issues.

Vice-Mayor Withers asked whether the City could lease more spaces in the garage and City Attorney Dooley explained that the City could not be allowed to lease additional spaces in the garage because of the tax exempt bonds. She said there was a limit on private use as long as the City had the bonds. She did say that the Marriott could sublet the spaces to Mr. Perroy. City Manager Baroody explained that the City only gets paid for the spaces that are actually being used by Marriott. He said if they use 20 spaces out of the 60 then the City would get paid for the 20 used spaces.

Councilor Devine said the subleasing was an interesting option. She said she had noticed a trend in the parking deck since the VRE lot opened in Spotsylvania. She said she

## **ITEM #9C**

would be reluctant to lose any of the extra parking because with the parking opening up it would help with parking for the Riverfront Park as well as potential reuse of the courthouse.

Councilor Frye also liked the subleasing idea. He also suggested that maybe in the future they could get wedding guest to use the City's VRE lot to help free up parking in the parking deck. He said maybe there could be a shuttle to run from the lot to Fredericksburg Square.

Councilor Duffy agreed that if Mr. Perroy could work out an agreement with Marriott it would be a plus for Mr. Perroy and the City. Mr. Baroody said he asked the Marriott for the numbers on how many spaces they have used over the years but he had not received those yet. Mr. Perroy said this would work well because Fredericksburg Square and the Marriott already have a great working relationship.

Councilor Kelly also address the VRE parking and noted that the 2020 plan was to build 1500-1800 parking spaces somewhere to address the parking for their riders. He said the City has talked about ways to make the garage more user-friendly to get more people to use it. He said there were more people living and working in the City and the City wanted to attract more business development downtown and because of this he said the City must stop coming up with tiny deals. He said the City must have more discussions on what the impacts are and the City needed a vision.

Mr. Baroody said the City would have discussions in October on the vision of the City. He said staff has spent many hours collecting data to determine where the City was on parking. He was not suggesting that all the issues with parking had been solved. He said they were going to the Economic Development Authority in September to discuss the next steps for meeting future parking needs.

Vice-Mayor Withers said he liked the project but he also addressed his concerns with placing a building of this size on such a small lot. He said he would like to work it out so that there was a level playing field for everyone.

Councilor Devine said she originally had concern with the parking but she also had some concern with increasing density on the riverfront. She said without the parking this project would definitely be a no go.

Mayor Greenlaw noted that the subleasing with Marriott would solve the parking issue and she said the substandard living would be replaced with improved residential living and she thought that was a no brainer to allow this project.

**ITEM #9C**

Mr. Perroy said each project is uniquely different and he asked that the Council look at each on its own merits.

**Adjournment.** There being no further business to come before the Council at this time. Mayor Greenlaw declared the work session officially adjourned at 6:58 p.m.

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**Tonya B. Lacey  
Clerk of Council  
City of Fredericksburg**



*Calhoun*

## MEMORANDUM

**TO:** Tim Baroody, City Manager  
**FROM:** Mike Craig, Zoning Administrator  
**DATE:** August 16, 2016 for the August 23 meeting  
**SUBJECT:** SE2016-01 Timbernest, LTD (Riverwalk Square) requests Special Exceptions from general density and floodplain density to redevelop 506 – 512 Sophia Street (GPIN 7789-23-5802) and a portion of 525 Caroline Street (GPIN 7789-23-3825) in the Commercial-Downtown (CD) Zoning District.

### ISSUE

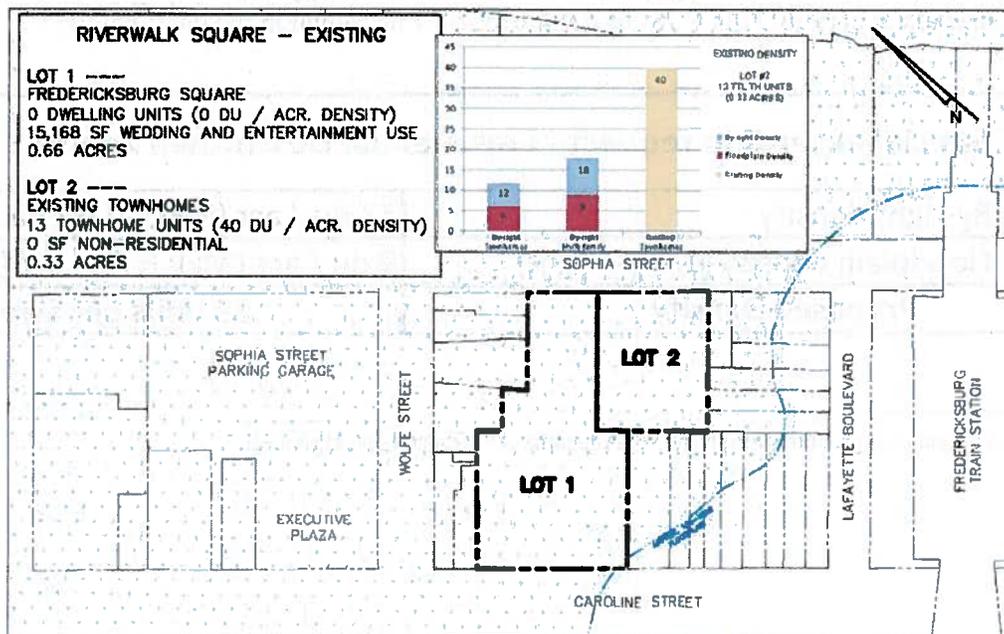
Should the City Council approve the Special Exceptions to increase the general permitted density and increase the density permitted in the 100 year floodplain for the proposed River Walk Square multi-family and townhome redevelopment?

### COUNCIL PUBLIC HEARING

The City Council held a public hearing on this item on July 12, 2016 at which three people spoke. Two people spoke in favor of the project, though one of those speakers expressed concerns over residential parking in the area. After discussion, the Council tabled this item until the August 23 meeting.

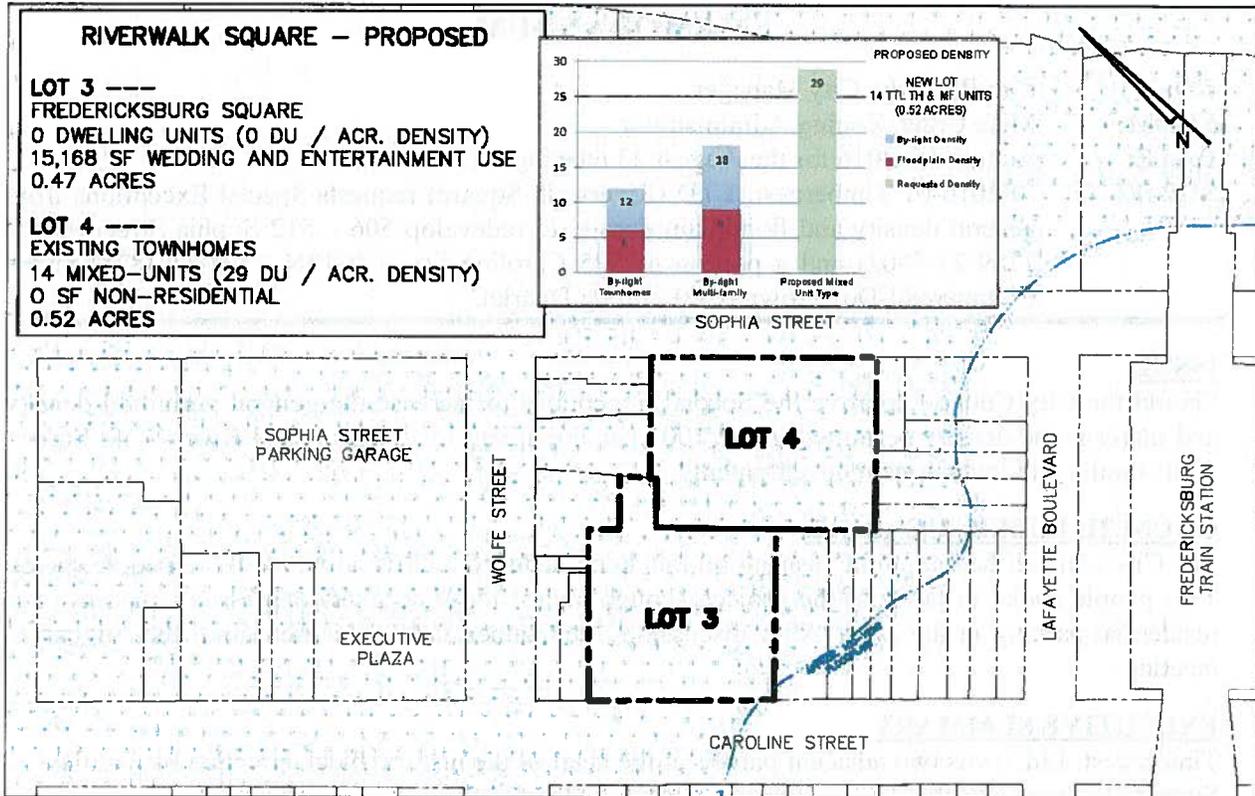
### EXECUTIVE SUMMARY

Timbernest, Ltd. owns two adjacent parcels at the heart of the historic block bounded by Caroline Street to the west, Wolfe Street to the north, Sophia Street to the east and Lafayette Boulevard to the south.



Lot 1 is a 0.66 acre parcel that contains the Fredericksburg Square building and its parking and service facilities. Lot 2 is a 0.33 acre parcel containing 13 townhome units. The existing residential density on Lot 2 is 40 units per acre.

Timbernest, Ltd. proposes to realign the boundaries of Lot 1 and Lot 2 to create a 0.52 acre parcel fronting on Sophia Street (Lot 4), demolish the existing 13 townhome units, and build seven new townhome units and seven new multi-family units on the revised lot. The proposal would create a project with a mixed-unit density of 29 units per acre called Riverwalk Square<sup>1</sup>.



Building at a 29 unit per acre density on Lot 4 (which is entirely within the 100-year floodplain) requires special exceptions from § 78-32.2 and § 72-51.1 as shown in the chart below:

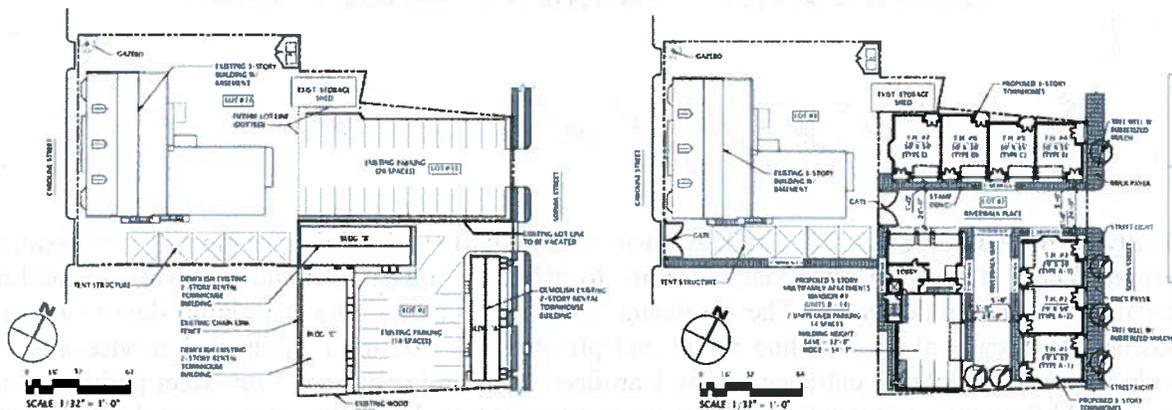
Special exception request - Commercial Downtown Zoning		
§ 72-32.2	By-right density	18 du / acr (MF); 12 du / acr (TH)
§ 72-51.1	Floodplain density (1/2 by-right)	9 du / acr (MF); 6 du / acr (TH)
<b>Proposed Density</b>		<b>29 units per acre</b>

<sup>1</sup> For more general background information see Appendix A – General Background.

Unified Development Ordinance § 72-22.7 contains nine review criteria that the staff, Planning Commission, and City Council shall use when evaluating an application for a special exception<sup>2</sup>. In general, this is a fairly debatable proposal. Portions of the proposal are in conformance with City vision and policy in that the City is planning a hard urban edge on the western side of Sophia Street, the project provides a mixture of housing types and the opportunity for homeownership within the Downtown core and within walking range of the City's train station. However, the project is designed in a way that is not in conformance with City vision and policy in that the increase in density has unmitigated external impacts on surrounding land uses.

Lot 1 currently contains a significant service and parking area containing 26 parking spaces and also, room on either side of the existing Fredericksburg Square building to accommodate infill development. The Historic District Handbook, the purpose of the Commercial Downtown (CD) zoning district, and the policies in the Comprehensive Plan all state that new development should be built into the existing streetscape<sup>3</sup>. The Applicant has opted to build density into the interior of the block prior to infilling existing gaps in the Caroline Street block face.

The Comprehensive Plan states that in considering development in the Downtown land use planning area the City Council should evaluate parking needs and develop appropriate strategies (shared parking, off-site parking, or payment into the Downtown Parking Fund) that provide for the continued viability of downtown Fredericksburg as well as its further growth and development (Comprehensive Plan pg 156). Riverwalk Square's proposed site design eliminates valuable parking and service areas without mitigating the impact on, specifically, the Downtown public parking supply.



During the review process, members of both the Planning Commission and the Architectural Review Board reacted positively to Riverwalk Square plan and stated that building internal to the block is a good way to incorporate density into an existing Downtown core. However, the Planning Commission also recognized that the impact on public parking needed to be mitigated by the Applicant<sup>4</sup>. Their motion was to recommend approval of the application under the condition that

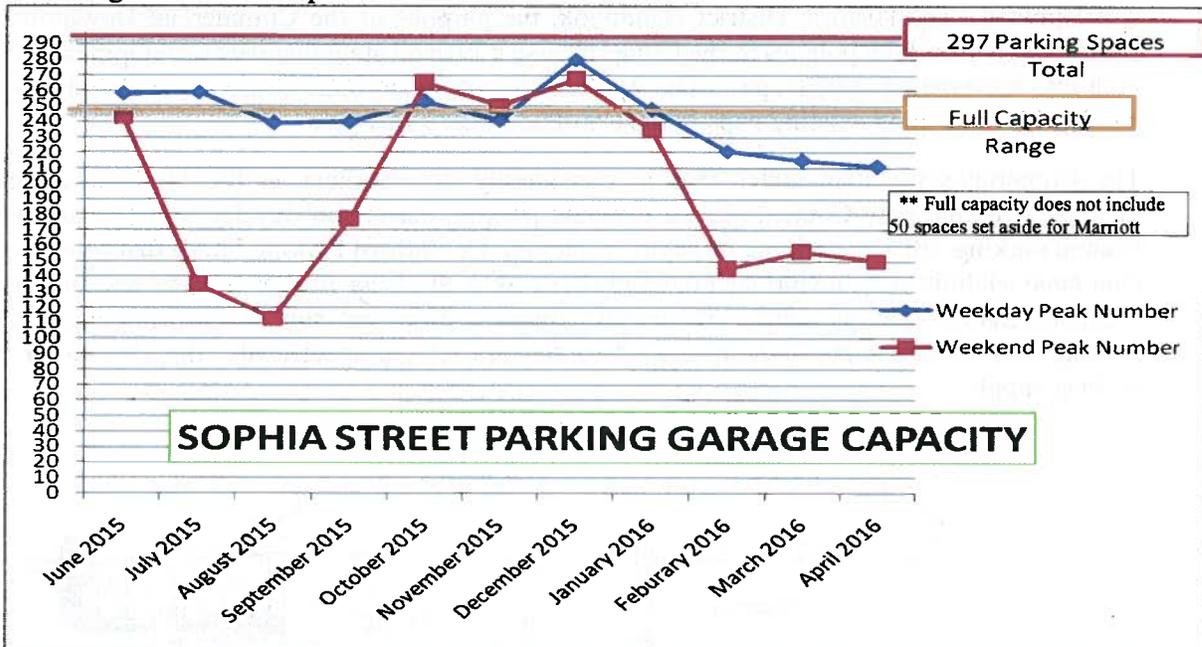
<sup>2</sup> For the complete staff analysis see Appendix B – Special Exception Analysis.

<sup>3</sup> For a conceptualization of City visioning documents see the Consistency with the Comprehensive Plan section of Appendix B.

<sup>4</sup> See Appendix A – General Background for the full Planning Commission recommendation.

the Applicant proposes a viable alternative to off-set the impact of eliminating 26 on-site spaces currently used by the Fredericksburg Square building.

In response, the Applicant proposed that prior to any wedding held at the square building, he will purchase 26 temporary passes in the City's parking garage. However, the Sophia Street parking garage already hits capacity on both weekdays and weekends throughout the year (see chart below). The City is preparing to redevelop 38 public parking spaces into the Riverfront Park. Public parking will be necessary to accommodate parking demand from any events held in the Riverfront Park, after its development. The condition, as proposed by the applicant, would be unenforceable from a zoning standpoint because it would require City staff to track when a wedding was being held at Fredericksburg Square and make sure that temporary passes were purchased prior to letting the wedding or other event proceed.



Finally, as discussed below, the City has already committed 100% of the private use of the parking garage. There are several other viable options to offset the impact of pushing private site parking demand into the public realm. The Applicant could redesign the project to build density into the existing streetscape along Caroline Street and preserve the existing parking and service area, he could remove the defunct entrances along Caroline Street and restripe the on-street parking in the area to add four spaces immediately adjacent to his building, he could enter into a shared parking agreement with a neighboring landowner, and/or he could pay into the City's Downtown Parking Fund for half of the spaces being eliminated. Unless and until the Applicant proposes a viable solution to the parking problem, City Council should deny the application.

### **RECOMMENDATION**

Deny the requested Special Exceptions.

### **ATTACHMENTS**

1. Appendix A – General Background
2. Appendix B – Special Exception Analysis
3. Proposed Resolution Denying Special Exceptions Request

4. Application and Supporting Materials  
5. Planning Commission Meeting minutes – May 11 as approved and June 8 (DRAFT)

... The Planning Commission will be reviewing the application for the proposed development on the property located at the intersection of ... and ... streets. The applicant has submitted a site plan and other supporting documents for the project. The Commission will be holding a public hearing on the application on the date of the meeting.

... The applicant has provided a detailed description of the proposed development, including the number of units, the types of units, and the estimated construction costs. The Commission will be reviewing the application to determine if it meets the requirements of the local zoning ordinance. The Commission will be making a recommendation to the City Council on the application.

ITEM 1 - PROPOSED DEVELOPMENT

... The proposed development consists of a multi-unit residential building located at the intersection of ... and ... streets. The building will be approximately ... feet tall and will contain approximately ... units. The applicant has provided a detailed description of the proposed development, including the number of units, the types of units, and the estimated construction costs.

Item	Description	Value
1	Proposed Development	\$1,200,000
2	Site Plan	\$150,000
3	Other Supporting Documents	\$50,000
Total		\$1,400,000

... The Commission will be reviewing the application to determine if it meets the requirements of the local zoning ordinance. The Commission will be making a recommendation to the City Council on the application. The Commission will be holding a public hearing on the application on the date of the meeting.

... The Commission will be reviewing the application to determine if it meets the requirements of the local zoning ordinance. The Commission will be making a recommendation to the City Council on the application. The Commission will be holding a public hearing on the application on the date of the meeting.

## APPENDIX A – GENERAL BACKGROUND

### GENERAL BACKGROUND

GPIN 7789-23-5802 is 0.33 acres zoned CD and contains 13 multi-family units addressed as 506-512 Sophia Street and 1-9 Ashby Court. The existing density on-site is 40 units per acre. The buildings on this parcel were built circa 1940 as warehouse space and were subsequently redeveloped into residential units. The building fronting on Sophia Street is considered a contributing structure in the historic district. The other two behind the front building are not considered contributing. The three buildings are served by their own access off of Sophia Street and have surface parking. These buildings and their parking generally fill the entire lot.

GPIN 7789-23-3825 is 0.66 acres zoned CD and contains the 15,168<sup>5</sup> square foot Fredericksburg Square building fronting on Caroline Street. The Square building is part of a key historical streetscape along Caroline Street. Between Wolfe and Lafayette the only two gaps in the block face are on either side of the Square building. The two gaps are paved areas that are now fenced off from the street and used as open space for a wedding tent and a luncheon gazebo. Behind the Square building and stretching all the way to Sophia Street is a parking lot containing 26 parking spaces.

Both properties are completely within the 100 year floodplain.

### SPECIAL EXCEPTION REQUEST BACKGROUND

Timbernest LTD proposes to reconfigure its two properties as shown on the “Proposed Site Plan sheet A2” to create a 0.52 acre parcel on which seven townhomes and seven multi-family dwelling units would be built. The density for the enlarged parcel would be 29 units per acre. The CD zoning district generally permits multi-family units at 18 units per acre and townhomes at 12 units per acre. § 72-51.1 requires that the generally permitted density be cut in half for properties where more than 25% of the land is in one hundred-year frequency floodplains, which would limit density on the property to 9 and 6 units per acre respectively.

Special exception request - Commercial Downtown Zoning		
§ 72-32.2	By-right density	18 du / acr (MF); 12 du / acr (TH)
§ 72-51.1	Floodplain density (1/2 by-right)	9 du / acr (MF); 6 du / acr (TH)
<b>Proposed Density</b>		<b>29 units per acre</b>

The proposal does not qualify for an administrative change in non-conforming use, though the project is a similar density and use to what is proposed. The request does not meet the criteria for the continuation of a nonconforming use in § 72-61.1 because the buildings or structures containing the non-conforming use (density) are being demolished.

It would require 1.16 acres to build seven town home units and an additional 0.78 acres to build seven multi-family units on property completely within the 100 year flood plain under by-right CD zoning.

<sup>5</sup> Square footage taken from the Fredericksburg GIS system.

### **PLANNING COMMISSION ACTION**

The Planning Commission held a public hearing on this item on May 11, 2016 at which two people spoke in favor of the project. After discussion, the Planning Commission deferred the application until June 8 so that the Applicant could respond to comments from the Commission and the Technical Review Committee. On June 8, the Planning Commission voted 5-2 to recommend that the City Council approve the application on the condition that the Applicant proposes a viable alternative to off-set the impact of eliminating 26 on-site spaces currently used by the Fredericksburg Square building. The recommendation also included the following proposed conditions:

1. The project shall be developed in substantial accordance with the General Development Plan entitled "Townhomes at Riverwalk Square" by Commonwealth Architects dated May 31, 2016 (the "GDP"). The GDP may be modified by the City's Architectural Review Board during the Certificate of Appropriateness Process.
2. A direct pedestrian access from Riverwalk Square to Caroline Street as generally shown on the GDP shall be constructed by the developer prior to the first issuance of the first Occupancy Permit in Riverwalk Square. A wall or other separation approved by the City's Architectural Review Board shall separate the walkway from any private event space.
3. Pedestrian and vehicular access between Riverwalk Square and Fredericksburg Square along Riverwalk Square shall be maintained in perpetuity as generally shown on the GDP.
4. The developer shall construct the Sophia Street streetscape as generally shown on the GDP and in accordance with Public Works comments prior to the issuance of the first Occupancy Permit in Riverwalk Square.

The Applicant proposes that whenever there is an event at the Fredericksburg Square building then they will obtain 26 temporary parking passes from the City Parking Deck. As discussed in the Executive Summary and in Appendix B below, staff does not consider this a viable alternative.

## APPENDIX B – SPECIAL EXCEPTION ANALYSIS

Unified Development Ordinance (UDO) § 72-22.7 contains review criteria that the Planning Commission and City Council shall use when evaluating an application for a Special Exception. These criteria are:

### 1. *Consistency with the UDO:*

#### a. *The CD Zoning District*

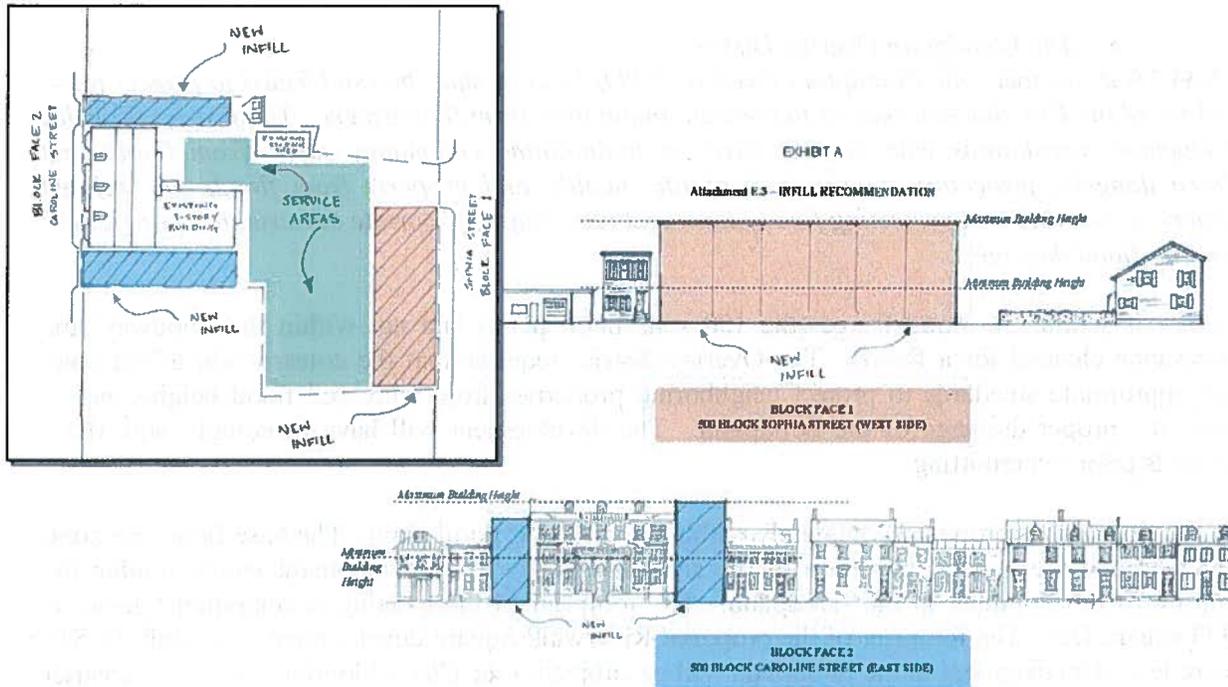
§ 72-32.2.A states that the purpose of the CD Zoning District is “to promote harmonious development, redevelopment, and rehabilitation of uses in the commercial areas of the Old and Historic Fredericksburg (HFD) Overlay District. The regulations of this district are intended to implement the goals of the Comprehensive Plan for historic district development while encouraging mixed uses in the downtown area. The emphasis in site planning is to be placed upon enhancing pedestrian circulation, minimizing vehicular and pedestrian access conflicts among uses, respecting the geometry of the downtown streetscape, and maintaining continuity with the architectural precedents of the historic area.”

There are elements of the request that are in accordance with the purpose of the CD zoning district:

- The request is to redevelop an existing permitted use (single family attached and multi-family dwelling units) at a density that is lower and closer to the by-right permitted density on-site (existing 13 units on 0.33 acres @ 40 units per acre vs. proposed 14 units on 0.52 acres @ 29 units per acre).
- Proposed townhomes 1-4 conform to the general setback pattern of adjacent structures on the block.
- Townhomes 1-4 are oriented toward Sophia Street in a way that:
  - o Respects the geometry of the downtown streetscape;
  - o Enhances pedestrian circulation; and
  - o Minimizes vehicular and pedestrian access conflicts among uses;
- Riverwalk Square will have a pedestrian access from the site through the Fredericksburg Square property to Caroline Street.
- The Fredericksburg Square property will retain alley / service access through the Riverwalk Square.

There are elements of the request that are not in accordance with the purpose of the CD zoning district:

- Ten out of 14 units are not oriented towards the geometry of the downtown streetscape.
- Redeveloping GPIN 7789-23-3825 (the Square property) in a way that respects the geometry of the downtown streetscape and maintains continuity with the architectural precedents of the historic area would be phased in a way that redevelopment filled in the gaps in the historic streetscape first and then potentially developed on the service areas of the site if possible second (see figure below excerpted from Historic Resource Planner Kate Schwartz’s ARB attached to this memo as Exhibit A).



*b. Old and Historic Fredericksburg Overlay District*

In accordance with § 72-21.7, the Applicant's request was presented to the City's Architectural Review Board (ARB) on April 25 and again on May 9 for a review.

After discussion, the ARB members stated that:

- The membership was generally in favor of the density special exception as long as the architecture could be made to fit into the surrounding context.
- The main architectural concern was about the mass and scale of the townhomes along Sophia. The Applicant has changed his architectural design in response, but the ARB has not evaluated the new proposal.
- The site layout is generally acceptable. Adding units mid-block is an accepted way to add density in the downtown.
- Two members were not in favor of permitting the demolition of the existing apartment buildings. However, it was noted that the ARB previously approved demolition of the buildings in 2009.

The Historic District Handbook (HDH) contains Site Planning criteria including continuity of street edge, spacing between buildings, fences and walls, and parking (HDH pg 68-73). Along Sophia Street, Townhomes 1-3 reinforce the existing street edge, have a comparable spacing between buildings to the existing development, and are served by parking that is to the rear of the building. Seven multi-family units are proposed in the area of GPIN 7789-23-5802 that currently contains multi-family units.

The remaining four units, however, are built on the existing service and parking area of the Square building. As a result, the service functions associated with the Square building are proposed to be eliminated.

*c. The Floodplain Overlay District*

§72-34.3A states that “*the Floodplain Overlay (FPO) District shall be established to protect those portions of the City that are subject to periodic inundation from floodwaters. The district provides development regulations with the objectives of maintaining community safety from floods and related dangers, protecting against loss of life, health, and property from floods and related dangers, preserving and protecting floodplains, and requiring appropriate construction practices to minimize flood damage.*”

The site is within the flood fringe (the 100 year flood plain) and not within the floodway (the conveyance channel for a flood). The Overlay district requires that the construction of the units meet appropriate standards to protect neighboring properties from increased flood heights and to ensure the proper drainage of the floodplain. The development will have to comply with these standards prior to permitting.

The development is proposed completely within the 100 year flood-plain. The base flood elevation is 38 feet and the general elevation of the site is 36 feet. The development would double the footprint of development in the floodplain. The footprint of the existing development on-site is 4,343 square feet. The footprint of the proposed Riverwalk Square development is roughly 11,520 square feet. Development in the floodplain will be subject to the City’s Floodplain Overlay District requirements and the flood-proofing requirements in the Building Code.

The City Council has approved similar floodplain density requests over the last three years at Hanover One and on lower Charles Street. However, the Council may determine that the increase in building footprint in this area and the extra unit in the floodplain does not protect the community against loss of life, health, and property and is therefore not consistent with the purpose of the Floodplain Overlay District. The general policy in the Floodplain Overlay District is to reduce residential density below the density permitted by right. This special exception application is to increase residential density above the density permitted in the underlying zoning district, though it would be closer to what is permitted than what exists on the Sophia Street site today.

*d. Development Standard Exceptions and Exemptions*

As submitted the development proposal would require administrative exceptions from the Development Standards in § 72-5 of the City Code. § 72-25.3 authorizes the Development Administrator to approve these exceptions in “unusual situations or when strict adherence to the general regulations would result in substantial injustice or hardship”:

- §72-51.3 Lots. This section requires that lots in the CD Zoning District either front on public streets, private streets, or a driveway meeting the standards in § 72-52.4. The seven multi-family building and Townhomes 5-7 (potentially equating to a total of four lots housing a total of 10 units) will be located mid-block and will be primarily accessed by an alley. Alleys are meant to provide vehicular access behind buildings in tandem with a complete street with unbroken pedestrian access. The Applicant has added a pedestrian connection to Caroline Street in order to provide for a better, more diverse access plan than previously submitted.
- § 72-53.1.D(1)(d)[1][a] Off-street parking; configuration; arrangement. This section requires that all off-street parking and circulation areas be arranged to facilitate access by and safety of both pedestrians and vehicles. Pedestrian access to Townhome 5-7 is

deficient. The majority of the “sidewalk” will be comprised of driveway entrances and will put pedestrians and vehicles in conflict with one another. To address this deficiency, the Applicant added stamped concrete sidewalks to the Riverwalk Square plan. While this change of materials does make the pedestrian area more visible, the conflict between the pedestrian and vehicles using Townhome 5-7 remains.

*Conclusion --- Overall Consistency with the UDO*

During the ARB and Planning Commission review of this application, the Applicant has responded to public comment to bring his proposal more in-line with the UDO. The Applicant has added pedestrian access to the Caroline Street block face, added a complete Sophia Street streetscape in accordance with Public Works’ planning, added alley access through the Riverwalk site to the Fredericksburg Square building, and is continuing to work through architectural issues with the ARB.

Opting to build internal to the block rather than infilling development along Caroline Street is still a fundamental design issue that will require two administrative exceptions to the UDO’s development standards. However, the Applicant has provided connective infrastructure in the plan that will minimize pedestrian and vehicular conflicts. While the project is generally consistent with the UDO, the need to obtain two administrative exceptions makes the project’s consistency a fairly debatable question to be evaluated by the City Council.

**2. Consistency with the Comprehensive Plan (CP)**

a. *The Applicant’s proposal is within Land Use Planning Area 7, Downtown.* The Land Use Planning Area 7 Opportunities relevant to this proposal are:

*Consistencies*

- Promote residential and mixed-use development.
- Support redevelopment that respects historic structure, but without dictating architectural style or limiting creativity.
- The Future Land Use Map calls for this area to be Commercial-Downtown and sub planning area 7B states that the west side of Sophia Street constitutes an urban edge (as does the Urban Riverfront Corridor on page 117).
- The Commercial-Downtown Land Use Category calls for a relatively dense urban setting.

The proposal promotes residential redevelopment in a way that members of both the ARB and Planning Commission have stated creatively adds density into the Downtown. The Sophia Street block face and streetscape (comprised of a full brick sidewalk public streetscape with colonial street lights and street trees) matches Public Works’ visioning and planning for Sophia Street. The Applicant still must work with the ARB on the mass and scale of their project.

*Inconsistencies*

- Evaluate parking needs and develop appropriate strategies (shared parking, structures, etc.) that provide for the continued viability of downtown Fredericksburg as well as its further growth and development. There are 26 off-street spaces serving the Fredericksburg Square building as well as 3 spaces adjacent to the property on-street. The 26 off-street spaces are proposed to be eliminated for the new residential use.
- Protect the historic aspects of the downtown business district, through careful adaptive reuse of existing buildings and appropriate new construction on infill sites.
- The Commercial-Downtown Land Use Category calls for development that “promotes continued harmonious development and redevelopment, with an emphasis on maintaining

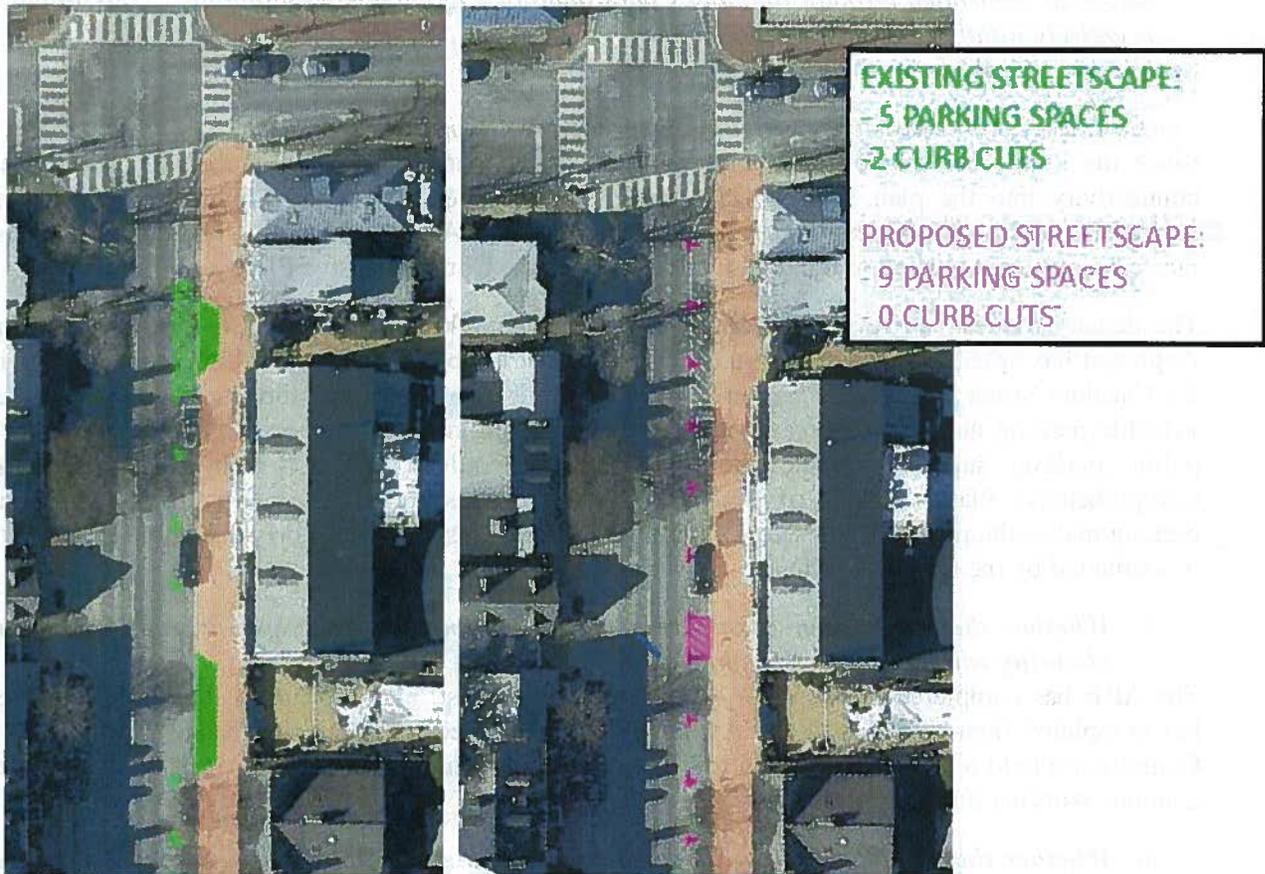
pedestrian circulation, the integrity of the street grid, and continuity with the historic character of the community.”

The layout of the site is inverted. Development is proposed on the interior of the block at the expense of parking and service areas despite there being room for redevelopment along Caroline Street. The major implication of this design is that it removes 26 parking spaces currently on the site. The resulting impact on the public parking supply has not been mitigated.

The Applicant has proposed that on the day of events he will secure 26 temporary parking spaces in the City Parking Deck. This proposal is problematic. A chart showing the peak parking demand in the City Parking Deck on weekdays and weekends between June 2015 and April 2016 is included in the Executive Summary. Most weeks the Sophia Street Parking Deck is at or near capacity. A little less than half the weekends the Parking Deck is at or near capacity. Additionally, according to the Riverfront Park Study, the City is getting ready to lose 38 parking spaces within the immediate vicinity of the Parking Deck. Finally, it would be impossible to effectively enforce this provision if made a condition of approval.

The Sophia Street parking deck was financed with tax exempt bonds, which are issued for public projects. Tax exempt bonds bring restrictions on “private use” of the public facility. Limited private use is permitted. In the case of the Sophia Street parking deck, the private use was committed to the Marriott Hotel by the 2006 lease of spaces to the hotel. Eighty spaces is the most Council may lease from the parking deck, due to restrictions associated with the public financing for the facility. All 80 spaces were leased to the Marriott Hotel. An additional 20 surface lot spaces were leased to the Marriott in order to meet its parking requirements. The 2006 lease term was for 20 years. The City Council built the parking deck in part as an economic incentive to attract a downtown hotel. That purpose was realized with the construction of the Courtyard Marriott. Staff informed the applicant that the City could not commit spaces in the City Parking Deck, in April 2016.

The Applicant has not many other viable solutions available to him to address the parking. The Applicant should revise his plan to move the proposed density to the portion of the lot fronting Caroline Street thus preserving the service area interior to the block. Without doing so, at a minimum the applicant should eliminate the defunct curb cuts along Caroline Street and restripe the parking lane so that the public parking supply would gain four additional on-street spaces (see figure below). The Applicant could also offset the loss of usable spaces by paying into the Downtown Parking Fund or creating an off-site shared parking agreement.



b. *Chapter 7 Residential Housing and Neighborhood* contains several goals relevant to this application including:

(Consistent)

- Goal 1: Neighborhood Character;
- Goal 3: Distinct and Attractive Neighborhoods;
- Goal 8: Variety of Housing;
- Goal 9: Homeownership;

The proposal provides for new homeownership opportunities in the historic downtown and provides a variety of housing on-site. The ARB members stated they were comfortable with the proposed quality of the architectural elements, but did have issues with the mass and scale which the Applicant is continuing to work on.

(Inconsistencies)

- Goal 2: Neighborhood Quality;
- Goal 4: Adequate Public Services and Facilities;

The proposal will eliminate 26 off-street spaces. As discussed above, this would shift parking off-site into the City's public parking network.

- c. *Chapter 5 Environmental Protection states that, "development within the floodway fringe is allowed as long as it will not adversely impact the environment or cause a hazard to human safety, as controlled through Building Codes and other applicable regulations." The proposal is entirely within the 100 year-floodplain.*

See the above analysis for the Floodplain Overlay District.

*Conclusion, Overall consistency with the Comprehensive Plan:*

Since the Public Hearing on May 11, the Applicant has added both automobile and pedestrian connectivity into the plan, has provided a full public streetscape along Sophia Street, and has revised the architectural elevations in order to address the ARB's concerns. The density request meets a significant portion of the goals and policies in the Comprehensive Plan.

The density request, however, still contradicts the Comprehensive Plan in two ways. First, the Applicant has opted to build density into the interior of the block prior to infilling existing gaps in the Caroline Street block face. Second, and as a result of number one, the site design eliminates valuable parking and service areas without mitigating the impact on, specifically, the Downtown public parking supply. While the project is generally consistent with portions of the Comprehensive Plan, the lack of adequate public facilities and the negative impact on public parking makes the project's consistency with the Comprehensive Plan a fairly debatable question to be evaluated by the City Council.

**3. *Whether there has been a sufficient period of time for investigation and community planning with respect to the application.***

The ARB has completed a preliminary review of this request. The Technical Review Committee has completed their review and the Applicant has responded to comments made. The Planning Commission held a public hearing on this item on May 11 and deferred the project until June 8 to continue working on the application.

**4. *Whether the special exception is consistent with the principles of good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, and the characteristics of the property involved.***

As described in Section 1 and Section 2 above, the current proposal is not completely in line with the UDO and Comprehensive Plan. The major issue is that a significant portion of the project is proposed to be built on an internal service area which will have external effects on the public parking supply. The Council may also determine that the increase in building footprint in this area is not consistent with the purpose of the Floodplain Overlay District.

**5. *Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual.***

The request for density Special Exceptions is an unusual request. GPIN 7789-23-5802 currently contains 13 dwelling units that are approaching the end of their usable life. The Applicant's proposal is to redevelop the site with one additional unit at a lower density for the total site. The request is also within a block of the City's train station and within the Commercial Downtown Future Land Use Map designation where the City vision is for denser transit oriented development.

**6. *Whether the proposed exception potentially results in any adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts.***

The major potential adverse impact of the proposed residential density on the community and surrounding neighborhood is the removal of 26 off-street parking spaces from the Square site. The elimination of the spaces will have an impact on parking supply in the Downtown as discussed in the Comprehensive Plan compliance section.

The proposal will have a net addition of one residential unit to the site. Outside of the impact to the Downtown parking supply, the additional unit will not have a substantial impact on public school system, public utilities, public parks, or the overall transportation network.

***Conclusion, Special Exception Analysis***

The Applicant has made changes to their application that bring their proposal more in-line with the UDO and the Comprehensive Plan. The Applicant has added pedestrian connectivity to Caroline Street, alley access for the Fredericksburg Square building through Riverwalk, a full streetscape along Sophia Street, and has altered their architectural elevations in response to ARB comments.

On-balance, the request conforms to a significant amount of the policies and visions in the City's UDO and Comprehensive Plan. However, the project has an important drawback created by the decision to develop internal to the site before infilling the existing Caroline Street block face. This design does not conform to the purpose of the zoning district or the Comprehensive Plan and has a material impact in that private parking will be pushed into the public parking network.

There are two ways to mitigate this impact – either the Applicant should redesign their site as described in the body of this report or should propose a viable alternative to off-set the impact of eliminating 26 on-site spaces currently used by the Fredericksburg Square building. If the Applicant proposes an alternative parking plan that does not rely on shifting parking from the inside of the site into the historic Caroline Street block face then staff would recommend approval.

As proposed, the City Council could reasonably approve the project. If that is the will of the commission then staff recommends that the Commission consider at a minimum the conditions included in the Planning Commission's recommendation in Appendix A – General Background page 6.

RECEIVED MARCH 29, 2016



Application #SE: \_\_\_\_\_  
Date: \_\_\_\_\_  
Fee/Check#: \_\_\_\_\_

### APPLICATION SPECIAL EXCEPTION

APPLICANT NAME: VAN AND DEBORAH PERRY OR ASSIGNS  
MAILING ADDRESS: 525 CAROLINE STREET, FREDERICKSBURG, VA 22401  
TELEPHONE: (540) 621-3116 E-MAIL: FBYRG-SQUARE@MSN.COM  
MICHIGANDCARU@HOTMAIL.COM

THE UNDERSIGNED HEREBY APPLIES FOR AN EXCEPTION FOR: (1) DENSITY?  
(2) 10' HEIGHT VARIANCE FOR ONE (1) BUILDING OF  
THREE; (3) REALLOCATION OF USE FOR 26 EXISTING PARKING  
SPACES IF REQUIRED.

THE SUBJECT PROPERTY IS DESCRIBED AS FOLLOWS:

Property Location ① 506-516 SOPHIA STREET (EXISTING TOWNHOUSES)  
② REAR PARKING LOT OF 525 CAROLINE STREET

Property Owned By TIMBERNEST LTD (VAN PERRY - GEN PART. 51%; DEBORAH  
PERRY - LIMITED PART 49%)

Owner's Mailing Address 525 CAROLINE STREET, FREDERICKSBURG VA  
22401

Proposed Use of Property (be specific) REPLACEMENT OF 13 EXISTING RENTAL  
TOWNHOUSES ON 506-516 SOPHIA STREET PARCEL WITH 14 NEW

TOWNHOME/CONDO UNITS ON THE COMBINED PARCELS LISTED  
ABOVE. (SITE PLAN AND ELEVATION PROVIDED)

HOURS OF OPERATION RESIDENTIAL NUMBER OF EMPLOYEES N/A

Anticipated Number of Patrons or Clients (OWNER OCCUPIED) 14 HOME OWNERS

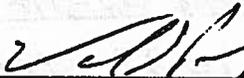
Description of the development's impact on neighboring and adjacent properties, please be specific (attach additional sheet if necessary): NO OR MINIMAL IMPACT.

Criteria for a Special Exception: Use Separate Sheets for Explanations and be Specific and Thorough. (ATTACHED)

**Special Exception Request  
(Application Continued)**

1. Whether the grant of the special exception is consistent with the City's Comprehensive Plan;
2. Whether the special exception is consistent with the goals, purposes and objectives of the City's zoning ordinance;
3. Whether there has been a sufficient period of time for investigation and community planning with respect to the application;
4. Whether the special exception is consistent with the principles of zoning and good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, the characteristics of the property involved, and the adverse impacts of the proposed use;
5. Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual;
6. Whether the applicant has demonstrated that its application meets all these criteria;

*I do hereby make oath or affirmation that to the best of my knowledge, the foregoing information contained in this application is true.*

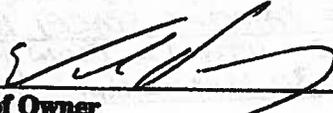
, GENERAL PARTNER (REPLACEMENT PAGES)  
Signature of Applicant Date

PRINT NAME OF APPLICANT VAN L. FERROY

The above oath or affirmation was signed before me and witnessed by me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in the County / City of \_\_\_\_\_ in the state of Virginia.

Notary Signature SEE ORIGINAL AS NOTARIZED

Notary Registration # \_\_\_\_\_ Commission Expires \_\_\_\_\_

  
Signature of Owner Date

PRINT NAME OF OWNER VAN L. FERROY

The above oath or affirmation was signed before me and witnessed by me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in the County / City of \_\_\_\_\_ in the state of Virginia.

Notary Signature \_\_\_\_\_

Notary Registration # \_\_\_\_\_ Commission expires \_\_\_\_\_



Application #SE: \_\_\_\_\_  
Date: 1/15/2014  
Fee/Check#: 3039

## APPLICATION SPECIAL EXCEPTION

APPLICANT NAME: VAN AND DEBORAH PERRY OR ASSIALS  
MAILING ADDRESS: 525 CAROLINE ST., FREDERICKSBURG, VA  
TELEPHONE: (540) 621-3116 E-MAIL: FBYRESQUARE@ASN.COM

THE UNDERSIGNED HEREBY APPLIES FOR AN EXCEPTION FOR: (1) TOWNHOME  
DENSITY OF 12 UNITS PER ACRE (2) FLOOD PLAIN DENSITY REDUC-  
TION OF 50% (3) REDUCTION OF EXISTING ON-SITE PARKING  
FOR FREDERICKSBURG SQUARE FROM 46 TO 22 SPACES.

THE SUBJECT PROPERTY IS DESCRIBED AS FOLLOWS:

Property Location 506-516 SOPHIA STREET AND REAR 525 CAROLINE ST.  
Property Owned By TIMBERNELL LTD. (VAN PERRY, GEN PART, DEBORAH PERRY LTD PART.)  
Owner's Mailing Address 525 CAROLINE STREET, FREDERICKSBURG, VA 22401

Proposed Use of Property (be specific) REPLACEMENT OF 13 EXISTING TOWNHOUSE  
UNITS AT 506-520 SOPHIA STREET ON .33 ACRE (WITH 13 OUTSIDE  
PARKING SPACES) AND 24 OUTSIDE PARKING SPACES BEHIND FREDERICKSBURG  
SQUARE ON .20 ACRE WITH 12 TOWNHOUSES AND  
3 SINGLE LEVEL UNITS WITH 30 UNDER UNIT PARKING SPACES.

HOURS OF OPERATION RESIDENTIAL NUMBER OF EMPLOYEES N/A

Anticipated Number of Patrons or Clients 15 FAMILYS OR INDIVIDUALS

Description of the development's impact on neighboring and adjacent properties, please be specific (attach additional sheet if necessary): NO OR MINIMAL IMPACT.

Criteria for a Special Exception: Use Separate Sheets for Explanations and be Specific and Thorough.

Special Exception Request  
(Application Continued)

1. Whether the grant of the special exception is consistent with the City's Comprehensive Plan;
2. Whether the special exception is consistent with the goals, purposes and objectives of the City's zoning ordinance;
3. Whether there has been a sufficient period of time for investigation and community planning with respect to the application;
4. Whether the special exception is consistent with the principles of zoning and good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, the characteristics of the property involved, and the adverse impacts of the proposed use;
5. Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual;
6. Whether the applicant has demonstrated that its application meets all these criteria;

I do hereby make oath or affirmation that to the best of my knowledge, the foregoing information contained in this application is true.

[Signature] 1/15/16  
Signature of Applicant Date

PRINT NAME OF APPLICANT VANGEL L. PERROY

The above oath or affirmation was signed before me and witnessed by me this 15 day of January, 2016 in the County/City of Fredericksburg in the state of Virginia.

Notary Signature [Signature]  
Notary Registration # 7615786 Commission Expires 10/31/2018



[Signature] 1/15/16  
Signature of Owner Date

PRINT NAME OF OWNER VANGEL L. PERROY, GENERAL PARTNER,  
TIMBERNEST, LTD

The above oath or affirmation was signed before me and witnessed by me this 15 day of January, 2016 in the County/City of Fredericksburg in the state of Virginia.

Notary Signature [Signature]  
Notary Registration # 7615786 Commission expires 10/31/2018



**This Application for Special Exception is being made for the following reasons:**

- 1. The Application is necessary to the realization of the Project consistent with the goals of the City's 2015 Comprehensive Plan which encourages the development of clustered and compact housing opportunities that will maximize the use of existing transportation infrastructure for residents who wish to own their homes in Downtown Fredericksburg. In this regard the following provisions from the Comprehensive Plan are cited:
  - A. Intent. "The intent is to insure the best use of finite space to support the creation and maintenance of attractive, livable urban communities".**
  - B. Environmental Protection, Goal 6. Enhance livability by "...Promoting clustered and compact development..."**
  - C. Residential Neighborhoods. Goal 9. "Encourage homeownership opportunities."**
  - D. Historic Preservation. Goal 2. "Promote redevelopment of Downtown properties in a manner that reflects the character of the City as a vibrant and growing community".**
  - E. Urban Riverfront Corridor. (The City dock to Faquier Street) "The concept for the road corridor is to encourage development on the west side of the street (Sophia Street) while leaving the east side open."**
  - F. APPENDIX A. Best Practices for a Livable Community.
    - 1. Practice 2 calls for "Transit oriented development characterized by higher density development around transit stations to encourage transit use and pedestrian activity thereby reducing automobile use and the need for parking".**
    - 2. Practice 6 states that, "undeveloped or underused parcels of land in otherwise built up areas are already served by existing infrastructure and their development/redevelopment should be encouraged and supported to add to the urban dynamic."**
    - 3. Practices 7 and 8 are addressed by the replacement of non-historic substandard structures with state of the art, energy efficient residences that will reduce the carbon foot print and reflect design elements that will complement the community's character.******

2. The Application is consistent with the goals, purposes and objectives of the City's zoning ordinance since it serves to further the objectives in the Code consistent with the goals of the Comprehensive Plan. The Project is consistent with "by right" use in the Downtown Historic District.
3. The requirement for investigation and community planning with respect to the Application is minimal as the use of the 506-520 parcel remains the same (residential) and the use and value of the rear vacant lot of 525 Caroline is substantially improved from vacant occasional on site parking to around the clock utilization of the spaces for on site residential use and parking. The Application and Project neither require nor envision a need for on street parking and the change in residential density from 13 to 14 units is inconsequential and actually reduces the relative current unit density from 13 on .33 acre to 15 on .52 acre.
4. The application is consistent with all applicable zoning restrictions with the exception of (1) townhouse density of 12 units per acre (non floodplain) and (2) a 50% density reduction in floodplain locations to 6 Units. As can be seen from the Site Plan the number of Units to be located on the .33 acre 506-520 parcel is actually reduced from the current and existing 13 Units down to 7 with the current 13 surface off street parking spaces replaced with 14 spaces located under the Units. The issue of floodplain is addressed with the placement of parking under the Units in accordance with the Code. The need for a Special Exception as to the replacement of 26 parking spaces at the rear of Fredericksburg Square with 16 off street under Unit residential parking spaces is being included to preclude any issues as to parking for Fredericksburg Square activities. Historically, when the 525 Caroline Street property was purchased from the Fraternal Order of Elks in October of 1996 the building's use was categorized as Assembly. The Elks Lodge membership in the City records at that time as confirmed to the current owners by Mr. Jervais Hairston, then City Administrator, was 626. Given the original 46 on site parking spaces for the property for Assembly use the existing occupant to parking ratio was one parking space for every 13.6 members, attendees or potential maximum occupants. Since the use of the Square was Assembly by the Elks and has remained the same since acquisition from the Elk's a reduction in the number of spaces from 46 to 22 would support (at the established ratio) a building occupancy or load of 299 guests at any one time. Fredericksburg

Square does not host wedding/banquet reception activities for more than 250 individuals at any one time. In addition, it would be unreasonable to expect that each individual guest would drive their own vehicle. Of primary importance is the fact that since the construction of the City Parking Deck most of our guests have elected to utilize the City facility leaving our rear lot underutilized on most occasions. A number of contract Patrons have even elected to reserve space in the City Deck for the convenience of their guests which has also proven to be very beneficial to the City since almost all events at the Square are on the weekends. Finally, at the time of construction the City of Fredericksburg did advise that the Square would have the same right to lease spaces in the Deck as did the Marriott should we need or desire to lease. While we did not exercise that right and still do not foresee a need we remain open to that option.

5. The Special Exceptions as to density and height are necessary for a number of reasons. First, the existing cinder block townhouse units were originally converted from warehouse storage buildings into townhouse Units in the 50's. As a result it is not economically viable to maintain and upgrade them in the face of new Code requirements and market realities with regard to square footage norms. The alternative is to try to maintain them as rental units which would involve ever increasing costs for relatively fixed rental income as well as precluding ownership opportunities Downtown. Second, the Units were not built with the floodplain issues in mind. In the event of a flood they would incur substantial damage on their occupied ground floor living space. To address this issue the first floor of all buildings will be allocated to parking with living areas on the higher floor levels. The seven (7) town home structures do not require a height variance but the Mansion Building located on the interior area of the site plan does require a ten (10) foot height variance. The Mansion Building will be substantially hidden from the Sophia elevation by the front row of townhomes and is essential to realize the density necessary to make the Project economically viable. Finally, the value of both existing parcels will be substantially increased not only from the standpoint of better and higher occupant use but from the standpoint of the City tax base.
6. The proposed redevelopment represents a unique and exceptional opportunity to address many of the key goals of the City's Comprehensive Plan to include redeveloping underutilized and outdated

property, addressing the need for more clustered and affordable home ownership opportunities adjacent to Downtown transportation hubs, and energizing and encouraging additional development on the west side of the Sophia Street corridor.

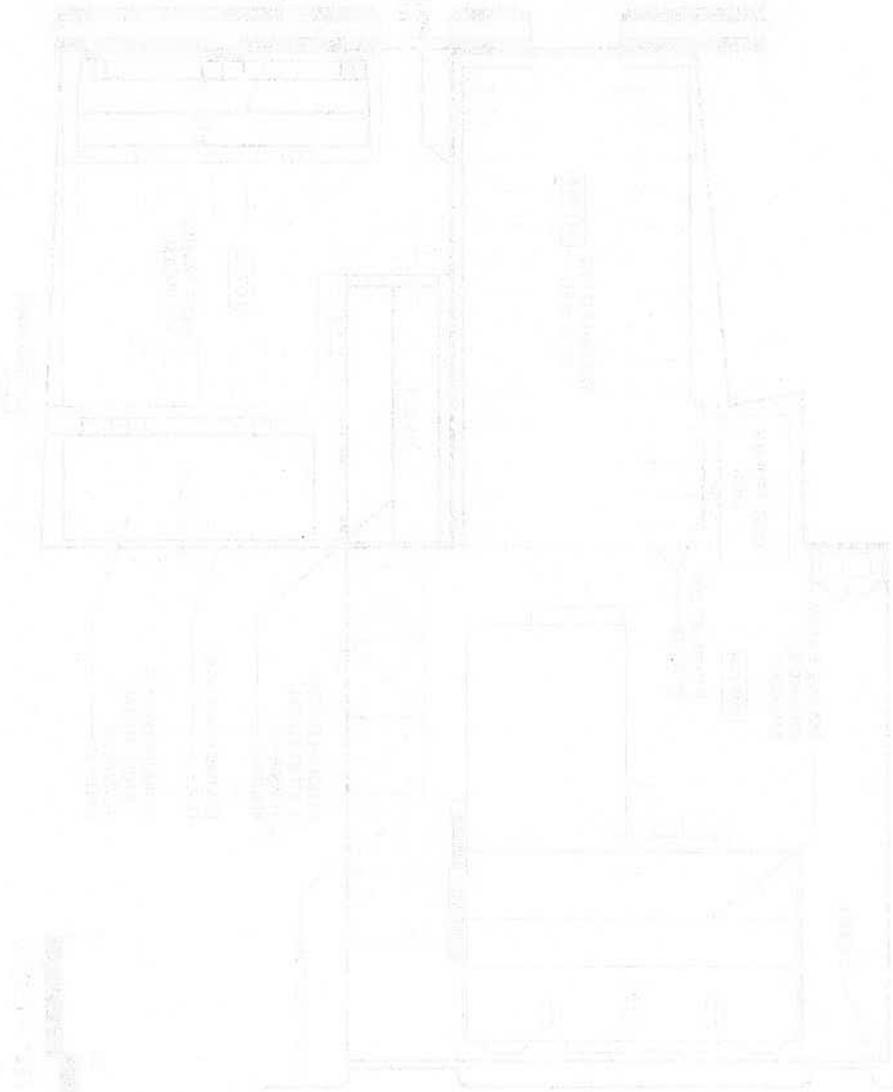
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FROM: MAJOR STAFF

MAJOR STAFF

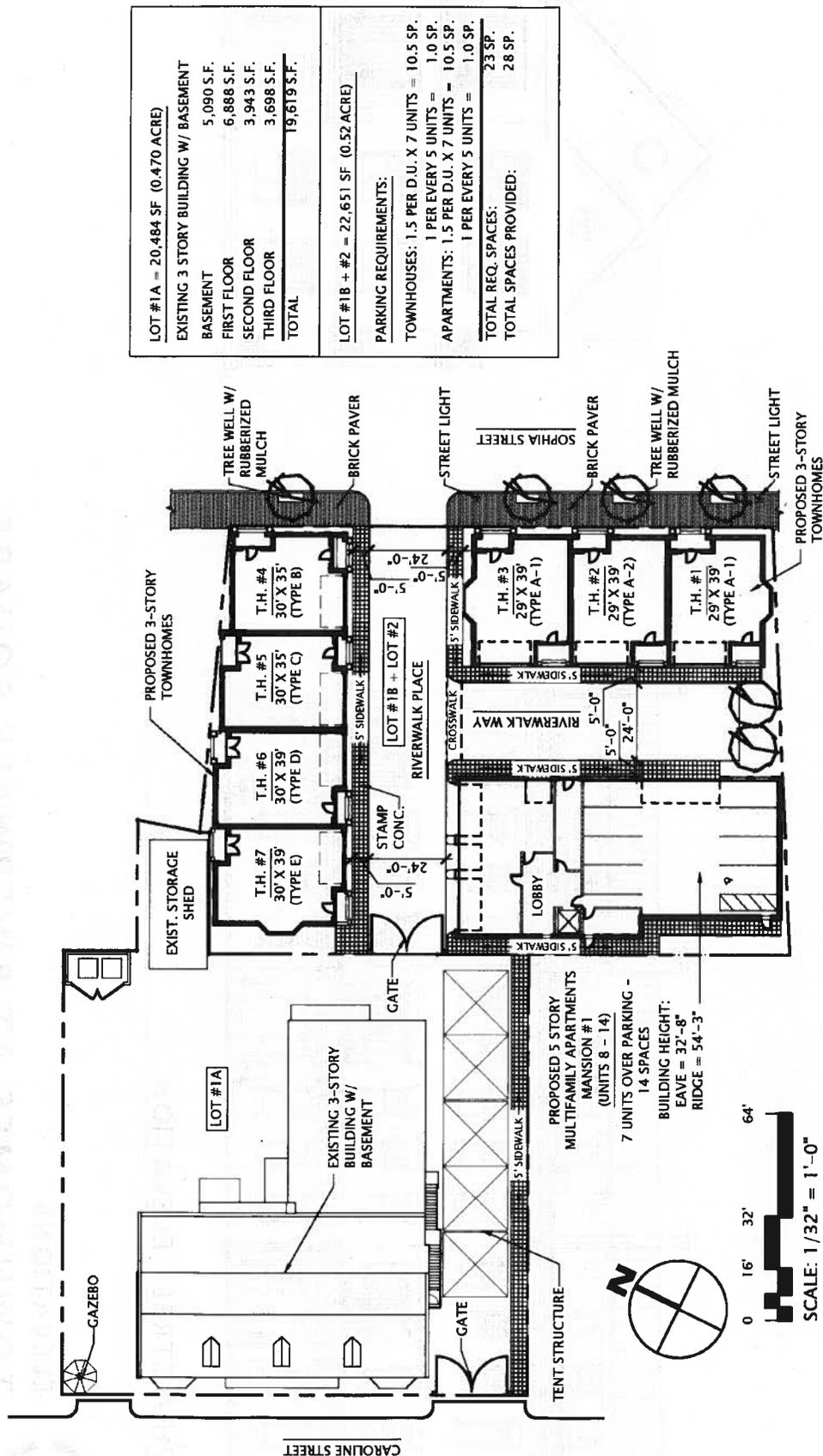
MAJOR STAFF

MAJOR STAFF



Room	Area	Notes
Room 1	100 sq ft	Office
Room 2	150 sq ft	Meeting Room
Room 3	200 sq ft	Conference Room
Room 4	300 sq ft	Open Office
Room 5	400 sq ft	Open Office
Room 6	500 sq ft	Open Office
Room 7	600 sq ft	Open Office
Room 8	700 sq ft	Open Office
Room 9	800 sq ft	Open Office
Room 10	900 sq ft	Open Office
Room 11	1000 sq ft	Open Office
Room 12	1100 sq ft	Open Office
Room 13	1200 sq ft	Open Office
Room 14	1300 sq ft	Open Office
Room 15	1400 sq ft	Open Office
Room 16	1500 sq ft	Open Office
Room 17	1600 sq ft	Open Office
Room 18	1700 sq ft	Open Office
Room 19	1800 sq ft	Open Office
Room 20	1900 sq ft	Open Office
Room 21	2000 sq ft	Open Office
Room 22	2100 sq ft	Open Office
Room 23	2200 sq ft	Open Office
Room 24	2300 sq ft	Open Office
Room 25	2400 sq ft	Open Office
Room 26	2500 sq ft	Open Office
Room 27	2600 sq ft	Open Office
Room 28	2700 sq ft	Open Office
Room 29	2800 sq ft	Open Office
Room 30	2900 sq ft	Open Office
Room 31	3000 sq ft	Open Office
Room 32	3100 sq ft	Open Office
Room 33	3200 sq ft	Open Office
Room 34	3300 sq ft	Open Office
Room 35	3400 sq ft	Open Office
Room 36	3500 sq ft	Open Office
Room 37	3600 sq ft	Open Office
Room 38	3700 sq ft	Open Office
Room 39	3800 sq ft	Open Office
Room 40	3900 sq ft	Open Office
Room 41	4000 sq ft	Open Office
Room 42	4100 sq ft	Open Office
Room 43	4200 sq ft	Open Office
Room 44	4300 sq ft	Open Office
Room 45	4400 sq ft	Open Office
Room 46	4500 sq ft	Open Office
Room 47	4600 sq ft	Open Office
Room 48	4700 sq ft	Open Office
Room 49	4800 sq ft	Open Office
Room 50	4900 sq ft	Open Office
Room 51	5000 sq ft	Open Office
Room 52	5100 sq ft	Open Office
Room 53	5200 sq ft	Open Office
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Room 57	5600 sq ft	Open Office
Room 58	5700 sq ft	Open Office
Room 59	5800 sq ft	Open Office
Room 60	5900 sq ft	Open Office
Room 61	6000 sq ft	Open Office
Room 62	6100 sq ft	Open Office
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Room 70	6900 sq ft	Open Office
Room 71	7000 sq ft	Open Office
Room 72	7100 sq ft	Open Office
Room 73	7200 sq ft	Open Office
Room 74	7300 sq ft	Open Office
Room 75	7400 sq ft	Open Office
Room 76	7500 sq ft	Open Office
Room 77	7600 sq ft	Open Office
Room 78	7700 sq ft	Open Office
Room 79	7800 sq ft	Open Office
Room 80	7900 sq ft	Open Office
Room 81	8000 sq ft	Open Office
Room 82	8100 sq ft	Open Office
Room 83	8200 sq ft	Open Office
Room 84	8300 sq ft	Open Office
Room 85	8400 sq ft	Open Office
Room 86	8500 sq ft	Open Office
Room 87	8600 sq ft	Open Office
Room 88	8700 sq ft	Open Office
Room 89	8800 sq ft	Open Office
Room 90	8900 sq ft	Open Office
Room 91	9000 sq ft	Open Office
Room 92	9100 sq ft	Open Office
Room 93	9200 sq ft	Open Office
Room 94	9300 sq ft	Open Office
Room 95	9400 sq ft	Open Office
Room 96	9500 sq ft	Open Office
Room 97	9600 sq ft	Open Office
Room 98	9700 sq ft	Open Office
Room 99	9800 sq ft	Open Office
Room 100	9900 sq ft	Open Office
Room 101	10000 sq ft	Open Office





<b>LOT #1A - 20,484 SF (0.470 ACRE)</b>	
EXISTING 3 STORY BUILDING W/ BASEMENT	
BASEMENT	5,090 S.F.
FIRST FLOOR	6,888 S.F.
SECOND FLOOR	3,943 S.F.
THIRD FLOOR	3,698 S.F.
<b>TOTAL</b>	<b>19,619 S.F.</b>

<b>LOT #1B + #2 = 22,651 SF (0.52 ACRE)</b>	
<b>PARKING REQUIREMENTS:</b>	
TOWNHOUSES: 1.5 PER D.U. X 7 UNITS =	10.5 SP.
1 PER EVERY 5 UNITS =	1.0 SP.
APARTMENTS: 1.5 PER D.U. X 7 UNITS =	10.5 SP.
1 PER EVERY 5 UNITS =	1.0 SP.
<b>TOTAL REQ. SPACES:</b>	<b>23 SP.</b>
<b>TOTAL SPACES PROVIDED:</b>	<b>28 SP.</b>



COMMONWEALTH ARCHITECTS

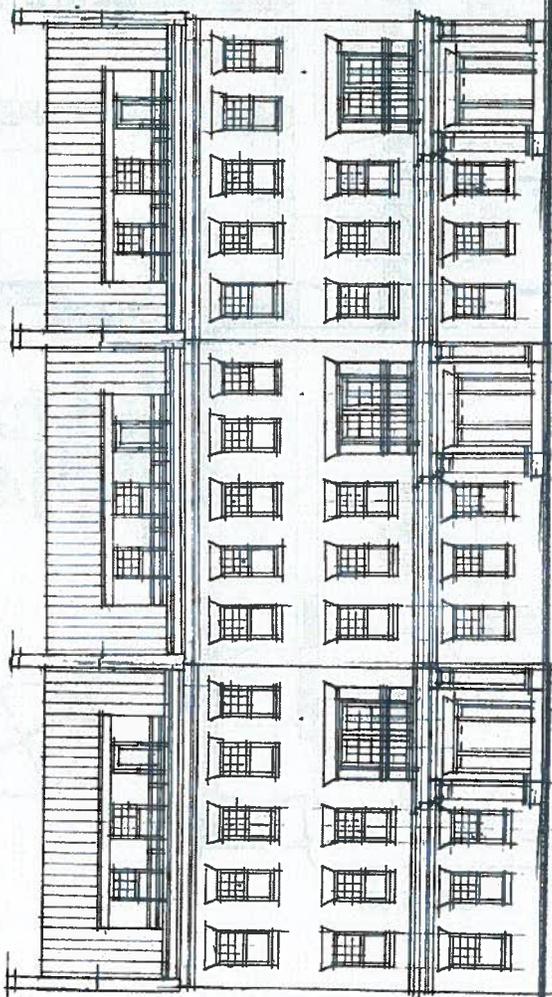
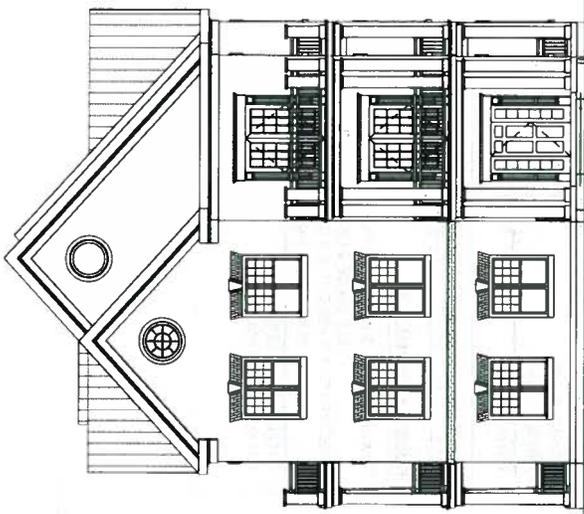
# PROPOSED SITE PLAN TOWNHOMES AT RIVERWALK SQUARE

506 - 520 SOPHIA STREET FREDERICKSBURG, VA

06/21/16

A2

ТОПЛИВОНЕЗ ТА РИВЕРВК СҚАРЕ  
ПРОЕКТ БУВАТИ



SOPHIA STREET ELEVATION



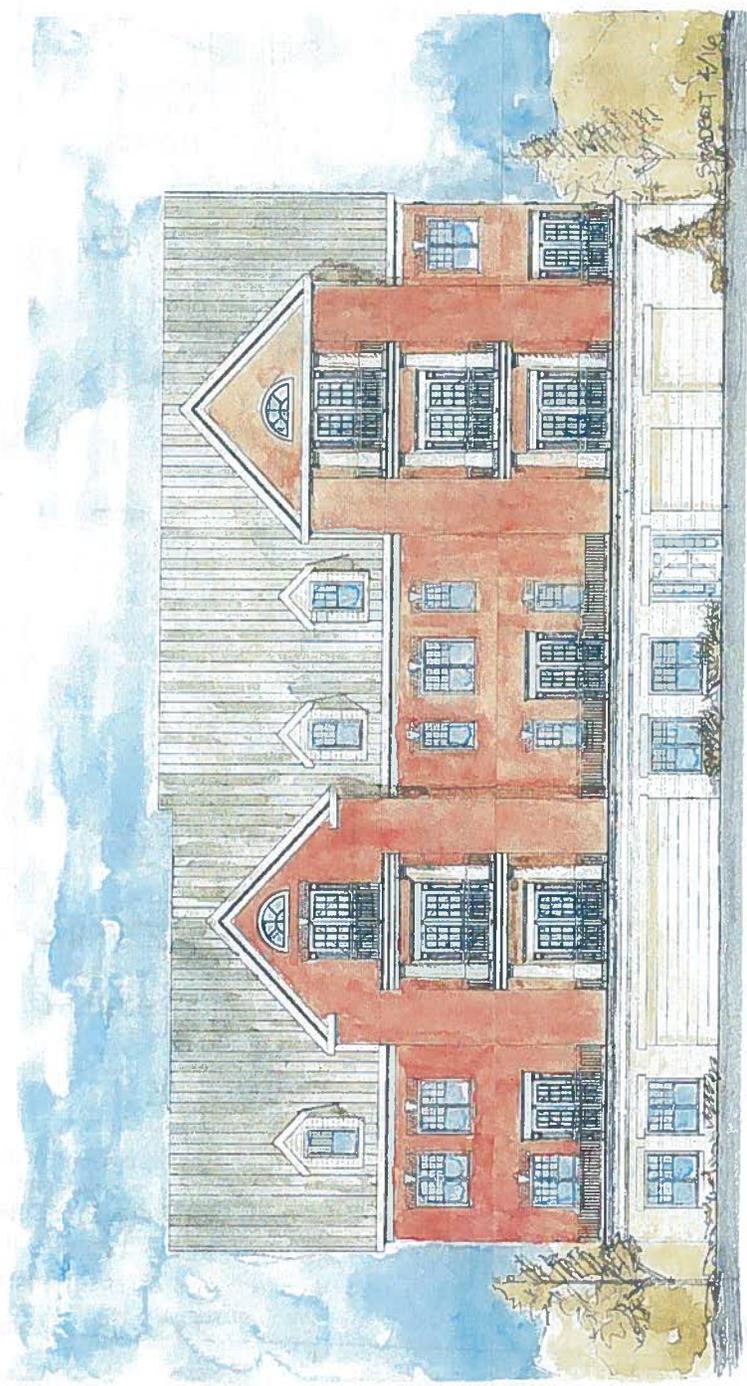
ELEVATIONS

TOWNHOMES AT RIVERWALK SQUARE

COMMONWEALTH ARCHITECTS  
FREDERICKSBURG, VA

05/31/16

A3



MANSION FRONT ELEVATION

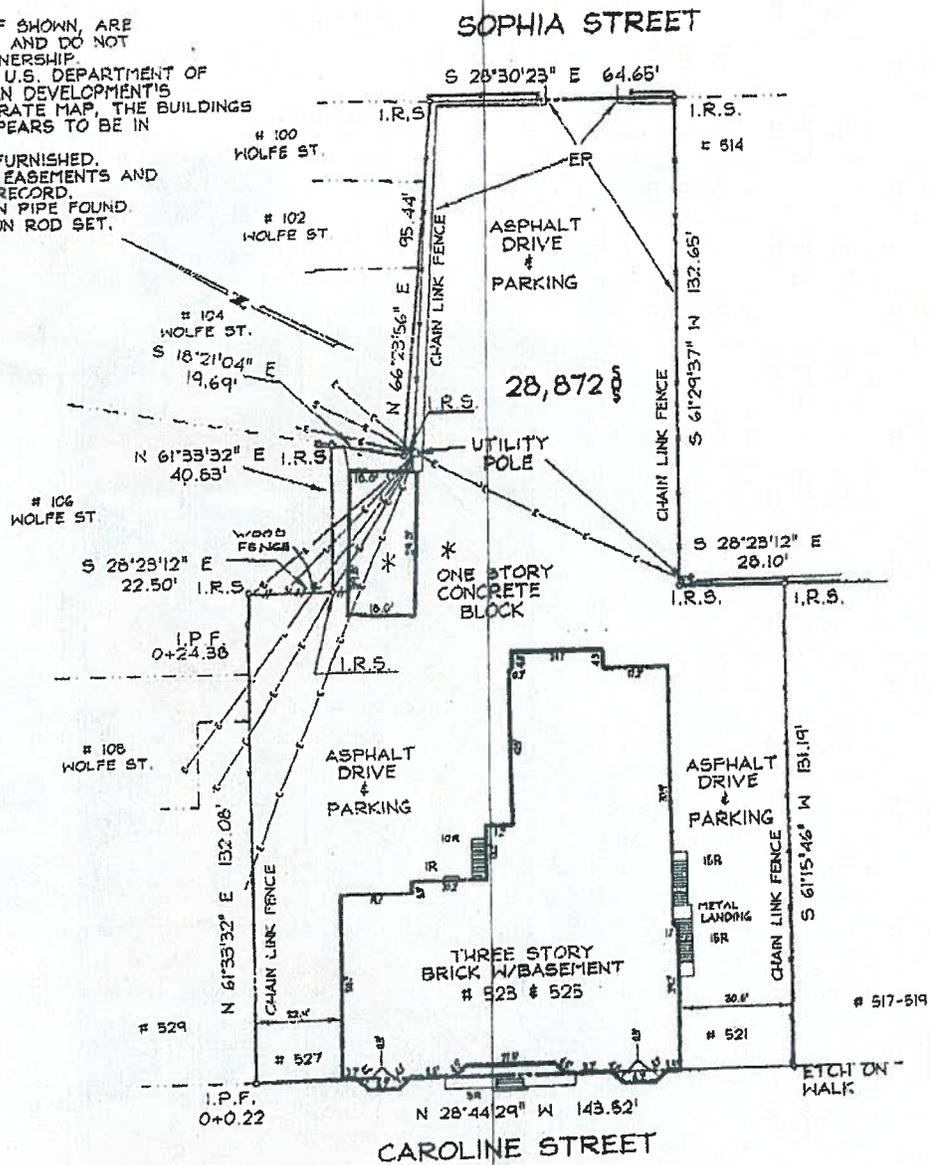
# TOWNHOMES AT RIVERWALK SQUARE

506 - 520 SOPHIA STREET FREDERICKSBURG, VA

05/31/16

A4

NOTES:  
 FENCE LOCATIONS, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP. ACCORDING TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FLOOD INSURANCE RATE MAP, THE BUILDINGS SHOWN HEREON APPEARS TO BE IN ZONE B & A24.  
 NO TITLE REPORT FURNISHED. PLAT SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.  
 I.P.F. DENOTES IRON PIPE FOUND.  
 I.R.S. DENOTES IRON ROD SET.



BOUNDARY SURVEY  
 PROPERTY OF  
 TRUSTEE OF FREDERICKSBURG, VA...  
 ELKS LODGE # 875 BBOE  
 CITY OF FREDERICKSBURG, VIRGINIA  
 SCALE: 1" = 30' DATE: OCTOBER 16, 1996  
 REVISED 12 NOV 96

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINE.

\_\_\_\_\_  
 CERTIFIED LAND SURVEYOR

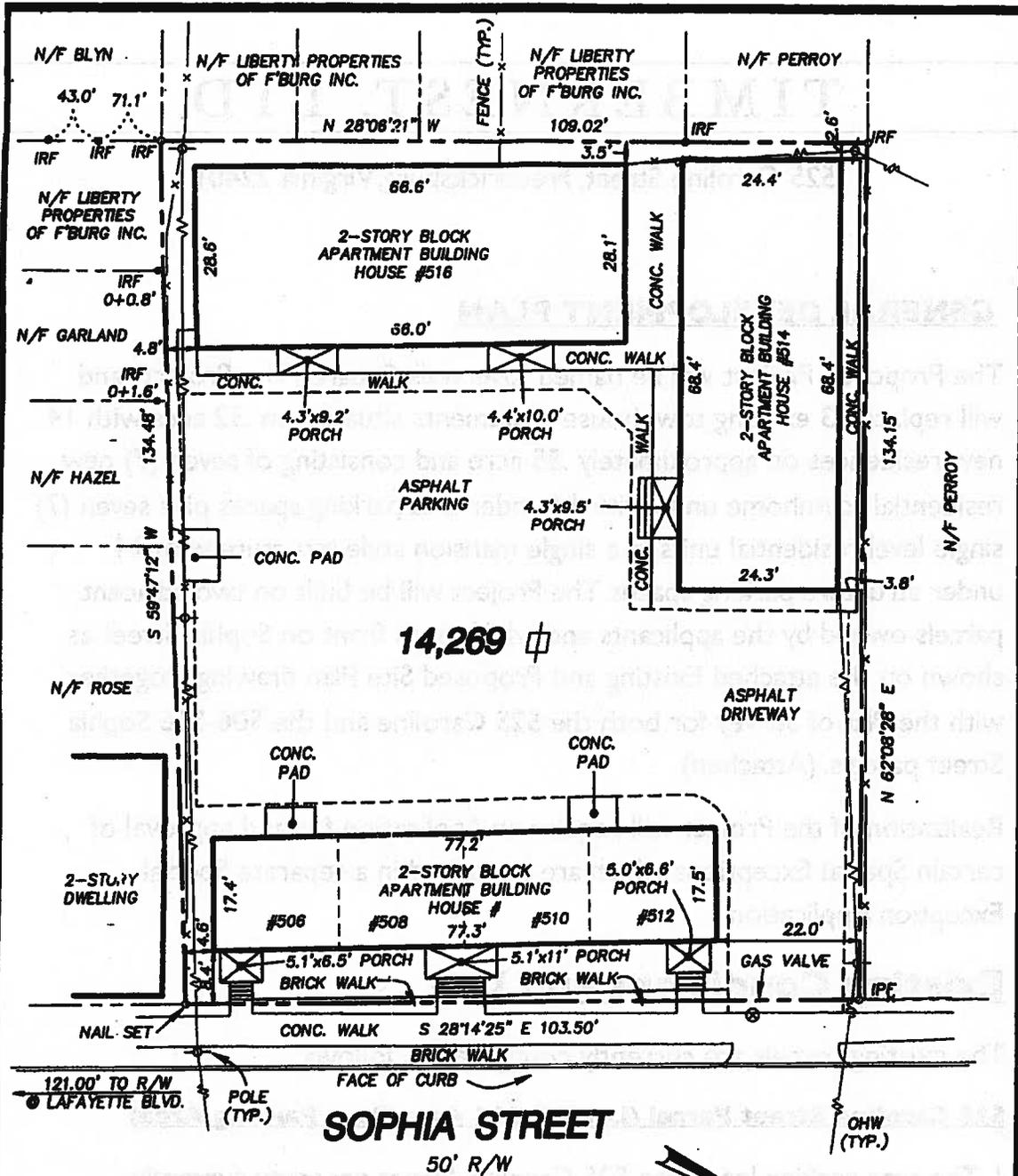
AX MAP NUMBER: 47-525  
 SHEET BOOK & PAGE: KK/419, NN/527, GG/343 & 91/282



**H. Aubrey Hawkins Associates, Ltd.**  
 LAND SURVEYING LAND PLANNING DEVELOPMENT  
 800 MUSELMAN ROAD FALMOUTH, VIRGINIA 23405  
 540-571-0265 FAX 540-571-8478  
 TOLL FREE 1-800-562-4068

CASE NAME	ELKS LODGE	DWRT BY: EG	FILE NO.
NO	H.7-6-2068	PB 491 PG 106	CHKD BY: LG
			BASCIZBIDEL

RRC



14,269 ±

- NOTES :
1. NO TITLE REPORT FURNISHED.
  2. THIS PLAT IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.
  3. IT APPEARS THAT ALL OF THE PROPERTY SHOWN HEREON IS LOCATED IN THE THE F.I.R.M. 100 YEAR FLOOD ZONE "A24", AS SCALED FROM MAP #510065 0005 B, DATED 7-2-79.
  4. MERIDIAN PER PLAT BY L.R.R. CURTIS, DATED JULY 1938 AND RECORDED IN D.B. 70 AT PAGE 362. BOUNDARY BASED ON MONUMENTATION FOUND IN THE FIELD.

**PLAT**

**BUILDING LOCATION SURVEY  
506, 508, 510, 512  
& 514 SOPHIA STREET**

LOCATED IN THE CITY OF  
FREDERICKSBURG, VIRGINIA

DATE : JULY 22, 2002      SCALE : 1" = 20'

**SULLIVAN, DONAHOE AND INGALLS**  
ENGINEERS, LAND PLANNERS & SURVEYORS  
FREDERICKSBURG, VIRGINIA



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# TIMBERNEST, LTD

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525 Caroline Street, Fredericksburg, Virginia 22401

## **GENERAL DEVELOPMENT PLAN**

The Proposed Project will be named Riverwalk Square (The Project) and will replace 13 existing townhouse apartments situated on .32 acre with 14 new residences on approximately .55 acre and consisting of seven (7) new residential townhome units with 14 under unit parking spaces plus seven (7) single level residential units in a single mansion style structure with 14 under structure parking spaces. The Project will be built on two adjacent parcels owned by the applicants and which both front on Sophia Street as shown on the attached Existing and Proposed Site Plan drawings together with the Plat of Survey for both the 525 Caroline and the 506-516 Sophia Street parcels. (Attached)

Realization of the Project will require an Application for and approval of certain Special Exceptions which are contained in a separate Special Exception Application

## **Existing Conditions and Use**

The existing parcels are currently configured as follows:

### **525 Caroline Street Parcel (Lot #2) (.21 Acre Rear Parking Area)**

1. The rear parking lot of the 525 Caroline Street property currently contains 26 parking spaces with direct access from Sophia Street. An additional 18 parking spaces are available on the front of the parcel with direct Caroline Street access.
2. The rear and south property line of the 525 Caroline Street parcel adjoins the 506-516 Sophia Street parcel for a distance of 132.65 feet.
3. Electric and cable service to the 525 parcel are situated above ground and come from the Sophia Street side.

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# TIMBERNEST, LTD.

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525 Caroline Street, Fredericksburg, Virginia 22401

## **506-516 Sophia Street Parcel (Lot#3) (.32 Acre)**

4. There are 13 rental townhouses located in 3 separate buildings on the parcel with 14 off street surface parking spaces which adjoin the buildings as shown on the Existing Site Plan.
5. Electric and cable service to the 506-516 Sophia Street parcel are situated above ground and come from the Sophia Street side.

## **Proposed Changes to Realize the Project:**

1. The current 132.65' north-south property line between Lot #2 and Lot #3 as shown on the Existing Site Plan will be extinguished and the two adjoining parcels will form a single parcel with direct access to Sophia Street. A new property line around the combined parcels will be as shown on the Proposed Site Plan.
2. The existing 13 townhouses situated on the 506-516 Sophia street parcel will be demolished. (Prior Demolishment Permit was previously granted but has expired)
3. Parking for the 7 new townhomes and 7 units in the Mansion Building will be under the structures and will provide a minimum of 2 spaces per unit (28 spaces).
4. The Proposed Site Plan indicates where the 14 units are to be located on the new co-joined parcels.
5. All current above ground utilities will be buried and provided from the Sophia Street side to enhance safety and improve the street scape.

Page 2

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# TIMBERNEST, LTD.

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525 Caroline Street, Fredericksburg, Virginia 22401

## Clarifications to Application (City Letters of January 26, 2016 and March 03, 2016)

### Procedures Manual Paragraph 2.a.

The two parcels that are the subject of the Application are both wholly owned by Timbernest Ltd. which is a Limited Partnership registered in the State of Virginia. The General Partner is Vangel L. Perroy holding a 51% ownership share and Deborah Perroy, a limited partner holding a 49% share. No other principal, contracted party or ownership entity is involved in the preparation and submission of this Application other than Commonwealth Architects of Richmond, Va who prepared the Site Plans and Elevation drawings.

### Procedures Manual Paragraph 2.b.

It is stated that no member of City Council or the Planning Commission or any member of their immediate household or family owns or has any financial interest in such property or has any financial interest in the outcome of the decision.

### Full Copy of Plats

Provided with list of all adjoining property owners and GPIN of same.

### Procedures Manual Paragraph 5. a.-f.

The Project will consist of replacing 13 outdated existing rental townhouses currently situated on .32 acres with 7 individually owned townhomes and 7

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# TIMBERNEST, LTD.

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525 Caroline Street, Fredericksburg, Virginia 22401

individually owned single level residential units in a vertical structure to be situated on a new lot of approximately .5 acre. The overall relative density of the townhouse units will be reduced from one unit per 1,072 square feet of ground surface area (existing) to 1,711 square feet of ground surface area per unit (joined lots) with minimal change in use and impact on the surrounding infrastructure.

All units will be individually metered as appropriate and will be supplied with underground electricity, cable, gas, water and sewer.

The only common area will consist of the paved access to the units from Sophia Street by means of on site drive access from Sophia Street.

Since the units will be constructed in the floodplain the ground floors will be for parking, mud room or other use allowed by Code.

There are no environmental issues affecting the subject parcels and soil tests support the proposed use.

Total Project build time should not exceed 10-12 months.

The impact on the infrastructure from the Project will be minimal since the overwhelming majority of the Project consists of replacing existing older, inefficient units with state of the art energy efficient ones. No meaningful changes are envisioned for roadways, schools, water and sewer, drainage or any other category of services or issues.

It is certified that the use and development of the property, and all improvements thereon, are subject to the General Development Plan as well as to the generally applicable regulations set forth in UDO Section 72-33 and 72-53.

Procedures Manual Paragraph 8.

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# TIMBERNEST, LTD.

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525 Caroline Street, Fredericksburg, Virginia 22401

**A list of all abutting property owners on the provided forms is attached.**

## PROJECT SUMMARY

Geo-Environmental Solutions, Inc. (GESI) completed a Phase I Environmental Site Assessment (ESA) of an approximately ¼ acre developed property, currently occupied by a multi-dwelling, residential apartment complex. This property is within the Historic District, located at 506-516 Sophia Street, Fredericksburg, Virginia ("Site").

GESI completed the following activities for this ESA:

- Obtained and reviewed a report from Federal and State regulatory databases (EDR Report; Appendix B);
- Conducted a physical inspection of the Site and immediately surrounding areas; and
- Contacted local government agencies for information regarding Site environmental history.

GESI provides the following information and conclusions based on the ESA activities:

- The Site consists of one approximately ¼ acre parcel (14,269 sq. ft. according to the plot plat from 2002). The Site is developed, including three multi-dwelling residential structures that were originally constructed in or around 1949. According to tax assessment records, the Site has been used as a multi-dwelling residential property since its original development. The exterior areas are a combination of asphalt covered parking area and concrete walkways.
- Underground and above ground chemical or fuel storage tanks (USTs, ASTs) were not observed nor are they reportedly present currently on the Site. Additionally, apparently no issues associated with former USTs have occurred at or on the Site (*confirmation requested from City Fire Department; response not received as of report date*).
- Nearby adjacent properties consist of more residential dwellings and commercial/retail business operations. None of these nearby facilities appear to include activities that would constitute potential environmental issues for the Site.
- GESI observed the presence of one pole-mounted electrical transformer at the northeastern corner of the Site. There was no label visible on the unit indicating if it contains PCB dielectric fluids. Under this circumstance, it must be assumed that the unit includes PCB-containing fluids. However, there were no indications of past or recent spills or releases from the unit. If a leak or spill is identified, then the transformer's owner (Virginia Power) should be contacted for response and clean-up. At this time there does not appear to be issues of environmental concern associated with the transformer.

- Site Building construction materials, for the most part, do not represent current, potential issues of environmental concern. According to the current Site owner, the buildings were substantially renovated in the late 1980's and have been maintained regularly since then. During our on-Site inspection we observed the three buildings (interior and exterior) to be generally in very good condition, with no obvious materials of environmental concern included in the structures. Small oil-stain patches exist in some of the parking spaces, but do not appear to be of a nature that represents a substantial environmental contamination threat at this time.
- A search of Federal and State database sources (EDR Report, August 31, 2006) includes information indicating the presence of facilities within a one-mile radius from the Site that include activities that may have created past environmental impacts. The Site is not noted in either the Federal or State databases as having recent or former environmental activities or issues.

According to the EDR Report there are several operations and facilities within one-mile from the Site that are included in the leaking tanks/LUST databases, manufactured gas plant records, CERCLIS-NFRAP files, RCRA generator registry, UST database and VRP list of facilities. However, all of the environmental concerns that occurred at these nearby facilities have been managed and/or mitigated to the point where the Federal and State regulatory agencies do not consider them an ongoing threat and have closed the cases. Therefore, there does not appear to be current environmental concerns associated with these nearby facilities based on the information presented.

- Information obtained from City of Fredericksburg agencies included:
  - ◆ Planning & Code Compliance Department, Zoning Office - the Site is included in an area designated as a Zone C-D, Commercial-Downtown. The present and former operation of the Site as a multi-dwelling residential complex complies with the designated, permitted uses included in the City's Zoning ordinances (Fredericksburg Code Division 16, Commercial-Downtown [C-D] District)

The Site lies within Flood Zone A24, which is in the 100-year zone (FIRM Panel #510065005B, 7/2/79).

This portion of Fredericksburg is considered a Resource Management Area (RMA) according to the Chesapeake Bay Protection Program map (1/99; Fredericksburg Code, Chapter 78, Article III, Division 26 Chesapeake Bay Preservation Overlay (CBPO) District). The Code defines RMAs as "...land types that, if improperly used or developed, would have the potential for causing significant water quality degradation or for diminishing the functional value of a resource protection area." If there are future plans for substantial renovation

and/or redevelopment of this Site, GESI recommends contacting the City for specific CBPO planning and compliance requirements.

- ◆ **Fire Department – As of 29 September 2006, there had been no reply to our request for information from the FD regarding potential past incidents involving hazardous/toxic materials and/or records of USTs or ASTs at the Site (letter of request submitted 31 August 2006).** Based on information received from other parties, the presence of USTs or ASTs, or past incidents involving hazardous/toxic materials do not appear to have existed or occurred at the Site.

No other items or issues of potential environmental concern were noted during the ESA activities. Other than those activities noted above and in the full report, and based on observations and research conducted for this ESA, there does not appear to be need for additional environmental assessment activities for the Site.

Based on the PLM results above, GES notes the following:

- The pipe wrap found on the piping in the boiler room and in the closet in the basement area is confirmed to be asbestos containing materials.
- Results for the green vinyl floor tile on the first floor is consistent with the previous analyses (December 1995 asbestos inspection).
- The linoleum floor covering in the immediate area beneath the bar counter (Figure 3), contains asbestos and requires management and handling similar to other ACM. The material was found to be in a non-damaged, non-friable condition, and, therefore, does not require removal. However, should the materials ever be scheduled for removal, a licensed asbestos removal contractor will be required to perform these actions.
- None of the ceiling tiles or plaster was found to be ACM.

Based on these activities, there does not appear to be significant incremental cost associated with the materials found and confirmed to be ACM, as compared with the information provided in the January 1996 asbestos inspection report by Mr. McCoy. As stated above, the linoleum floor covering in the basement is currently undamaged, and is not friable, and does not appear to present an inhalation hazard to patrons of the Elks Lodge in its current state. Therefore, as long as it remains in this condition, the materials do not require removal, but do require management and maintenance.

#### UST Closure

The heating oil UST, located in the west-northwestern area of the Elks Lodge site (Figure 4), was removed from the ground over the two-day period of October 2 and 3, 1996. GES observed the final stages of the closure activities on October 3<sup>rd</sup>, and spoke with the removal contractor's field staff about activities not witnessed.

Upon arrival on October 3<sup>rd</sup>, GES observed that the UST had already been removed from the ground and the excavation pit was almost completely backfilled. GES spoke with Mr. Robert Williamson, the lead equipment operator for Red Jewel Construction, the tank removal contractor. He reported that prior to removal of the tank, approximately 1,900 gallons of heating oil was pumped out of the tank. GES observed that the tank was substantially larger than the 1,000 gallons capacity reported during the Phase I ESA investigation. Mr. Williamson indicated that the tank was approximately 3,000 gallons in size.

GES inspected the tank, and observed that except for some minor rusting, there were no signs of pits, holes, or other indications of structural deterioration that would lead to suspicion that a potential release may have occurred during the tank's active life.

Mr. Williamson also reported that the Fredericksburg Fire Marshall had been on-site during the tank closure activities both the 2<sup>nd</sup> and 3<sup>rd</sup>, and was apparently satisfied that no problems were associated with the tank. One soil sample was reportedly collected on October 2<sup>nd</sup> by a Red Jewel employee, and sent to EnviroCompliance Laboratories, Inc. in Glen Allen, Virginia. He said that the verbal results from the lab indicated that petroleum hydrocarbons were not detected above a level of 25 mg/kg in the sample. Mr. Williamson also said that there were

no visible or olfactory signs of a possible past release that he noticed during the removal activities.

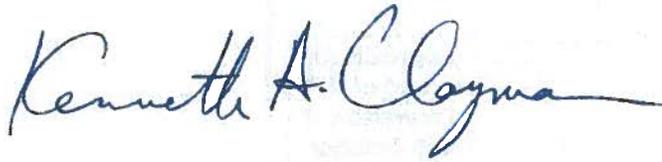
Based on the limited observations GES made, and the reported conditions of the soils and verbal laboratory analytical results for the one soil sample, it appears that there are no environmentally related concerns associated with the former heating oil UST at the Elks Lodge property.

Closing

GES appreciates the opportunities to provide our services for you. If there are any questions regarding this report or other issues with respect to these or the previous Phase I ESA activities, please do not hesitate to contact me at (540) 891-8110. Thank you.

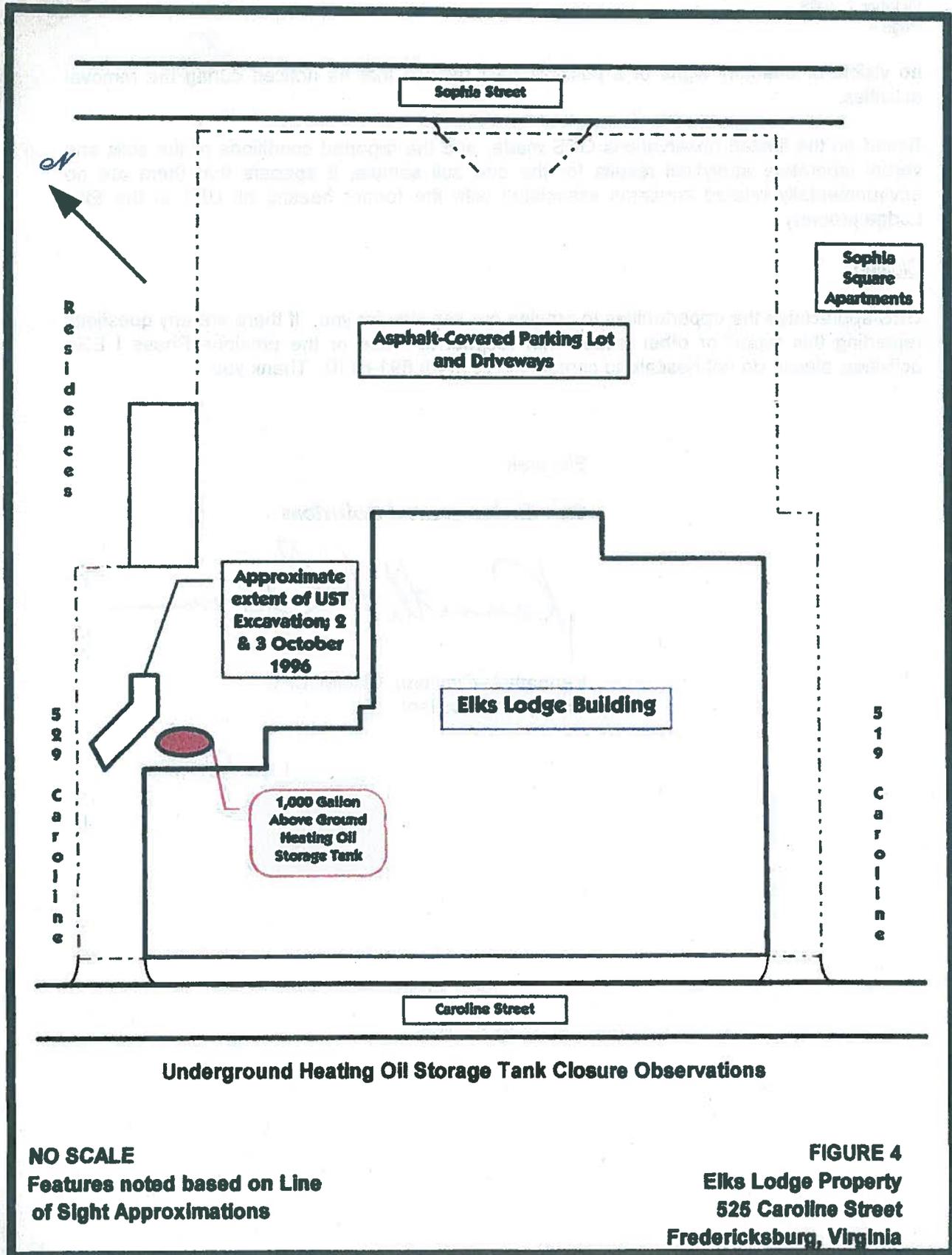
Sincerely,

**GEO-ENVIRONMENTAL SOLUTIONS**



Kenneth A. Clayman, CHMM, CPG  
Principal Consultant

REAR 525 CAROLINE ST.



**Underground Heating Oil Storage Tank Closure Observations**

**NO SCALE**  
Features noted based on Line  
of Sight Approximations

**FIGURE 4**  
Elks Lodge Property  
525 Caroline Street  
Fredericksburg, Virginia

# SE2016-01 TIMBERNEST, LTD



# SE2016-01 TIMBERNEST, LTD

Exception requested from:

- § 72-32.2 for general density and § 72-51.1 for floodplain density.
- To demolish existing units and rebuild 14 dwelling units on a reconfigured lot along Sophia Street. The request is for a total of 29 units per acre.

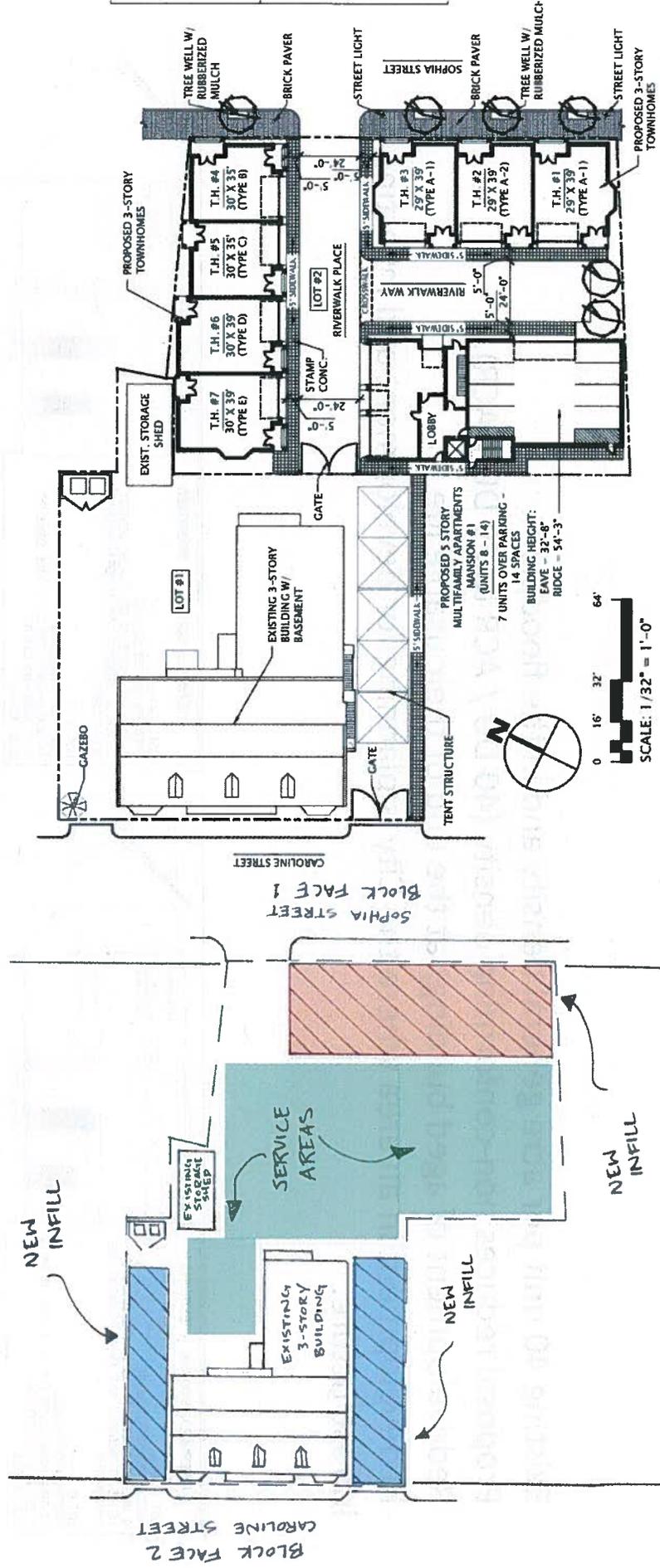
Three major review criteria:

1. Is this request special?
2. Does this request conform to City Policy and Vision?
3. What are the impacts of this project and how or can they be mitigated?



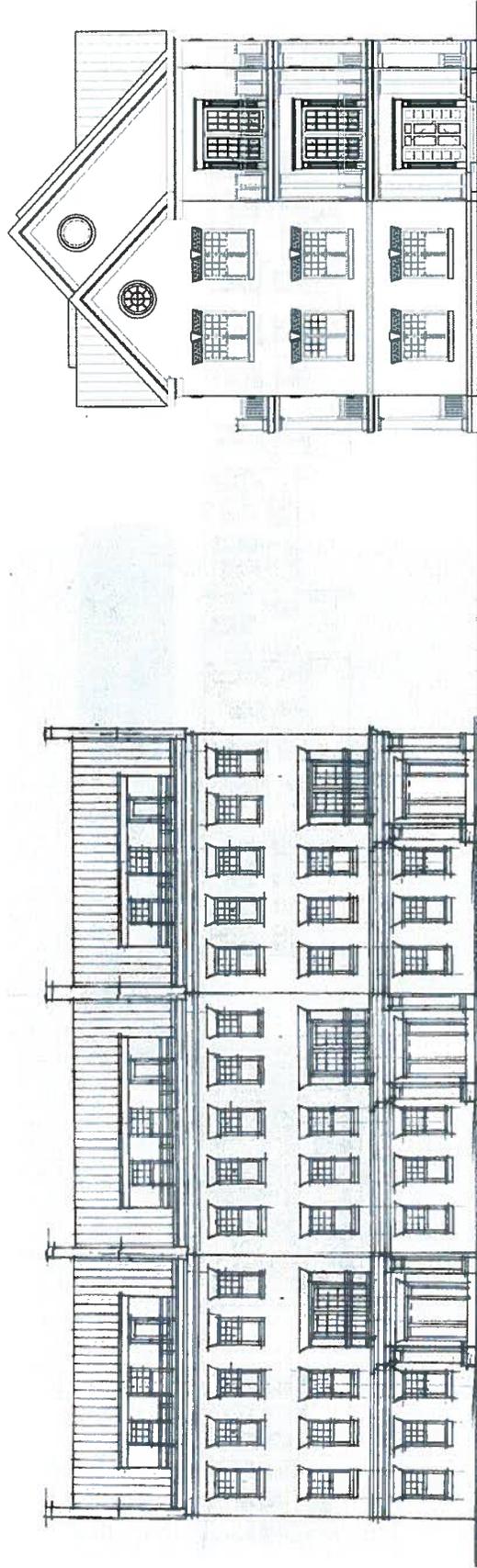
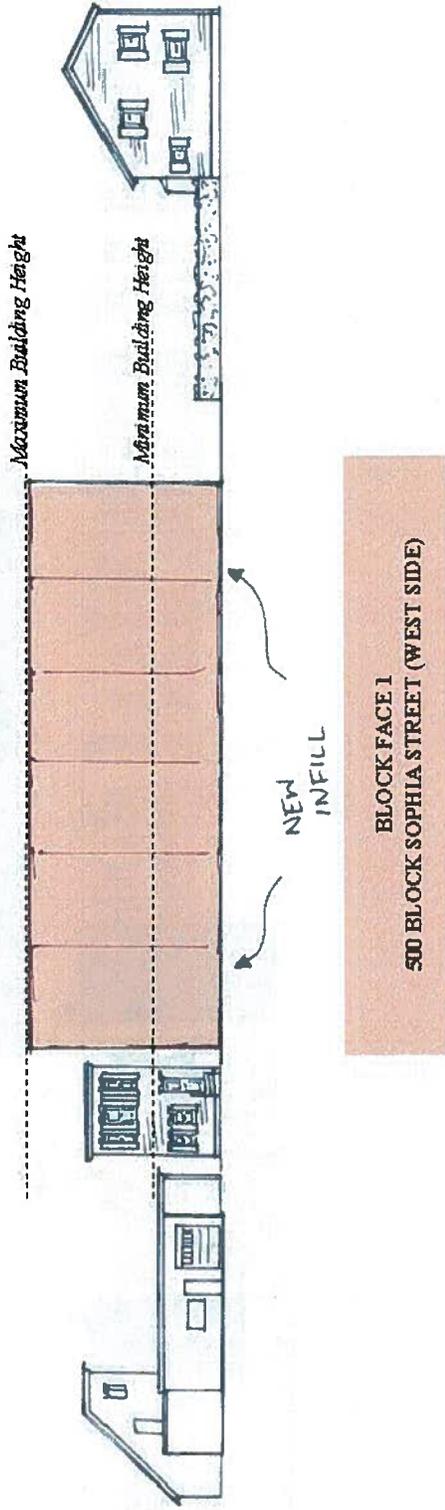
## 2. Does this request conform to City Vision and Policy?

1. Conformance with the purpose of the Commercial Downtown Zoning District, conformance with the Old and Historic Fredericksburg Overlay District:
  - ARB reviews on April 25 and May 9
  - Planning Commission reviews on May 11 and June 8,



## 2. Does this request conform to City Vision and Policy?

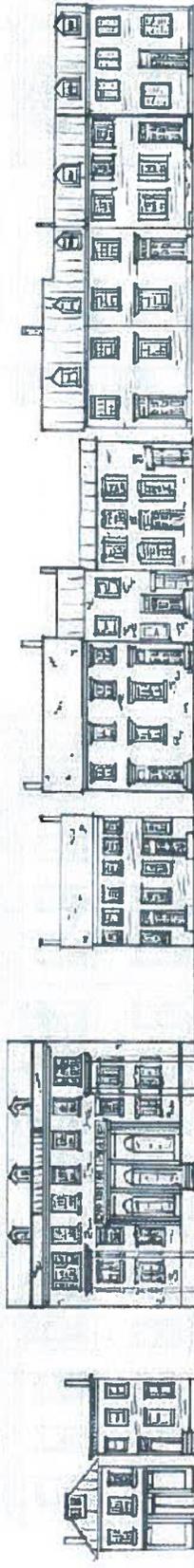
### Attachment E.3 - INFILL RECOMMENDATION



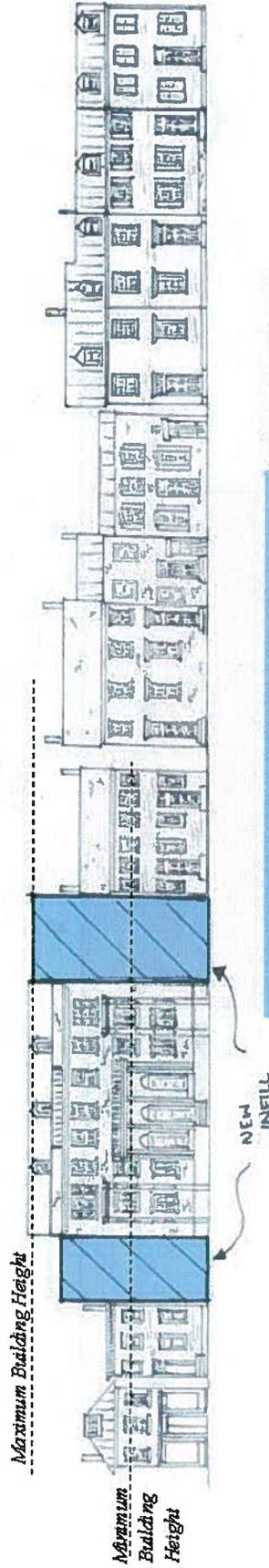
SOPHIA STREET ELEVATION

Does this request conform to City Vision and Policy?

## 2. Does this request conform to City Vision and Policy?



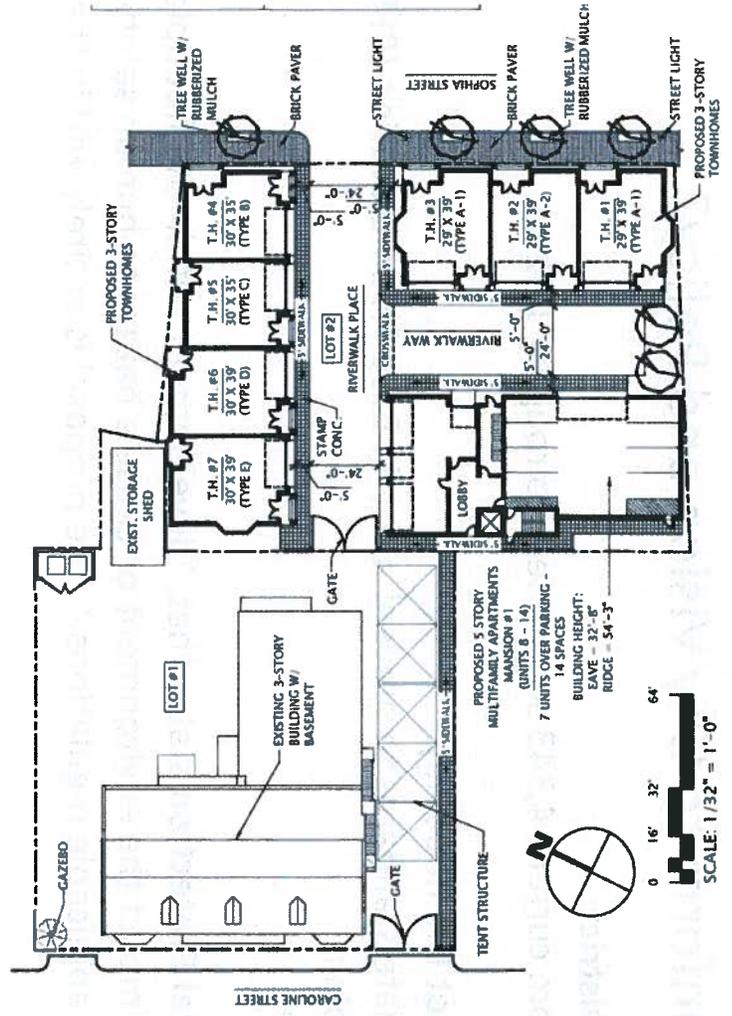
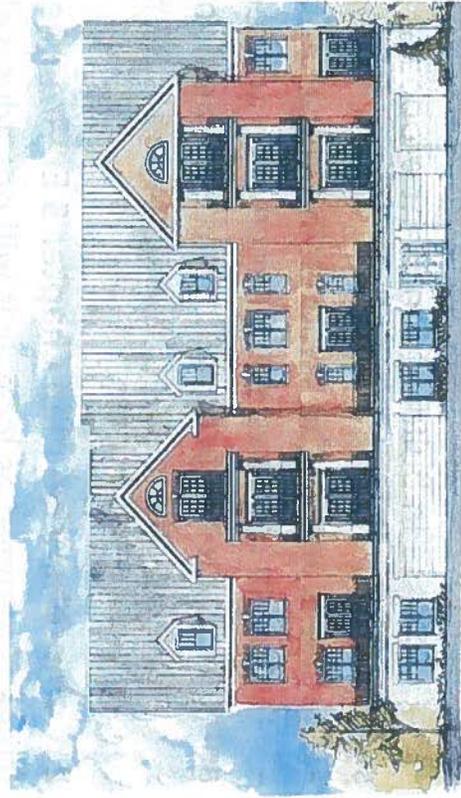
BLOCK FACE 2  
500 BLOCK CAROLINE STREET (EAST SIDE)



BLOCK FACE 2  
500 BLOCK CAROLINE STREET (EAST SIDE)

## 2. Does this request conform to City Vision and Policy?

- Inverted site design requires administrative exceptions required from § 72-51.3, Lots and § 72-53.1D(1)[1][a] Off-street parking, configuration and arrangement.
- During review Mr. Perroy changed sidewalk materials and added pedestrian and alley connectivity to make his case for administrative exceptions stronger.
- ARB focused on scale and massing of buildings and members stated that buildings interior to the block were a common solution in the Downtown.
- Planning Commission members stated that building internal was an acceptable way to increase density with different residential uses in the Downtown.

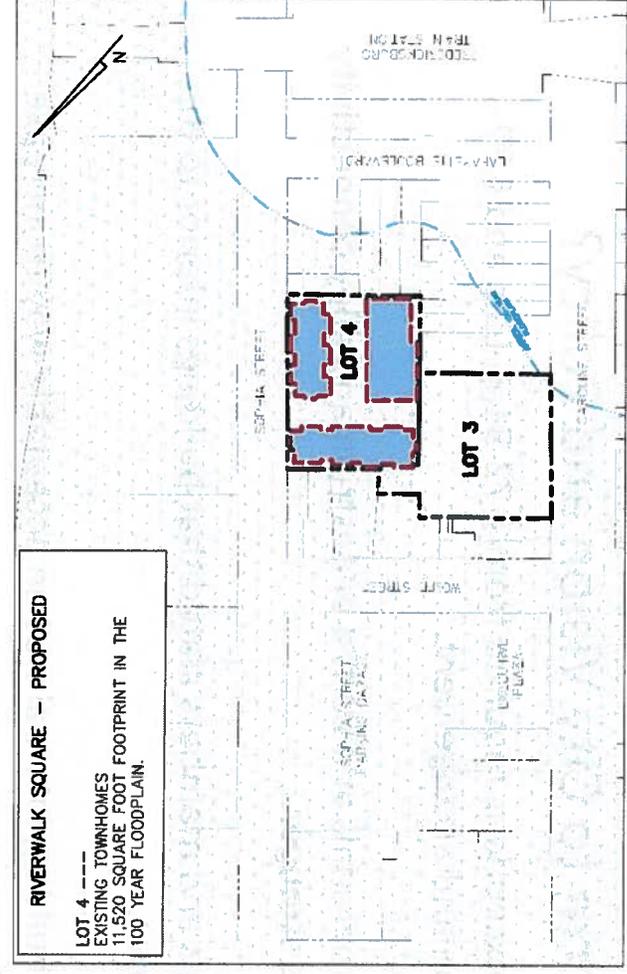
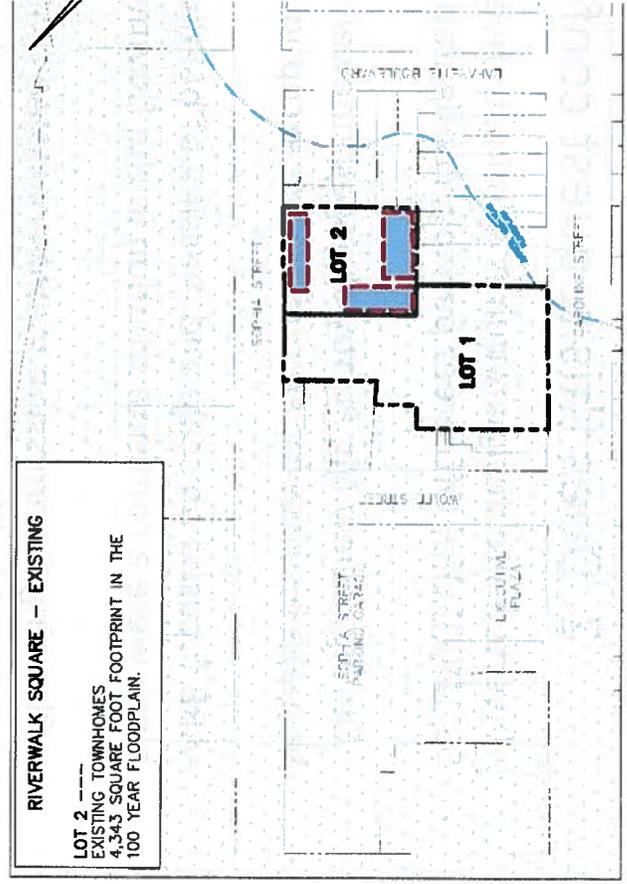


## 2. Does this request conform to City Vision and Policy?

### 1. Conformance with the Floodplain Overlay District:

- Increase in building footprint proposed from current 4,343 square feet to roughly 11,250 square feet.
- Site is within the flood plain (fringe) and not the floodway.
- District requires compliance with appropriate standards to prevent a rise in Base Flood Elevation (BFE) and to ensure the proper drainage of the floodplain.
- BFE on-site is 38. Existing ground is 36 feet.

2. **Comprehensive Plan Chapter 5 Environmental Protection** states that, “development within the floodplain fringe is allowed as long as it will not adversely impact the environment or cause a hazard to human safety, as controlled through Building Codes and other applicable regulations.” The proposal is entirely within the 100 year-floodplain.



## 2. Does this request conform to City Vision and Policy?

### 1. Conformance with the Comprehensive Plan's Land Use Planning Area 7:

#### (Consistencies)

- Promote residential and mixed-use development.
- West side of Sophia Street envisioned to be urban edge.
- The Commercial-Downtown FLUM Land Use Category calls for a relatively dense urban setting.

#### (Inconsistencies)

- Parking needs and appropriate parking strategies\*\*\*\*
- Promotion of redevelopment with an emphasis on pedestrian circulation and the integrity of the street grid.

### 2. Conformance with Comprehensive Plan's Chapter 7 Residential Housing and Neighborhoods:

#### (Consistencies)

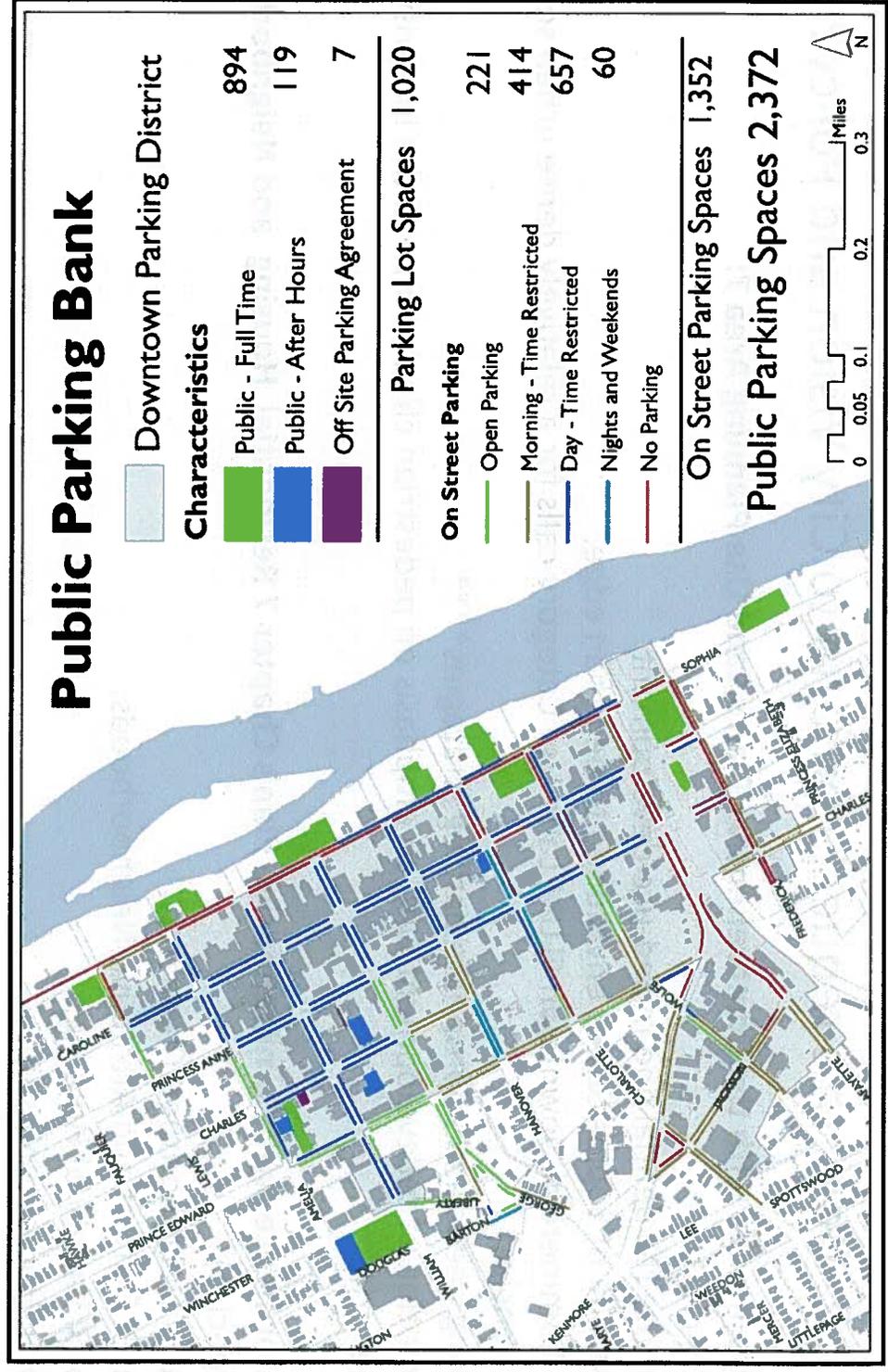
- Goal 1: Neighborhood Character;
- Goal 3: Distinct and Attractive Neighborhoods;
- Goal 8: Variety of Housing;
- Goal 9: Homeownership;

#### (Inconsistencies)

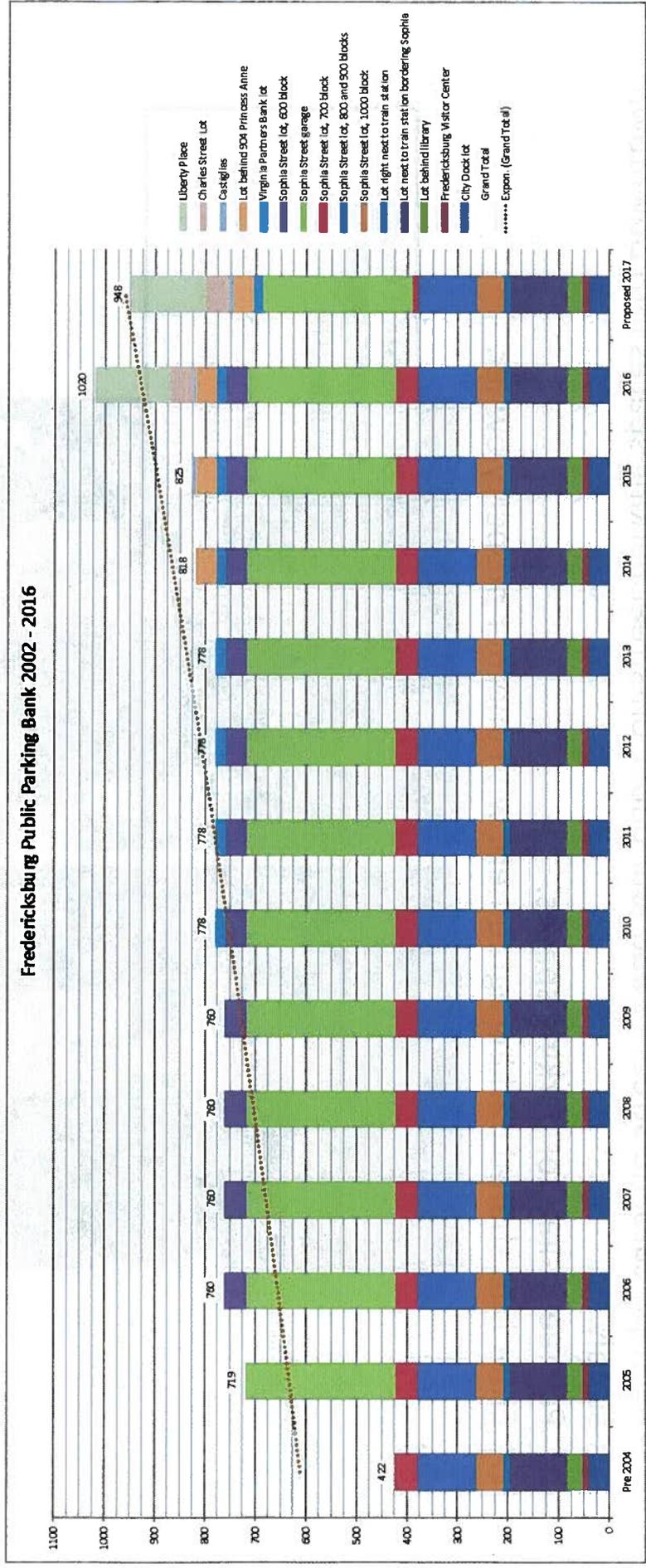
- Goal 2: Neighborhood Quality;
- Goal 4: Adequate Public Services and Facilities;

### 3. What are the impacts of this project and how or can they be mitigated?

1. Inverted site design leads to the loss of 26 on-site parking spaces serving the commercial use at Fredericksburg Square.
2. There is a net loss of 12 parking spaces on-site (existing 3 on-street at FS, 26 on-site at FS plus 14 at existing townhomes / Proposed 3 on-street at FS plus 28 at Riverwalk Square).
3. 12 automobiles are pushed off-site into Downtown parking supply.



# The Downtown Public Parking Supply. Public Off-Street Parking.



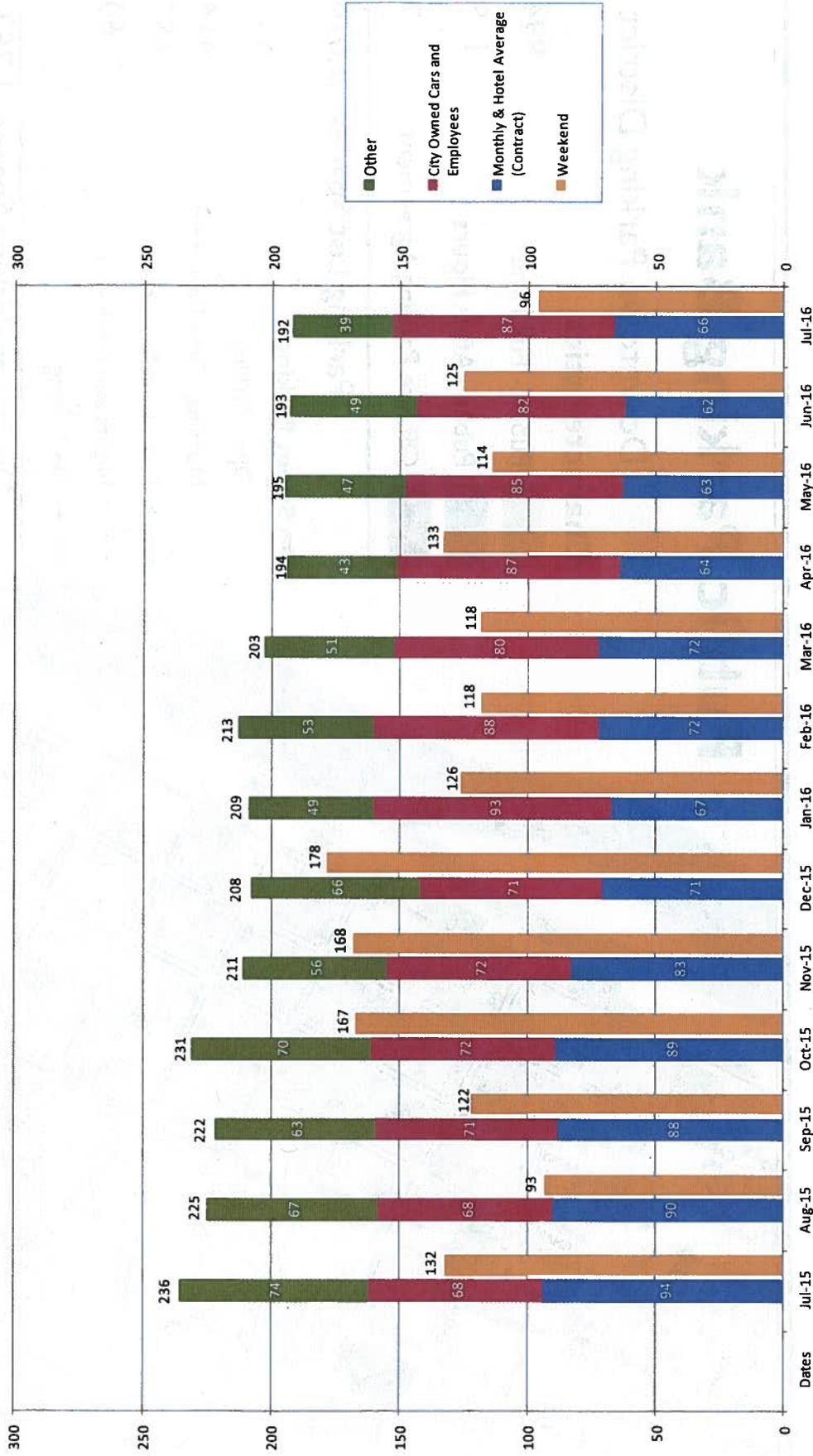
Fredericksburg, VA  
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 0

### 3. What are the impacts of this project and how or can they be mitigated?

1. Staff's proposed mitigation:
  - a. Restripe Caroline Street to add four public on-street parking spaces into Downtown supply.
  - b. Pay fee-in-lieu for parking spaces.
  - c. Enter into shared parking agreement with another property owner.



# The Downtown Public Parking Supply. Parking Garage Capacity.





# Conclusion.

1. City Council may decide whether this application is Special or not.
2. City Council may decide whether or not this application conforms to City Vision and Policy.
3. City Council may evaluate the impacts of the external impacts of the proposal and impose conditions to offset those impacts.

Staff's position is that the site design is inverted (contrary to City vision and policy). While this may be acceptable in this case (as found by the ARB and PC), it does create an externality – pushing 12 private automobiles out into the public parking supply - without an offset. Without an appropriate offset to the impact, Staff recommends denial.





CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL  
**MINUTES**

Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. BRADFORD C. ELLIS, WARD ONE  
HON. DR. TIMOTHY P. DUFFY, WARD THREE  
HON. CHARLIE L. FRYE, JR., WARD FOUR

**August 23, 2016**

**The Council** of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, August 23, 2016, beginning at 7:47 p.m. in the Council Chambers of City Hall.

**City Council Present.** Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr. and Council members Kerry P. Devine, Dr. Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

**Also Present.** City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant City Attorney Robert Eckstrom, Public Works Director Doug Fawcett, Public Works Director Doug Fawcett, Assistant Public Works Director David King and Clerk of Council Tonya B. Lacey.

**Notice of Public Hearings (D16-\_\_ thru D16-\_\_).** The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

**Ordinance 16-23, First Read Approved, Granting a Fifteen-Year Non-Exclusive License to Extenet Systems, Inc. to Install, Maintain, and Use Telecommunication Cable and Equipment in City Rights-of-Way (D16-\_\_).** no speakers. After staff overview Councilor Devine expressed concerns with wires that were dangling on some of the utility poles and Mr. Michael Bortz with

Extenet said they had being meeting with Dominion and that they addressed this concern with them. He also said they would not work on any poles that have wires hanging so they would work with Dominion to have that corrected before they begin work on any poles.

Councilor Devine made a motion to approve Ordinance 16-23, on first read, granting a fifteen-year non-exclusive license to Extenet Systems, Inc. to install, maintain, and use telecommunication cable and equipment in city rights-of-way; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Adjournment.** There being no speakers to come before the Council at this time. Mayor Greenlaw declared the hearing officially adjourned at 7:51 p.m.

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Mary Katherine Greenlaw, Mayor

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Tonya B. Lacey, Clerk of Council, CMC

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CITY OF FREDERICKSBURG, VIRGINIA  
CITY COUNCIL

**MINUTES**

Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. BRADFORD C. ELLIS, WARD ONE  
HON. DR. TIMOTHY P. DUFFY, WARD THREE  
HON. CHARLIE L. FRYE, JR., WARD FOUR

**August 23, 2016**

**The Council** of the City of Fredericksburg, Virginia, held a regular session on Tuesday, August 23, 2016, beginning at 7:30 p.m. in the Council Chambers of City Hall.

**City Council Present.** Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr. and Council members Kerry P. Devine, Dr. Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

**Also Present.** City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant City Attorney Robert Eckstrom, Public Works Director Doug Fawcett, Assistant Public Works Director David King and Clerk of Council Tonya B. Lacey.

**Opening Prayer and Pledge of Allegiance.** Council was led in prayer by Councilor Bradford C. Ellis followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

**Officer Recognized.** Mayor Greenlaw recognized the presence of Chris Menck at this evening’s meeting.

**Update on Habitat for Humanity (D16-\_\_).** Thomas Carlson, Executive Director of Habitat for Humanity presented a PowerPoint presentation which covered the new 2020 vision, facts about the new location of the ReStore, their newest sponsorees and

he discussed the help they needed. He said they needed help with the Land Bank for the GWRC region. See **Doc16-\_\_** for more information.

**Citizen Comment.** There were no citizen comments at this evening's meeting.

**Amending Ordinance 14-06, to Rezone Approximately 0.806 Acres of Land Adjacent to the Unbuilt Bakersfield Lane Right of Way, a Portion of Former Bragg Hill Parcel B-5, Identified as GPIN 7870-00-3906, from R-12 to R-2.** Mayor Greenlaw explained that the City Manager asked the Council to postpone action on this item to allow time to work with the landowners and the landowners were in agreement with postponing action.

Councilor Kelly made a motion to amend the agenda; motion was seconded by Councilor Ellis and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Council Agenda Presented.** The following items were presented to Council for discussion.

7A. Resolution 16-\_\_, Renaming the Aquatic Facility at Dixon Park the Doris E. Buffett Pool – Mayor Greenlaw

7B. Murder Free Fredericksburg – Councilor Frye

7C. Recognition of Police, Fire, Sheriff and Rescue Departments – Mayor Greenlaw

**Resolution 16-75, Renaming the Aquatic Facility at Dixon Park the Doris E. Buffett Pool** – Councilor Duffy moved to approve Resolution 16-75, renaming the

aquatic facility at Dixon Park the Doris E. Buffet Pool; motion was seconded by Councilor Devine.

Councilor Frye said he appreciated what Ms. Buffett has done for the residents of the City. He said he would like to see this type of legacy continued for years to come.

Mayor Greenlaw added that it was honorable and remarkable what Ms. Buffet had done for the residents.

The motion passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Murder Free Fredericksburg** – Councilor Frye reported that the City was no longer murder free and that a murder had occurred in the City. He informed the public that there were options and that guns could be turned into the police department at any time. He said he would continue to do what he could to help prevent these senseless crimes.

**Recognition of Police, Fire, Sheriff and Rescue Departments** – Mayor Greenlaw recognized all the first responders for their great work at the Presidential Candidate Rally for Donald Trump in the City. She said everything went smoothly. She congratulated them and thanked them for how well they represented the City.

**City Manager's Consent Agenda Accepted for Transmittal as Recommended (D16-\_\_ thru D16-\_\_)**. Following review and as recommended Councilor Kelly moved approval of the City Manager's consent agenda items; motion was seconded by Councilor Ellis.

Councilor Frye clarified the process for expanding the Residential Area Parking Permit Zone 6 to add the block of Pitt Street between Caroline Street and Princess Anne Street. He said there had been some miscommunication and he wanted to make sure it was clear that he had been working on getting the permit parking in place but could not show a need until the brewery had opened.

The motion passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

- Resolution 16-74, Second Read, Amending the Fiscal Year 2017 Budget in the Amount of \$1,175,534 for the Purpose of Financing Rappahannock Regional Solid Waste Management Board Capital Construction Costs and Equipment Purchases (D16-\_\_).
- Ordinance 16-21, Second Read, Expanding Residential Area Parking Permit Zone 6 to Add the Block of Pitt Street Between Caroline Street and Princess Anne Street (D16-\_\_).
- Ordinance 16-22, Second Read, Expanding Residential Area Parking Permit Zone 7 “The College Heights Parking Zone.” to Add College Avenue (D16-\_\_).
- Transmittal of the July 13, 2016, Planning Commission Comprehensive Plan Compliance Review Action for a New Public Facility at 1100 Belman Road (Resolution 2016-04)
- Transmittal of Boards and Commission Minutes
  - Board of Social Services – June 9, 2016 (D16-\_\_).

- Fredericksburg Clean and Green (Green Committee) – February 9, 2016 (D16-\_\_).
- Fredericksburg Clean and Green Commission – March 7, 2016 (D16-\_\_).
- Fredericksburg Clean and Green Commission – June 6, 2016 (D16-\_\_).
- Fredericksburg Clean and Green Commission – July 11, 2016 (D16-\_\_).

**Adoption of Minutes (D16-\_\_).** Councilor Kelly moved approval of the August 9, 2016 Public Hearing and Regular Session minutes; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Resolution 16-76, First Read Approved, Amending the Fiscal Year 2016 Budget for Final Adjustments (D16-\_\_).** – After staff presentation Councilor Kelly made a motion to approve Resolution 16-76, on first read, amending the fiscal year 2016 budget for final adjustments; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**Resolution 16-77, Approved, Authorizing the City Manager to Execute the Fiscal Year 2017 Asphalt Rehabilitation Program Contract with Fredericksburg Asphalt and Paving in the Amount of \$1,352,808 (D16-\_\_).** – Councilor Kelly made a motion to approve Resolution 16-77, authorizing the City Manager to execute the fiscal year 2017 Asphalt Rehabilitation Program Contract

with Fredericksburg Asphalt and Paving in the amount of \$1,352,808; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

**City Manager's Report and Council Calendar (D16-\_\_ thru D16-\_\_).** City Manager Baroody reviewed the Manager's report and Council Calendar. Activities highlighted on the report were as follows: Downtown 31, W.L. Harris Playground Improvements, The Flying Fish Swim Team, 8<sup>th</sup> Annual Soggy Doggy Swim, EDT Publishes Quarterly E-Newsletter, EDT Hosting Economic Development Breakfast, EDT Organizing UMW Community Welcome Fair, School Field-Trip Programs Highlighted, Police Department Raises Money for VA Special Olympics and Police Department Participates in National Night Out on August 2.

**Closed Meeting Approved.** Upon the motion of Councilor Kelly, seconded by Councilor Duffy and passed by the following recorded votes, Council approved a closed session pertaining to NBB, LLC v. City Council, CL15-0787, and City Council v. Architectural Review Board and NBB, LLC, CL15-0820 where such consultations or briefings in an open meeting would adversely affect the negotiating or litigating posture of the City Council, under Virginia Code §2.2-3711(A)(7). Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye, and Kelly. Nays (0).

**Return to Open Meeting Approved.** Upon the motion of Councilor Kelly, seconded by Councilor Devine and passed by the following recorded votes, Council approved a return to an open meeting. Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye, and Kelly. Nays (0).

**Resolution 16-78, Approved, Certifying Closed Meeting.** Upon the motion Councilor Kelly approved Resolution 16-78 certifying the closed meeting; seconded by Councilor Devine and passed by the following recorded votes. Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye, and Kelly. Nays (0).

**Adjournment.** There being no further business to come before the Council at this time, Mayor Greenlaw Declared the meeting officially adjourned at 9:30 p.m.

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Mary Katherine Greenlaw, Mayor

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Tonya B. Lacey, Clerk of Council, CMC



*Deidre G. Jett*

**MEMORANDUM**

**TO:** Timothy J. Baroody, City Manager  
**FROM:** Deidre G. Jett, Budget Manager  
**DATE:** September 6, 2016  
**RE:** Amending the FY 2017 Department of Social Services Budget

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**ISSUE**

The City Council is asked to consider an appropriation of \$30,000 in the Social Services Fund (Fund 201) to purchase a replacement vehicle for the Department of Social Services (DSS).

**RECOMMENDATION**

Staff recommends approval of the attached resolution. This appropriation requires one reading.

**BACKGROUND**

During a recent inspection of DSS's 1998 Jeep Cherokee, City Shop determined that funding the cost of the needed repairs was not feasible. DSS had planned to include the replacement of the Jeep in their FY 2018 budget request due to its age and condition. However, DSS requests that this vehicle be replaced now due to the anticipated repair costs. The estimated cost for a replacement vehicle is \$30,000.

The DSS has a fleet of six vehicles shared by Foster Care, Child Protective Services, Adult Protective Services, Benefit Program Specialists, as well as other staff members. Employees travel throughout the state and are often required to transport clients, including children. Below is an inventory of DSS's vehicles. Due to the age of the fleet, DSS will include the replacement of two vehicles in their FY 2018 budget request.

<b>Make/Model</b>	<b>Year</b>	<b>Mileage (as of Dec-15)</b>
Jeep Cherokee	1998	126,584
GMC Van	2000	61,409
Ford Escape	2004	145,525
Chevrolet Impala	2005	129,552
Chevrolet Malibu	2007	114,522
Ford Fusion	2015	12,384

**FISCAL IMPACT**

The attached resolution appropriates \$30,000 in the Social Services Fund (201) to replace the 1998 Jeep Cherokee. The expected reimbursement rate from State and Federal funds is 65%, or \$19,500. Fund balance from the Social Services Fund will be used to fund the remaining 35% or \$10,500. The Social Services Fund balance at the end of fiscal year 2015 was approximately \$333,700. Preliminary estimates for fiscal year 2016 show that the fund balance will increase slightly. The fiscal year 2017 transfer from the General Fund to the Social Services Fund will not be impacted by the vehicle purchase.

Cc: Mark Whitley  
Clarence Robinson  
Christen Gallik



September 13, 2016  
Regular Meeting  
Resolution No. 16-\_\_

**MOTION:**

**SECOND:**

**RE: AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE SOCIAL SERVICES FUND FOR A VEHICLE REPLACEMENT**

**ACTION: APPROVED: Ayes: 0; Nays: 0**

**WHEREAS**, the Department of Social Services has identified the need to replace a vehicle based on its current age and condition; and

**WHEREAS**, the Department of Social Services anticipates that a portion of the vehicle replacement costs will be reimbursed through federal and state funding; and

**WHEREAS**, the City wishes to appropriate funds in the current fiscal year for the purchase of a replacement vehicle in the Department of Social Services;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fredericksburg that the FY 2017 Budget be amended to include the following appropriations, and authorizing the following expenditures, in the Social Services Fund (Fund 201);

### **SOCIAL SERVICES FUND**

#### **Source**

##### Welfare

3-201-024010-0002	Public Assistance & Welfare Admin.	\$	7,500
3-201-033050-0007	Public Assistance & Welfare Admin.	\$	12,000
Department Total		\$	<u>19,500</u>

##### Social Services Fund – Fund Balance

3-201-061010-0010	Fund Balance - Surplus	\$	10,500
Department Total		\$	<u>10,500</u>

**Total Source: \$ 30,000**

#### **Use**

##### Welfare Administration

4-201-053110-8105	Motor Vehicles & Equip. - Replacement	\$	30,000
Department Total		\$	<u>30,000</u>

**Total Use: \$ 30,000**

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

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***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held September 13, 2016 at which a quorum was present and voted.*

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***Tonya B. Lacey, CMC***  
***Clerk of Council***



*Colutor*

**MEMORANDUM**

**TO:** Timothy J. Barody, City Manager  
**FROM:** Marne E. Sherman, Development Administrator  
**RE:** Resolution Initiating an Amendment to the Unified Development Ordinance  
Regarding Fences  
**DATE:** September 6, 2016

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**ISSUE**

Shall the Unified Development Ordinance (UDO) be amended to permit fences and walls within front yards on residential lots to exceed four feet in height?

**RECOMMENDATION**

Approval of the attached resolution to initiate an amendment to the UDO.

**BACKGROUND**

City residents, living on corner lots and through lots, have sought changes to the UDO to permit fences and walls exceeding four feet in height within secondary front yards. This is the area of a corner lot or through lot that many homeowners perceive as their side or back yards as they run behind or to the side of the house, along a secondary street frontage. Residents would like to enclose this area of the lot to gain privacy from the street and neighboring uses. In some cases, there are neighborhoods with established (non-conforming) patterns of corner lots with six foot tall fences along the secondary front lot line.

In May, City Council directed staff to present alternatives to the UDO to permit taller fences within the secondary front yard, in keeping with traditional neighborhood patterns. These alternatives were presented to City Council during a work session on June 28, 2016.

Staff formalized the June recommendations in the attached draft of related UDO amendments. In preparing the draft, staff considered other general updates and UDO sections that were affected by definitional and process changes.

All references to fences equally relate to walls.

**CURRENT REGULATION**

The previous Zoning Ordinance and current UDO Section 72-56.2.B. regulate that “in any front yard of a site in any R District, a fence or wall shall not exceed four feet in height back to the front of the principal

structure on the site. This provision shall also apply to residential uses in other districts.” There are two presumptive reasons for the limitation - bulk/mass in the front yard and safety along public spaces.

#### *Bulk/Mass in a Front Yard*

The general purpose of a minimum front yard setback is to provide for open areas and access to and around structures, for visibility and traffic safety, access to natural light, ventilation and direct sunlight, separation of incompatible land uses, and space for privacy, landscaping and recreation. The code currently allows for four foot fences to be placed anywhere on a residential lot and allows for taller fences to be placed in keeping with the minimum front yard setback. Just as the code limits principal structures (houses) and accessory structures (sheds and garages) from placement within close proximity to a street in residential zoning districts, fence heights are limited due to the mass and bulk they also create along the street. Fences along the street have the ability to provide privacy for the individual lot owner, but they may also disrupt an entire block face if not constructed in harmony<sup>1</sup> with the context of adjacent properties.

#### *Safety along Public Spaces*

As taller structures are placed nearer to the street, there is a potential heightened risk to public safety. Taller fences within front yards can create potential sight distance conflicts with vehicles utilizing driveways and alleys intersecting with pedestrians on public sidewalks. Additionally, taller fences may increase potential dangers along the sidewalk by creating dark areas and places for people to hide if the fence is not adequately setback or built with a certain level of transparency.

### **PROPOSAL**

To address the public’s desire to allow for taller fences within the secondary front yard while maintaining good design in relation to bulk/mass and safety, staff recommends changes to UDO which will:

#### *Article 2 Administration*

- Establish criteria and permit the Board of Zoning Appeals (BZA) to issue and revoke Special Exceptions for fences within any front yard. The criterion for issuance of a Special Exception is lesser than the criteria to warrant a variance.

#### *Article 4 Accessory Use Standards*

- Clarify that fences are permitted within a required yard.
- Update the term “double frontage lot” to “through lot.”

#### *Article 5 Fences and Walls*

- Reduce fence heights on property zoned Commercial from six feet to four feet in any front yard.
- Permit fence heights to exceed four feet, up to six feet, in secondary front yards on lots zoned Residential, Commercial, and Planned Development that meet certain established criteria. Examples include: lots with a secondary front yard that adjoins another secondary front yard or instances where an existing accessory structure on a lot already encroaches into a secondary front yard.

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<sup>1</sup> Virginia Code § 15.2-2283. Purpose of zoning ordinances.

- Increase the maximum permitted fence height from 24 inches to 40 inches within a sight triangle (in accordance with Virginia Department of Transportation standards).
- Prohibit the use of barbed wire, razor wire, or similar fence materials on properties zoned Residential, Commercial, or Planned Development and on properties used for residential purposes.
- Remove references to transparent and opaque fences.
- Update Figure 72-56.2 for Fence and Wall Locations.

Article 6 Non-conforming Structures, Minor Alterations

- Identify that fences are non-conforming structures which qualify for alteration when they meet the listed criteria.

Article 8 Definitions and Interpretations

- Replace the term “double frontage lot” with “through lot.”
- Create the terms “Primary Front Yard” and “Secondary Front Yard.”
- Update of Figure 72-82.3A(4) Lot Types and 72-82.4A Yard Types to reflect text changes.
- Establish the criteria for measuring a sight triangle for the purposes of installing a fence.
- Remove the term Front (or primary façade) as it was replaced with Building Front during a previous text amendment.

Attachments: Resolution  
Draft Text Amendments



September 13, 2016  
Regular Meeting  
Resolution No. 16-\_\_

**MOTION:**

**SECOND:**

**RE: INITIATING A UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT TO CHANGE THE REGULATIONS OF FENCES IN ALL ZONING DISTRICTS, INCLUDING CHANGES IN THE DEFINITIONS OF REQUIRED YARDS**

**ACTION: APPROVED: Ayes: 0; Nays: 0**

**WHEREAS**, the City Council proposes to amend the Unified Development Ordinance regulations for fences in all zoning districts, to provide clarity and flexibility in these regulations, while continuing to provide for adequate light, air, convenience of access, and safety from crime, and other dangers; to facilitate the creation of a convenient, attractive and harmonious community; and protect against loss of life, health, or property from fire. While the purpose of the ordinance is to change fence regulations, these changes require changes in the definitions of required yards, for purposes of implementing the new regulations and providing additional flexibility.

**WHEREAS**, in proposing these amendments, the City Council has considered the factors in Code of Virginia 15.2-2284; the City Council has determined that public necessity, convenience, general welfare and good zoning practice favor the amendment.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council does hereby initiate an amendment to City Code Chapter 72, the Unified Development Ordinance, to modify the regulations for fences in all zoning districts. City Council refers this proposal to the Planning Commission for review, public hearing, and recommendation under the procedures set forth in City Code §72-22.1.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

\*\*\*\*\*

***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held September 13, 2016, at which a quorum was present and voted.*

---

***Tonya B. Lacey, CMC***  
***Clerk of Council***



**MOTION:**

[date]  
Regular Meeting  
Ordinance No. 16-\_\_

**SECOND:**

**RE: AMENDING THE UNIFIED DEVELOPMENT ORDINANCE REGULATIONS OF FENCES IN ALL ZONING DISTRICTS, INCLUDING CHANGES IN THE DEFINITIONS OF REQUIRED YARDS**

**ACTION: APPROVED; Ayes:0; Nays: 0**

**First read:** \_\_\_\_\_ **Second read:** \_\_\_\_\_

IT IS HEREBY ORDAINED by the Fredericksburg City Council that City Code \_\_\_\_\_, " \_\_\_\_\_," is amended as follows.

**I. Introduction.**

The City Council adopted a resolution to initiate this text amendment at its meeting on September 13, 2016. The Planning Commission held its public hearing on the amendment on \_\_\_\_\_, after which it voted to recommend the amendment to the City Council. The City Council held its public hearing on this amendment on \_\_\_\_\_.

The purpose of this amendment is to modify current zoning regulations for fences in all zoning districts, to provide additional clarity and flexibility in these regulations, while continuing to provide for adequate light, air, convenience of access, and safety from crime, and other dangers; to facilitate the creation of a convenient, attractive and harmonious community; and protect against loss of life, health, or property from fire. While the purpose of the ordinance is to change fence regulations, these changes require changes in the definitions of required yards, for purposes of implementing the new regulations and providing additional flexibility. In making these amendments, the City Council has considered the factors in Code of Virginia 15.2-2284. The City Council has determined that public necessity, convenience, general welfare and good zoning practice favor the amendment.

**II. City Code Amendment.**

1. City Code §72-21.7, "Development Review Structure," is amended to add authority for the Board of Zoning Appeals to issue *and revoke* special exceptions for fences, upon recommendation of the Zoning Administrator. Such decisions may be appealed to the Circuit Court. The table shall be amended to add the following data:

Specific Review Procedure	City Council	Planning Commission	Board of Zoning Appeals	Architectural Review Board	Zoning Administrator	Development Administrator
<i>Special exception, fence</i>		R	<D>		R	

2. City Code §72-22.8, “Variances, administrative appeals, and Zoning Map interpretations,” shall be amended as follows:

**Sec. 72-22.8. Variances, administrative appeals, *special exceptions*, and *Zoning Map interpretations*.**

- A. Purpose and applicability. This section sets forth the procedures *and criteria* for the Board of Zoning Appeals (BZA) to consider applications for variances, appeals of administrative actions, *applications for special exceptions, revocations of special exceptions*, and interpretations as defined in Code of Virginia §15.2-~~2209~~ 2309 and 15.2-~~2210~~ 2310.
- B. Process.
- (1) Applications for variances *and fence special exceptions* shall be made to the Zoning Administrator in accordance with the rules adopted by the BZA pursuant to Code of Virginia §15.2-2310.
- (2) A variance, appeal, *application for special exception, revocation of a special exception* or Zoning Map interpretation shall be authorized by the BZA after a public hearing and shall be in compliance with the required findings and procedures set forth within Code of Virginia §15.2-2309 *or this section*.

[the remainder of subsection (B), and subsections (C), (D), and (E) are not amended.]

- F. *Review authority and criteria, special exceptions; fences. The Board of Zoning Appeals may hear and decide applications for a special exception from the regulations governing fence heights in any front yard (including a secondary front yard) in any zoning district. The board may impose such conditions relating to the fence as it may deem necessary in the public interest, including limiting the duration of the special exception, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. In considering an application, the Board shall apply the following criteria:*
- (1) *Whether approval of the special exception will impair an adequate supply of light or air to adjacent property, or cause or substantially increase the danger of fire or the spread of fire, or endanger the public safety.*

- (2) *Whether the proposal will be compatible with the existing character and pattern of development in the surrounding neighborhood and facilitate an attractive and harmonious community.*
- (3) *Whether the application represents the only reasonable means and location on the lot to accommodate the proposed fence given the natural constraints of the lot or the existing development on the lot.*
- (4) *Whether the size, configuration, existing mature vegetation or trees, or other unusual characteristic of the lot requires an exception from the zoning requirements in order to provide a reasonable fenced area without creating significant impact to adjacent properties or the neighborhood.*
- (5) *The height of the proposed fence and the use of opaque or transparent materials; the use of a buffer area between the public right of way and the fence. The fence shall not exceed six feet in height.*

~~F.~~ G. *The Board of Zoning Appeals is authorized to revoke a special exception previously granted by it, if the board determines that there has not been compliance with the terms or conditions of the special exception. No special exception may be revoked except after notice and hearing as provided in this section. However, when giving any required notice to the owners, their agents, or occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.*

H. Appeals. Any person or persons jointly or severally aggrieved by an action of the BZA ~~on a~~ ~~variance application~~, or any aggrieved taxpayer or any officer, department, board or bureau of the ~~locality~~ City may file with the Clerk of the Circuit Court for the City of Fredericksburg, a petition, specifying the grounds on which aggrieved within 30 days after the final decision of the Board, pursuant to Code of Virginia §15.2-2314.

3. City Code §72-42.3, "Location of accessory uses or structures," shall be amended as follows:

**Sec. 72-42.3. Location of accessory uses or structures.**

- A. No accessory use or structure shall occupy more than 30% of the rear yard.
- B. No accessory structure *except a fence* shall be located in the any front yard. No accessory structure requiring a building permit shall be closer to a front lot line than the principal structure.
- C. No accessory use or structure shall be closer than five feet to a side or rear lot line, except that if the principal structure has a setback of less than five feet, then the setback of an accessory structure may be the same as exists for the principal structure.

- D. No accessory structure shall be located within any platted or recorded easement or over any known utility unless written authorization is provided from the easement holder or the City, as appropriate.
  - E. An accessory structure may be located within ~~rear~~ *a secondary front yard* of a ~~double frontage~~ *through* lot provided:
    - (a) The lot is zoned with a nonresidential, mixed-use, or planned development district designation;
    - (b) The lot across the street *from the secondary front yard* has a nonresidential, mixed-use, or planned development district designation;
    - (c) The accessory structure does not exceed 12 feet in height, or one story, whichever is less;
    - (d) The accessory structure setback is at least five feet from the ~~rear~~ *secondary front* lot line; and
    - (e) The area between the accessory structure and adjacent street includes landscaping that is capable of screening the structure when it is mature.
4. City Code §72-56.1, "Location requirements," shall be amended as follows:

**Sec. 72-56.1 Location requirements.**

- A. General.
  - (1) Fences or walls shall be located outside of the public right-of-way, ~~and may not exceed 24 inches in height if located within a required sight triangle.~~
  - (2) Fences and walls are permitted on the property line between two or more parcels of land held in private ownership.
  - (3) Fences and walls may be located within any required yard.

[The remaining subsections of §72-56.1 are not amended.]

5. City Code §72-56.2, "Height standards," shall be amended as follows:

**Sec. 72-56.2. Height standards.**

- A. All fences and walls shall conform to the standards in Table 72-56.2, Fence and Wall Height. In all cases, heights are measured from established grade on the highest side of the fence or wall (see Figure 72-56.2, Fence and Wall Location).

Current Table 72-56.2, "Fence and Wall Height," is repealed and replaced with the following table:

Table 72-56.2: Fence and Wall Height (effective [date])		
Zoning district	Location	Maximum height
Residential	Any location on a vacant lot	48"
Residential Commercial	Between a front lot line and the front of the principal building	48"

Planned Development	Within a secondary front yard	48"
	Any other location on the lot	72"
Industrial	Between the front lot line and the front of the principal building	72"
	Within a secondary front yard	72"
	Any other location on the lot	96"
Any zoning district	Within a sight triangle	40"

*B. The following exceptions to the general height regulations apply to corner and through lots:*

Zoning district	Location	Special Circumstance	Maximum Height
Residential Commercial Planned Development	Secondary front yard	The secondary front yard abuts a primary front yard of another lot.	72" if the fence is no closer to the secondary front property line than the front of the abutting principal structure.
		The secondary front yard abuts the secondary front yard of another lot.	72"
		An accessory structure is located within the secondary front yard.	72" if the fence is no closer to the secondary front lot line than any side of the accessory structure

**NOTES:**

~~[1] Transparent fences or walls are constructed so that 50% or more of the fence or wall is visually permeable.~~

*A. The Zoning Administrator may approve fences or walls exceeding six feet in height in any side or rear yard in a residential, commercial, or planned zoning district, if the adjacent property is in a nonresidential zoning district, or if there are unique topographic or other physical circumstances on the property that were not created by the property owner. The Zoning Administrator may condition approval on a prescribed setback from the property line. A fence or wall in any residential zoning district shall not exceed six feet in height above the existing grade in any side or rear yard of a site up to the front of the principal structure on the site. This provision shall also apply to fences and walls located on lots used for residential uses in other zoning districts. The Development Zoning Administrator may approve fences or walls exceeding six feet in height if the adjacent property is in a nonresidential zoning district or if there are unique topographic or other physical circumstances not created by the property owner. Additional setbacks may be required by the Development Administrator for such taller fences.*



[Section 72-56.3, "Maintenance," is not amended.]

6. New section 72-56.4 is added as follows:

**Sec. 72-56.4. Fence materials.**

*No barbed wire, razor wire, or similar fence material is permitted in residential, planned development, or commercial zoning district or on a lot containing or adjacent to a residential use.*

7. City Code §72-63.3, "Minor alterations," [to nonconforming structures] is amended as follows:

**Sec. 72-63.3. Minor alterations.**

Minor alterations shall not be deemed a change in the structural condition of the property, for purposes of § 72-61.1C. Minor alterations are alterations that meet one or more of the following criteria:

- A. The alterations consist of cosmetic modifications, interior renovations and similar improvements to a nonconforming residential structure and such alterations do not increase the land area occupied by any portion of the nonconforming building or structure, and shall not increase the gross floor area of any nonconforming building or structure.
- B. The alterations do not increase the extent of the structure's nonconformity with the minimum site or yard requirements of the zoning district.
- C. The alterations consist of a substantially similar replacement of an existing residential accessory building or structure including, but not limited to, a *fence*, storage shed, garage or swimming pool, may be permitted and shall not be required to meet more restrictive setbacks enacted since the date the accessory structure became nonconforming, however, all other zoning regulations for the district in which the accessory structure is located shall apply.

8. City Code §72-82.3A, "Lots," is amended as follows:

**Sec. 72-82.3A. Lots.**

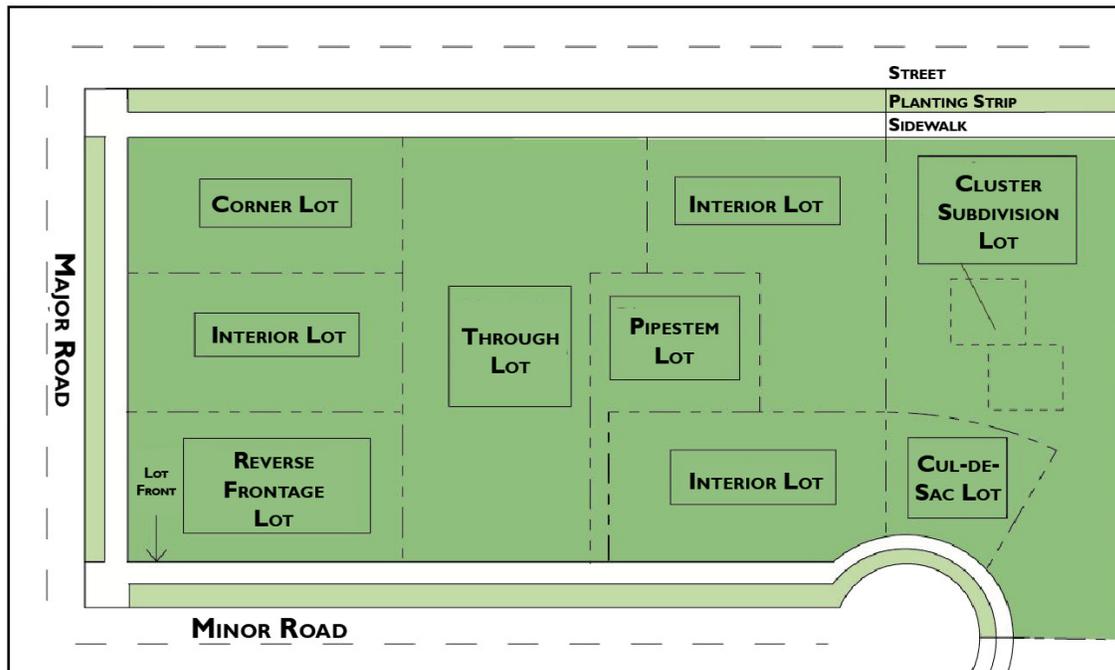
[Subsections A (1), (2), and (3) are not amended.]

- (4) Lot types.
  - (a) Cluster subdivision lot. A cluster subdivision lot is a building lot located within a cluster subdivision.
  - (b) Corner lot. A corner lot is located at the intersection of two or more streets (other than alleys), regardless of whether or not such streets intersect at right angles.

- (c) Cul-de-sac lot. A cul-de-sac lot is located on the head or turnaround of a cul-de-sac with side lot lines on a tangent to the arc of the right-of-way.
- (d) ~~Double-frontage~~ *Through* lot. A ~~double-frontage~~ *through* lot is a lot other than a corner lot with frontage on more than one street other than an alley.
- (e) Interior lot. An interior lot is a lot other than a corner lot with only one frontage on a street other than an alley.
- (f) Pipestem lot. A pipestem lot is a lot which does not abut a public street other than by a driveway affording access to the lot.
- (g) Reverse-frontage lot. A reverse-frontage lot is a corner lot, intentionally designed so that the front lot line faces a local street rather than facing a parallel major thoroughfare.

Figure 72-82.3A(4), "Lot Types," is repealed and replaced by the following table:

Figure 72-82.3A(4). Lot Types (effective date: \_\_\_\_\_)



B. ~~General~~ Pipestem lot requirements.

(1) Pipestem lots.

[The existing text is re-numbered as sub- paragraphs 1, 2, 3, and 4.]

9. City Code §72-82.4, "Required yards," is amended as follows:

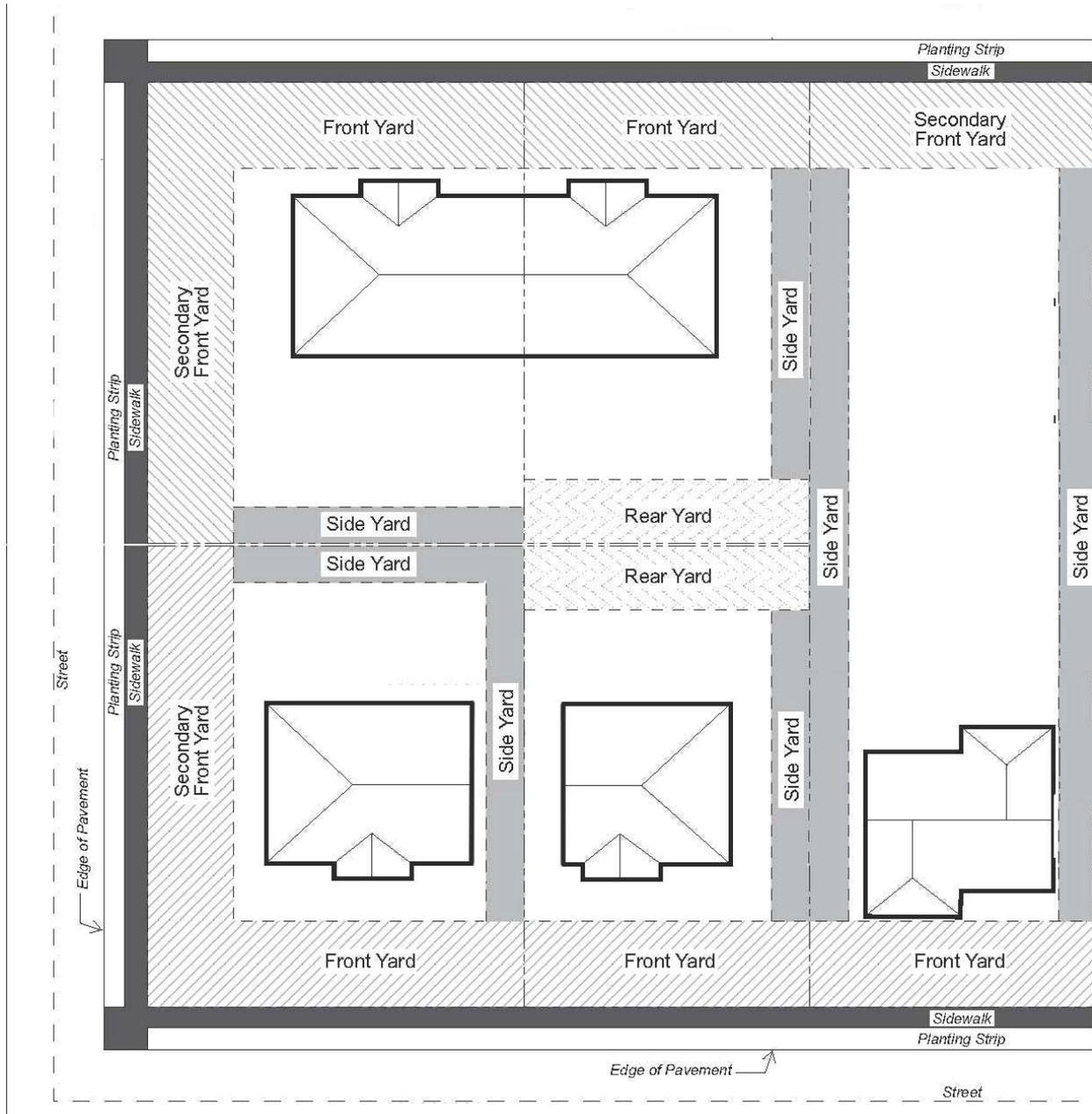
**Sec. 72-82.4. Required yards.**

**A. ~~Definitions/measurement.~~ Yard Types.**

- (1) Setback. The term "setback" refers to the distance by which any portion of a building or structure shall be separated from a lot line.
- (2) Front yard. ~~The~~ A front yard is an area of a lot adjacent to its front lot line, measured by the length of the front lot line, extending from one side lot line to the other side lot line, and the width of the required front setback.
- (3) *Primary front yard: for corner lots and through lots, the front yard that contains the building front.*
- (4) *Secondary front yard: a front yard of a corner or through lot that does not contain the building front. A secondary front yard begins at the point where it intersects with the primary front yard and extends to the side property line.*
- (5) Rear yard. The rear yard is an area of a lot adjacent to its rear lot line, measured by the length of the rear lot line, extending from one side lot line to the other side lot line, and the width of the required rear setback.
- (6) Side yard. The side yard is an area of a lot adjacent to its side lot line, measured by the length of the side lot line, extending from the edge of the front setback line to the edge of the rear setback line, and the width of the required side setback.

Figure 72-82.4A, "Yard Types," is replaced with the following figure:

Figure 72-82.4A. Yard Types (effective date: \_\_\_\_\_)



B. General setback requirements.

- (1) Separation. When the standards in this chapter call for a separation between two different use types or development features, separation shall be measured from the closest edge of one lot to the closest edge of the other lot.

- (2) Averaging setbacks. When zoning district standards permit or require determination of a *any* front or side setback through averaging, the average yard shall be calculated by using the methods set forth here. The dimensions of existing yards shall be determined through the best information reasonably available, including, in order, surveys of record, on-site measurements, or the 2010 tax maps. The median is the type of average that shall be applied. The median front yard shall be calculated by using existing principal buildings along the same block face. The median side yard shall be determined by using lots or parcels of similar width located on the same block face. Each side yard median (left and right) shall be calculated and applied separately. If the foregoing measurements do not establish a clear pattern of development, then the administrator may use the opposite block face to establish the average front or side yard.

[Figure 72-82.4B, "Average Setback Measurement," is not amended.]

- (3) Corner lots *and through lots*. On a corner lot or ~~double-frontage~~ *through lot*, the yards adjacent to the front lot lines shall be considered front yards and the remaining yards shall be considered side yards.
- (4) Setbacks following government acquisition of land. Where land acquisition for a public purpose reduces the distance between an existing legally established structure and an adjacent lot line to an amount less than the minimum required, the resulting distance shall be deemed the minimum setback for the lot.
- (5) Sight triangles. Regardless of the setbacks applied in a district, no structure *except a fence* shall be permitted within the required sight triangle. *For fences, a sight triangle is the triangle formed by the two right-of-way lines at a street intersection, or the intersection of a driveway and a street, and a line connecting those two lines 10 feet from their intersection.*
- (6) Uncovered terraces. Required yard setbacks shall not apply to uncovered terraces, uncovered patios and unroofed porches not more than 30 inches above existing grade in residential zoning districts or 15 inches in nonresidential and mixed-use zoning districts.

10. City Code §72-84.0, "Definitions," is amended as follows:

~~Front (or primary) façade—The side or elevation of a structure that contains the structure's architectural front, or the portion of the structure facing the street from which the structure derives its street address.~~

*FRONT LOT LINE -- the street line(s) that form(s) the boundary of a lot; or, where a lot does not abut a street other than by its driveway, or is a through lot, the lot line which faces the building front.*

**SEC. III. Effective Date.**

This ordinance is effective immediately.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

Approved as to form:

\_\_\_\_\_  
Kathleen Dooley, City Attorney  
\*\*\*\*\*

***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 16- duly adopted at a meeting of the City Council meeting held Date, 2016 at which a quorum was present and voted.*

\_\_\_\_\_  
***Tonya B. Lacey, CMC***  
***Clerk of Council***

**1. What does the UDO regulate as a “fence?”**

A “fence” is a structure used to delineate a boundary or act as a barrier or means of protection, confinement, or screening.<sup>1</sup> The fence regulations apply equally to “walls.”<sup>2</sup> The regulations apply to the construction of a new fence or wall, or the reconstruction or replacement of a new fence or wall.<sup>3</sup> The regulations do not apply to temporary fencing for construction sites, tree protection,<sup>4</sup> or retaining walls.

**2. What general rules apply to the location of a fence or wall?**

Fences and walls may be located in any of the required minimum yards (front, side, rear)<sup>5</sup> so long as they are located outside the public right of way.<sup>6</sup> They may be located on the property line between two or more parcels of private property.<sup>7</sup> They may be located within utility easements, with the permission of the easement holder.<sup>8</sup>

If a fence is located within a “sight triangle,” then it shall not exceed 40 inches in height.<sup>9</sup> If a fence is located within a required “buffer,” then it shall not disturb or damage vegetation within the buffer. Perimeter fencing within a buffer for a single (multi-lot) development shall be a uniform style.<sup>10</sup>

**3. What are the general rules for the height of fences?**

Generally speaking, rules for the maximum permitted height of a fence depend on two factors: (1) the zoning district, and (2) the location of the fence on the lot. The limitations on fence height within the sight triangle are the strictest, due to their direct impact on public safety.

Zoning district	Location	Maximum height
Any	Within a sight triangle	40”
Residential	Any location on a vacant lot	48”
Residential	Between the front lot line and the front of the principal building	48”
Commercial	Any other location on the lot	72”
Planned Development	Any other location on the lot	72”
Industrial	Between the front lot line and the front of the principal building	72”
	Any other location on the lot	96”

<sup>1</sup> §72-84, Definitions.

<sup>2</sup> References to “fences” in this FAQ apply equally to walls.

<sup>3</sup> §72-56.0(B)(1).

<sup>4</sup> §72-56.0(B)(2).

<sup>5</sup> §72-56.1(A)(3).

<sup>6</sup> §72-56.1(A)(1).

<sup>7</sup> §72-56.1(A)(2).

<sup>8</sup> §72-56.1(B).

<sup>9</sup> §72-56.1(A)(1). Ordinarily, no structures are permitted within a required sight triangle. (§72-82.4(B)(5)).

<sup>10</sup> §72-56.1(D).

**4. What are the regulations for maximum fence heights on corner or through lots?**

Corner or through lots pose special considerations for maximum fence heights, since they have at least two “front yards.” The basic regulations for front yards apply to both of the front yards of a corner or through lot, unless special circumstances apply:

Zoning district	Location	Special Circumstance	Maximum Height
Residential Commercial Planned Development	Secondary front yard of a corner or through lot	The secondary front yard abuts a primary front yard.	72” if the fence is not closer to the secondary front property line than the front of the abutting principal structure.
		The secondary front yard abuts the secondary front yard of another lot.	72”

**5. What are the regulations for maximum fence height for other special circumstances?**

At this time, the regulations recognize one additional special circumstance that justifies a higher maximum fence height:

Zoning district	Location	Special Circumstance	Maximum Height
		An accessory structure is located on the same lot as the proposed fence.	72” if the fence is not closer to the secondary front property line than any side of the accessory structure.

**6. Who may grant a case-by-case exception from the fence height regulations?**

The Board of Zoning Appeals is authorized to grant a special exception, on a case-by-case basis, from the regulations governing fences in *any front yard* (primary or secondary) in any zoning district. The BZA holds a public hearing on the exception application and applies criteria established by City Council, to decide whether the exception is in the public interest.<sup>11</sup> The Planning Commission is entitled to notice of these applications, and it may either appear at the BZA public hearing or send a written comment or recommendation.<sup>12</sup> The BZA may impose conditions on the permit; and it is authorized to revoke a special exception it previously granted, if it determines there has not been compliance with the terms or conditions of the permit, after notice and a public hearing.

<sup>11</sup> See the criteria in §72-22.8(F).

<sup>12</sup> Code of Virginia §15.2-2310.

The Zoning Administrator may approve a fence or wall exceeding 6 feet in height in any side or rear yard in a residential, commercial, or planned zoning district, if the adjacent property is in a nonresidential zoning district, or if there are unique topographic or other physical circumstances on the property (that were not created by the property owner).

In addition, the Zoning Administrator may approve a fence or wall exceeding the permitted height in any yard in an industrial zoning district, if there are unique topographic or other physical circumstances on the property (that were not created by the property owner).

The Zoning Administrator may require any taller fence to be set back from the property line an appropriate distance to mitigate the impacts of the taller height.

## **7. What other restrictions are imposed on fences?**

The City does not permit the use of barbed wire, razor wire, or similar fence materials in any zoning district except an industrial zoning district.<sup>13</sup>

A fence within a sight triangle may not impair safety or sight-lines for pedestrians or vehicles traveling in the public rights of way.<sup>14</sup>

A nonconforming fence may be replaced with a substantially similar fence in the same location, without bringing the new fence into compliance with current regulations.<sup>15</sup>

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<sup>13</sup> New §72-56.4.

<sup>14</sup> §72-56.1(E).

<sup>15</sup> §72-63.3.

**8. Please define the terms that are used in these regulations.**

Please refer to the following definitions and illustrations:

*Buffer:* An area of natural or planted vegetation adjoining or surrounding a use and unoccupied in its entirety by any building, structure, paving or portion of such use, for the purposes of screening and softening the effects of the use, no part of which is used for recreation or parking.<sup>16</sup>

*Building front:* That one face or wall of a building architecturally designed as the front of the building, which normally contains the main entrance for use by the general public.<sup>17</sup>

*Corner lot:* A lot located at the intersection of two or more streets (other than alleys) regardless of whether the streets intersect at right angles.<sup>18</sup>

*Front lot line:* the street line that forms the boundary of a lot; or, where a lot does not abut a street other than by its driveway, or is a through lot, the lot line which faces the Building Front.

*Front yard:* the area of a lot adjacent to its front lot line, measured by the length of the front lot line, extending from one side lot line to the other side lot line, and the width of the required front setback.<sup>19</sup>

*Nonconforming:* a fence or wall lawfully constructed, which does not comply with current regulations.<sup>20</sup>

*Primary front yard:* for corner lots and through lots, the area between the front lot line and the Building Front.<sup>21</sup>

*Secondary front yard:* a front yard of a corner or through lot that does not contain the Building Front. A secondary front yard begins at the point where it intersects with the primary front yard.<sup>22</sup>

*Sight triangle:* the triangle formed by the two right-of-way lines at a street intersection, or the intersection of a driveway and a street, and a line connecting those two lines 10 feet from their intersection.<sup>23</sup>

*Through lot:* A lot other than a corner lot, with frontage on more than one street other than an alley.<sup>24</sup>

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<sup>16</sup> §72-84.0. See Article 5 of the UDO for buffer yard requirements.

<sup>17</sup> §72-84.0.

<sup>18</sup> §72-82.3(A)(4)(b).

<sup>19</sup> §72-82.4.

<sup>20</sup> §72-61.1.

<sup>21</sup> §72-82.4.

<sup>22</sup> §72-82.4.

<sup>23</sup> §72-82.4(B)(5).

<sup>24</sup> §72-82.3(A)(4)(d).



**MEMORANDUM**

**TO:** City Council

**FROM:** Timothy J. Baroody, City Manager

Handwritten signature of Timothy J. Baroody in blue ink.

Kathleen Dooley, City Attorney

Handwritten signature of Kathleen Dooley in blue ink.

**DATE:** September 7, 2016

**RE:** Proposed settlement agreement  
*NBB v. City Council*, Fredericksburg Circuit Court CL15-0787  
*City Council v. NBB et al*, Fredericksburg Circuit Court CL15-0820

NBB, LLC has offered to revise its design of the George Street townhomes in order to settle the pending lawsuits. The redesigned project reduces the number of units from 7 to 5, reduces the height of the units to 44' 4", removes one of the stories of the units, lowers the cornice, provides a front yard on George Street, and a side yard on Charles Street. In return, the City Council has offered to consider an economic incentive for the whole mixed use project – including NBB's investment of about \$1.2M in the rehabilitation of the National Bank Building. If the City Council is able to approve the redesign through a public hearing process, and if the City Council and EDA approve the economic incentive, then the parties would dismiss the pending lawsuits.

The settlement would demonstrate mutual commitment to a successful project, one that has already produced the rehabilitation and reuse of an important historic landmark, and the revitalization of Princess Anne Street with a lively restaurant which draws crowds on nights and weekends. The new townhomes will stand out as an example of the type of private investment that Fredericksburg encourages in the historic district.

In short, the settlement agreement, if successful, provides a win/win for NBB and the City.

If City Council approves the settlement agreement, then staff will advertise a public hearing for September 27, 2016.



**MOTION:**

**September 13, 2016**

**SECOND:**

**Regular Meeting  
Resolution No. 16-**

**RE:           APPROVING A SETTLEMENT AGREEMENT WITH NBB, LLC TO  
              PROVIDE FOR THE POTENTIAL SETTLEMENT OF LITIGATION**

**ACTION:     APPROVED: AYES: 0; NAYS: 0**

**RECITALS**

- A. NBB owns land located at 900 Princess Anne Street and the 300 block of George Street in the City of Fredericksburg. The parcels are identified on the City's tax map and Geographic Information System as GPINs 7789-14-2805 (900 Princess Anne Street) and 7789-14-0798 (311 George Street) (collectively, the "Property"). The Property is located in the Historic Fredericksburg zoning district.
- B. A certificate of appropriateness from the Fredericksburg Architectural Review Board (ARB) is required for all new construction in the historic district. NBB submitted an application for a certificate of appropriateness for the construction of seven townhomes on the Property.
- C. On October 26, 2015, the ARB voted on motions to approve a certificate of appropriateness for the site planning and mass and scale for the seven townhomes on October 26, 2015 (the October Certificate).
- D. On November 9, 2015, the ARB voted on motions to approve an additional certificate of appropriateness for various aspects of the detailed design of the proposed seven townhomes (the November Certificate).
- E. On November 10, 2015, the Fredericksburg City Council adopted Resolution 15-85 for the purpose of suspending the October Certificate. Resolution 15-85 directed the City Attorney to present the application to the City Council, preferably at its meeting on December 8, 2015, and provided NBB the opportunity to present its application to the City Council at the same meeting.
- F. On November 17, 2015, NBB filed a Complaint for Declaratory Judgment and Ancillary Relief against the City Council in the Fredericksburg Circuit Court (Civil Action No. 15-0787). NBB's Complaint sought a declaratory judgment that Resolution 15-85 is void and of no force or effect; that the October and November Certificates are valid; and that NBB has a vested right in the October and November Certificates.
- G. On November 19, 2015, the Fredericksburg City Manager appealed the November Certificate to the Fredericksburg City Council under City Code §72-23.1.

- H. On November 25, 2015, the City Council filed a Complaint for Declaratory Judgment and Ancillary Relief against the ARB and NBB in the Fredericksburg Circuit Court (Civil Action No. 15-0820)(collectively, with Civil Action No. 15-0787, the Litigation). The City Council's Complaint, as amended in April 2016, sought a declaratory judgment that the October and November Certificates were void *ab initio* and had no legal effect.
- I. In the summer of 2016, NBB and the City Council explored alternative paths forward to resolve their disputes without further litigation.
- J. In August, 2016, NBB prepared revised plans and elevations for five proposed townhomes on the Property (Revised Plans). The Revised Plans reduced the number of townhouse units from 7 to 5, and increased the front yard setback from 1 foot to 4 feet. The Revised Plans provide an 8 foot side yard on Charles Street, and they reduced the height of the buildings from 49' 4" to 44' 4".
- K. NBB and the City Council wish to compromise and settle their dispute and the Litigation without prejudice to the various legal positions they have advanced, and without creating new causes of action.
- L. NBB has signed a settlement agreement which provides for City Council review of the Revised Plans through a public hearing process.
- M. The proposed settlement agreement provides that if the City Council approves the Revised Plans and a proposed economic incentive for a mixed use project on the Property, then the Litigation shall be dismissed with prejudice.

**NOW THEREFORE, BE IT RESOLVED** that the City of Fredericksburg Council authorizes the City Attorney to execute the settlement agreement on behalf of the City Council, and directs the City Manager and the City Attorney to implement the settlement agreement on behalf of the City Council.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

\*\*\*\*\*

***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held September 13, 2016, at which a quorum was present and voted.*

---

*Tonya B. Lacey, CMC*  
*Clerk of Council*

## SETTLEMENT AGREEMENT

This is a settlement agreement between NBB, LLC, a Virginia limited liability company, and the City Council of the City of Fredericksburg, the governing body of a Virginia municipal corporation.

### RECITALS

- A. NBB owns land located at 900 Princess Anne Street and the 300 block of George Street in the City of Fredericksburg. The parcels are identified on the City's tax map and Geographic Information System as GPINs 7789-14-2805 (900 Princess Anne Street) and 7789-14-0798 (311 George Street) (collectively, the "Property"). The Property is located in the Historic Fredericksburg zoning district.
- B. A certificate of appropriateness from the Fredericksburg Architectural Review Board (ARB) is required for all new construction in the historic district. NBB submitted an application for a certificate of appropriateness for the construction of seven townhomes on the Property.
- C. On October 26, 2015, the ARB voted on motions to approve a certificate of appropriateness for the site planning and mass and scale for the seven townhomes on October 26, 2015 (the October Certificate).
- D. On November 9, 2015, the ARB voted on motions to approve an additional certificate of appropriateness for various aspects of the detailed design of the proposed seven townhomes (the November Certificate).
- E. On November 10, 2015, the Fredericksburg City Council adopted Resolution 15-85 for the purpose of suspending the October Certificate. Resolution 15-85 directed the City Attorney to present the application to the City Council, preferably at its meeting on December 8, 2015, and provided NBB the opportunity to present its application to the City Council at the same meeting.
- F. On November 17, 2015, NBB filed a Complaint for Declaratory Judgment and Ancillary Relief against the City Council in the Fredericksburg Circuit Court (Civil Action No. 15-0787). NBB's Complaint sought a declaratory judgment that Resolution 15-85 is void and of no force or effect; that the October and November Certificates are valid; and that NBB has a vested right in the October and November Certificates.
- G. On November 19, 2015, the Fredericksburg City Manager appealed the November Certificate to the Fredericksburg City Council under City Code §72-23.1.
- H. On November 25, 2015, the City Council filed a Complaint for Declaratory Judgment and Ancillary Relief against the ARB and NBB in the Fredericksburg Circuit Court (Civil Action No. 15-0820)(collectively, with Civil Action No. 15-0787, the Litigation). The City Council's Complaint, as amended in April 2016, sought a declaratory judgment that the October and November Certificates were void *ab initio* and had no legal effect.
- I. At the request of NBB, City Council canceled the proposed December 8, 2015 public hearing on the October certificates. In addition, the parties agreed to suspend City Council consideration of the appeal of the November Certificate until the Litigation was concluded.
- J. In furtherance of settlement discussions, NBB prepared revised plans and elevations for five proposed townhomes on the Property (Revised Plans). The Revised Plans reduced the number of townhouse units from 7 to 5, and increased the front yard setback from 1 foot to 4 feet. The

Revised Plans provide an 8 foot side yard on Charles Street, and they reduced the height of the buildings from 49' 4" to 44' 4".

- K. On August 23, 2016, City Council reviewed the Revised Plans in closed session and authorized the City staff to pursue this settlement agreement in response.
- L. In its court filings, the ARB conceded that the October Certificate had been suspended by the adoption of Resolution 15-85. NBB does not concede this effect of Resolution 15-85 as a legal matter, but, for the purposes of settlement only, agrees that City Council may proceed to review the Revised Plans as set forth in this settlement agreement.
- M. NBB invested \$1.2M in improvements to the historic Fredericksburg National Bank, which is located on the Property. This building was built in 1820, and has been known over the years as the Farmer's Bank of Fredericksburg, the National Bank of Fredericksburg, and the Dabney-Herndon House. The building is an excellent example of the Federal architectural style. The bank played an important role in the history of Fredericksburg, including links to its period as a banking hub beginning in the early 19<sup>th</sup> century; and a prominent role in the history of the United States during the Civil War. The new use of the building is a mix of commercial – with restaurant space on the ground floor – and office – with office space on the second floor. NBB's investment in the rehabilitation and reuse of this building is significant, and is expected to inspire additional private investment in historic preservation and economic development in the City's downtown.
- N. The proposed five townhomes and the National Bank Building will be connected by common areas, including a through lane for motor vehicle travel. The mixed use redevelopment of the Property -- consisting of the rehabilitation and reuse of the National Bank Building, the construction of the five townhomes, and the development of the common areas -- is referred to in this settlement agreement as the Mixed Use Project.
- O. The City Council, in cooperation with the Fredericksburg Economic Development Authority, has prepared a performance agreement for a proposed economic incentive in the amount of \$300,000 for completion of the Mixed Use Project (Performance Agreement).
- P. NBB and the City Council wish to compromise and settle their dispute and the Litigation without prejudice to the various legal positions they have advanced, and without creating new causes of action. They enter into this settlement agreement for that purpose.
- Q. The ARB authorized its counsel to sign this agreement "seen and agreed" on its behalf, at its meeting on \_\_\_\_\_, 2016, without prejudice to any position it has taken in the Litigation.

## AGREEMENT

The parties agree as follows:

1. NBB shall provide the Revised Plans (with such refinements as it may deem desirable) and a revised site plan for the Property to the City Manager by close of business September 8, 2016.
2. City Council shall hold a public hearing on September 27, 2016, on the proposed approval of certificates of appropriateness for the site planning, building mass, building scale, and detailed

design of the five townhomes as shown in the Revised Plans (collectively, the Certificates of Appropriateness), with notice as prescribed in Code of Virginia §15.2-2204. This public hearing is in fulfillment of the public presentation directed by City Council's Resolution 15-85.

3. The City Council, as the governing body of the City of Fredericksburg, will make final decisions on the Certificates of Appropriateness in accordance with the criteria set forth in City Code §72-23.1. The parties acknowledge that the certificate of appropriateness process is legislative in nature and that no particular outcome may be pre-ordained.
4. City Council shall consider the Performance Agreement at its meeting of September 27, 2016. The City Council, as the governing body of the City of Fredericksburg, will make the final decision on the performance agreement. The parties acknowledge that the approval of the performance agreement is legislative in nature and that no particular outcome may be pre-ordained.
5. The City Council will take final action on the Revised Plans and the Performance Agreement no later than November 8, 2016, unless NBB agrees to a longer time period.
6. If the City Council approves the Certificates of Appropriateness, and the City Council and the EDA approve and execute the Performance Agreement, then the Litigation will be held in suspense for 30 days. After the expiration of this period, if there is no appeal of City Council's action, then the parties shall execute and submit consent decrees in the Litigation, dismissing the Litigation with prejudice.
7. If an appeal is filed, then the Litigation will be held in suspense during the time the appeal is pending. The parties will defend the validity of the Certificates of Appropriateness. If the appeal is resolved in favor of NBB and the City Council, then the parties shall execute and submit consent decrees in the Litigation, dismissing the Litigation with prejudice. If the appeal is resolved in favor of the appellant, then NBB and the City Council may resume the Litigation.
8. If City Council does not approve the Certificates of Appropriateness under this Agreement, such denial shall not give rise to grounds for an appeal by NBB under Code of Virginia §15.2-2307. NBB hereby waives any right to an appeal from the denial of the Certificates of Appropriateness proposed in this settlement agreement.
9. The City Council shall provide NBB a letter of support for an application to the Virginia Department of Historic Resources, for state and federal tax credits for the rehabilitation of the National Bank Building.
10. This agreement is made without prejudice to the various legal positions adopted by the parties in the Litigation. For purposes of settlement, NBB's provision of the Revised Plans and revised site plan for City Council review shall not constitute the withdrawal of the plans that were the subject of the October and November Certificates, and shall be without prejudice to its positions with regard to the validity of those certificates or any other position taken in the Litigation. Likewise,

City Council may review and act upon the Revised Plans and revised site plan without prejudice to its position in the Litigation.

The parties, by counsel, are signing this settlement agreement on the date stated opposite that party's signature.

CITY COUNCIL OF THE CITY OF FREDERICKSBURG

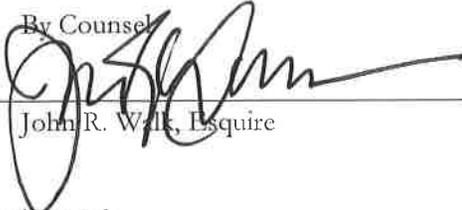
By Counsel

By: \_\_\_\_\_  
Kathleen Dooley, City Attorney

Date: \_\_\_\_\_

NBB, LLC

By Counsel

By:  \_\_\_\_\_  
John R. Walk, Esquire

Date: 9/7/18

Seen and agreed:

FREDERICKSBURG ARCHITECTURAL REVIEW BOARD

By: \_\_\_\_\_  
Eden Burgess, Esquire

Date: \_\_\_\_\_

**PERFORMANCE AGREEMENT  
CITY OF FREDERICKSBURG,  
FREDERICKSBURG ECONOMIC DEVELOPMENT AUTHORITY  
AND  
NBB, LLC**

This is a performance agreement between NBB, LLC, a Virginia limited liability company, (“NBB” or “Company”), the Fredericksburg Economic Development Authority, a political subdivision of the Commonwealth of Virginia (“EDA”), and the City of Fredericksburg, a Virginia municipal corporation (the “City”), dated October 1, 2016.

**RECITALS:**

- A. NBB owns land located at 900 Princess Anne Street and the 300 block of George Street in the City of Fredericksburg. The parcels are identified on the City’s tax map and Geographic Information System as GPINs 7789-14-2805 (900 Princess Anne Street) and 7789-14-0798 (311 George Street) (collectively, the “Property”).
- B. NBB has invested \$1.2M in improvements to the historic Fredericksburg National Bank at 900 Princess Anne Street in Fredericksburg. This building was built in 1820, and has been known over the years as the Farmer’s Bank of Fredericksburg, the National Bank of Fredericksburg, and the Dabney-Herndon House. The building is an excellent example of the Federal architectural style. The bank played an important role in the history of Fredericksburg, including links to its period as a banking hub beginning in the early 19<sup>th</sup> century; and a prominent role in the history of the United States during the Civil War. The new and adaptive reuse of the building is a mix of commercial – with restaurant space on the ground floor – and office – with office space on the second floor. NBB’s investment in the rehabilitation and reuse of this building is significant, and is expected to inspire additional private investment in historic preservation and economic development in the City’s downtown.
- C. The City provides a tax exemption for real estate which has been substantially rehabilitated for commercial use, as provided in City Code §70-99.1. However, NBB did not apply for the tax exemption in time to permit the Commissioner of Revenue to physically inspect and appraise the property prior to the commencement of rehabilitation, as required by the City Code. The rehabilitation of the Fredericksburg National Bank building is the type of project that the City wishes to encourage by this tax exemption.
- D. NBB proposes to redevelop the remainder of the Property with five townhomes. The five townhomes and the National Bank Building will be connected by common areas, including a through lane for motor vehicle travel. The rehabilitation and reuse of the National Bank Building, the construction of the five single family attached townhomes, and the development of the common area, collectively, are referred to in this agreement as the Mixed Use Project.
- E. Prior to approving this performance agreement, the City Council has approved certificates of appropriateness for the site planning, mass and scale, and detailed design of the five townhomes. The townhomes are architecturally compatible with the Historic Fredericksburg District and with their immediate context, enhancing the mixed use character of the Mixed Use Project.
- F. The EDA is authorized by Virginia Code §15.2-4900 *et seq.* and Fredericksburg City Code §10-232 to accept contributions in order to make grants in furtherance of its purposes, and to make grants for the purposes of promoting economic development within the City.

- G. The City is authorized to make grants to the EDA in furtherance of the EDA's purposes.
- H. The EDA and the City have agreed to offer, and NBB has agreed to accept the economic incentive contained herein in exchange for the performance promised herein.
- I. The EDA Board of Directors authorized the Chair to enter into this agreement at its meeting of \_\_\_\_\_.
- J. The City Council authorized the City Manager to enter into this agreement at its regular meeting \_\_\_\_\_, 2016.
- K. Mike Adams, in his capacity as managing member of NBB, is authorized to enter into this agreement on behalf of NBB.

### AGREEMENT

The parties agree as follows:

1. **Eligibility criteria.** In order to be eligible for the economic incentive, NBB shall complete the development of the Mixed Use Project in accordance with the approved certificates of appropriateness, within 60 months of the date of this agreement. The Mixed Use Project shall be considered complete upon the issuance by the Fredericksburg Building Code Official of the final certificate of occupancy for the fifth single family attached residence and the completion of site plan improvements, as determined and certified by the Development Administrator.
2. **Economic incentive – performance grant.** The EDA shall grant and pay to NBB an economic incentive as follows:
  - 2.1. \$150,000 within 30 days of the issuance of a certificates of occupancy for the National Bank Building and the first two townhouse units; and
  - 2.2. \$150,000 within 30 days of the completion of the Mixed Use Project.
3. **Appropriation to EDA.** As a grant to the EDA to enhance the economic development of the City, the City shall appropriate to the EDA an amount equal to 100% of the incremental real estate tax revenues received for the Property for the real estate tax year immediately preceding, on or about September 1 each year, until the total appropriation equals the amount of the economic incentive(s) paid by the EDA plus 3% annual interest. **The City's obligation under this subsection shall be subject to annual appropriation by the governing body and shall not be deemed to be a general obligation or debt of the City.**
4. **Governing law.** This agreement shall be administered and interpreted in accordance with the laws of the Commonwealth of Virginia. Any actions arising out of this agreement shall be filed and maintained in the general district court or circuit court of the City of Fredericksburg, Virginia.

Each party is signing this agreement on the date stated opposite that party's signature.

**NBB, LLC**

*Mike Adams*  
By: Mike Adams, Managing Member

9/7/16  
Date

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Fredericksburg, to wit:

I, Michael Whitford, a Notary Public for the Commonwealth aforesaid, hereby certify that Michael Adams, whose name is signed to the writing above has acknowledged the same before me in my county or city aforesaid.

Given under my hand and official seal this 7 day of Sept, 2016.

*Michael John Whitford*  
Notary Public



MICHAEL JOHN WHITFORD  
NOTARY PUBLIC 7106332  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES JUNE 30, 2019

My commission expires: \_\_\_\_\_  
My registration number is: \_\_\_\_\_

**ECONOMIC DEVELOPMENT AUTHORITY OF THE FREDERICKSBURG**

By: \_\_\_\_\_ (SEAL) Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary

**CITY OF FREDERICKSBURG**

By: \_\_\_\_\_ (SEAL) Date: \_\_\_\_\_  
Timothy J. Baroody, City Manager

Attest:

\_\_\_\_\_  
Deputy Clerk

Approved as to form:

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City Attorney



These FAQs are developed in anticipation of questions about the settlement agreement that the City Council will consider on September 13, 2016. The agreement is between the City Council and NBB, LLC, the owner of the National Bank Building property. These parties are currently involved in two lawsuits pending in the Fredericksburg Circuit Court, *NBB, LLC v. City Council* (CL15-0787), and *City Council v. Architectural Review Board and NBB, LLC* (CL15-0820).

NBB has proposed to revise its plans for the development of townhomes on its property, for five units. The first four townhomes are set back from George Street four feet. The last townhome is set back from George Street 14 feet. The units are separated from the National Bank Building 10 feet, and from Charles Street eight feet. The height of the townhomes is proposed to be 44' 4". The project that is the subject of the lawsuits was for seven townhomes, with no front yard, no Charles Street side yard, and a unit height of 49' 4".

**Q: What does the settlement agreement propose?**

A: If the City Council approves the revised plans, and if the City Council and the Economic Development Authority approve an economic incentive for the mixed use redevelopment of the property, then the parties agree to dismiss both lawsuits. So the settlement agreement provides a road map to how a final settlement might be achieved.

**Q: What would constitute City Council "approval" of the 5 townhomes?**

A: Approval of the 5 townhomes would mean that City Council approves certificates of appropriateness for the revised plans, for site planning, scale and massing, and detailed design. In short, the approval would be comprehensive and final.

**Q: When will the revised plans be available for public review?**

A: The September 13 meeting packet includes a .pdf submission of the revised plans. NBB is working on final revisions for a complete submission, which will be made available as soon as the City receives them. The public will find the plans on the City's website. In addition, members of the public may view the plans at the office of the Department of Planning and Building on the 2<sup>nd</sup> floor of City Hall.

**Q: Will the City Council hold a public hearing on the revised plans?**

A: Yes. The public hearing is scheduled for September 27, 2016.

**Q: When will the City Council act on the revised plans?**

A: The City Council may take action on the revised plans after closing the public hearing, at a public meeting. The action could take place on September 27, 2016 or at a later public meeting. The City Council plans to meet on October 25, 2016 and November 8, 2016 (but it may cancel its



October 11, 2016 regular meeting.) The City Council is required to act no later than November 8, 2016, unless both parties agree to an extension of time.

**Q: What is the role of the Architectural Review Board with respect to the revised plans?**

A: The City Council and NBB would like the ARB to support the revised plans, but this support is not a condition of the settlement agreement. The settlement agreement also provides an opportunity for the ARB to become a signatory, but ARB approval of the settlement agreement is not required for the dismissal of the lawsuits.

**Q: What criteria will the City Council use in deciding whether to approve the revised plans?**

A: The City Council will use the criteria for new construction, contained in City Code §72-23.1, as amplified in the Historic District Handbook.

**Q: What if the City Council does not approve the revised plans?**

A: We are hopeful that the revised plans will gain public support and City Council approval. But if they do not, then the parties may resume litigating the pending cases. Neither party wished to generate new litigation, so NBB waived its right to appeal a City Council disapproval of the revised plans.

**Q: What if a third party appeals the City Council's approval of the revised plans?**

A: We are hopeful that the revised plans will gain public support. However, if a third party files an appeal of City Council's approval of the plans, then NBB and the City Council will defend the validity of the certificates of appropriateness. If they prevail in this defense, then they will dismiss their own lawsuits. If not, then NBB and City Council have the right to resume the current litigation.

**Q: Why is the economic incentive being offered?**

A: The economic incentive is being offered in recognition of the value of the redevelopment of the property for mixed use – office, restaurant, and residential. It also recognizes the value of the rehabilitation of the historic National Bank Building. The City offers a real estate tax exemption for the rehabilitation of commercial buildings, but the landowner must apply for the exemption before starting work. In this case, NBB began work without making the application. The proposed performance agreement essentially resets the relationship between the City and NBB, reflecting the incentives that might have been offered to the project if applications had been received before the start of work.



**Q: How much is the economic incentive?**

A: The economic incentive is offered for the completion of the mixed use redevelopment of the property. It will total \$300,000 upon the completion of the whole development. The first \$150,000 will be due upon completion of the rehabilitation of the National Bank Building plus the issuance of certificates of occupancy for the first two townhomes. The second \$150,000 is due upon completion of the rest of the project.

**Q: What is the source of funding for the economic incentive?**

A: The Fredericksburg Economic Development Authority will pay the grants from its funds. The City will reimburse the EDA with the real estate tax increment generated by the mixed use development, over the course of several years. The City Council will pay the EDA interest on the grants it makes.

**Q: Is there precedent in the City of Fredericksburg for this type of incentive?**

A: Yes. This agreement is structured very similarly to the Liberty Place performance agreement. In that case, the developers will receive an incentive equal to 45 percent of the incremental real estate tax revenue from the project for 10 years. The Liberty Place incentive represents approximately 25 percent of all incremental local tax revenues from the mixed use project for the first 10 years.

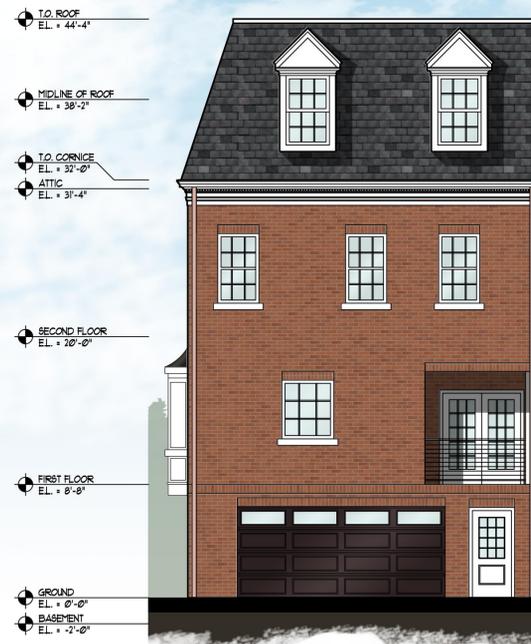
The proposed incentive for the NBB mixed use project is roughly equivalent to 100 percent of the incremental real estate tax revenue from the site for approximately seven years. The NBB incentive represents approximately 25 percent of all incremental local tax revenues from the mixed use project for the first approximately seven years.

Finally, the City has a rehabilitation tax credit program that allows owners of qualifying properties to receive an exemption from real estate taxes on the incremental increases that result from the rehabilitation of an historic commercial building.

**Q: Are state and local tax credits available for this project?**

A: NBB may explore the availability of state or federal tax credits for the rehabilitation of the National Bank Building, with the Virginia Department of Historic Resources. The City Council will write a letter in support of NBB's application.

# GEORGE STREET BROWNSTONES



A DEVELOPMENT BY:  
JON PROPERTIES





*Timothy J. Baroody*

**MEMORANDUM**

**TO:** Mayor Greenlaw and Members of City Council  
**FROM:** Timothy J. Baroody, City Manager  
**DATE:** September 7, 2016  
**SUBJECT:** City Manager's Update

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Highlights of major activities and other notable developments:

***National Bank Stairs Relocated*** - Work began on Tuesday, September 6 at the corner of William and Princess Anne Street in front of the entrance to the Fredericksburg Museum, as The "Lincoln Steps" are being relocated to the Frejus Sister City rose garden from the old National Bank Building. The steps won't really "go" anywhere; an interpretive sign at the top of the display will explain their significance.



***Naming of the Pool*** - The official naming ceremony for the pool at Dixon Park has been set for Monday, September 26 at 4:00 p.m. The pool will be named in honor of Ms. Doris Buffett for her generous contributions to City residents, who have been provided free access to the facility since its opening in 2006. Ms. Buffett plans to be in attendance for the ceremony.

***Picnic in the Park*** - Picnic in the Park begins again on September 13 with the music of Scott Kurt. The event held on Tuesdays in September from 11:30 am – 1:30 PM at Hurkamp Park. Wil Gravatt and Jimbo Byram are scheduled for September 20. The series wraps up with The New Canoe Canals with Becky and Slam on September 27.

***Motts Reservoir Fishing Pier Repair*** Parks and Recreation Special Projects staff have been busy this summer doing some major maintenance on the fishing pier at Motts Reservoir. The crew replaced the decking and much of the handrail around the pier.



## **ITEM #10D**

*Parks and Recreation's Fall Program Brochure* is now available! The brochure was distributed to students at Hugh Mercer Elementary School, Lafayette Upper Elementary School, the Free Lance-Star, Wegmans and other various locations throughout the City. View the [interactive catalog](#).

*Officers Donate their Hair to Children with Hair Loss* - The Police Department has continued to receive support and appreciation from City residents on a day to day basis. As a way to give back to the community four police department employees recently donated their hair to a non-profit organization called, Children with Hair Loss. The Fredericksburg Police Department has received positive feedback on social media for this kind act. [Click here](#) to watch Detective Cameron and Officer Timmons donate their hair!

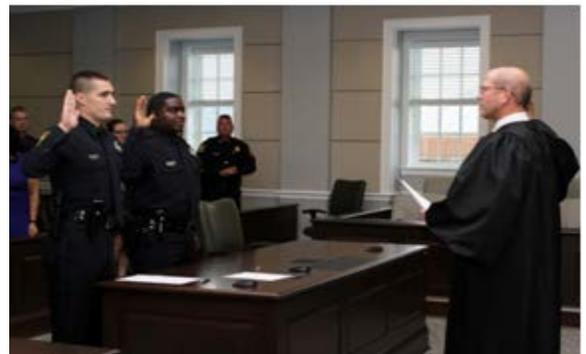


**Police Officer Amber  
Hoaglund**



**Senior Communications  
Officer Desiree David**

*Fredericksburg Police Department Welcomes New Patrol Officers and New Communications Officer* - The Police Department welcomed two new police officers, Kyle Pennock and Joseph Porter, at the beginning of August as well as one new telecommunications officer, Cristina Tonetti assigned to our E911 Dispatch Center. We are looking forward to seeing great things from each of our new employees!



**Cristina Tonetti  
Telecommunications Officer**

## **ITEM #10D**

***Midnight Madness*** – August 27 was the last day for this summer’s Midnight Madness program. Participation varied from week to week with some nights seeing as many as 100 participants, depending on a number of factors. The favorite weeks were those when the children were able to swim at the pool at Dixon Park. The children really enjoyed the pizza each week and take home snacks, the additional games like air hockey, and the music from a local DJ, “The Frye Man”. The program ran well this summer with no incidents or issues, and everyone that participated seemed to enjoy themselves. The organizing committee will be meeting later in the month to evaluate and look at ways to improve next year’s program. See photos attached.

***Building Statistics*** - The July Building Construction Activity and Property Maintenance Reports are attached for your review.



**CITY OF FREDERICKSBURG, VIRGINIA**  
Community Planning and Building Department



**PROPERTY MAINTENANCE REPORT - JULY 2016**

<b>PROPERTY MAINTENANCE</b>	<b>Jul-16</b>		<b>Jul-15</b>		<b>FY to Date 2017</b>	<b>FY to Date 2016</b>	
Complaints	26		15		26	15	
Inspections	98		30		98	30	
Notice of Violations Issued	52		28		52	28	
Number of Violations Corrected	62		29		62	29	
<b>INOPERABLE VEHICLES</b>							
Notice of Violations Issued	2		11		2	11	
Number of Violations Corrected	0		6		0	6	
Number of Vehicles Towed	0		0		0	0	
<b>STOP WORK ORDERS</b>							
Number Issued	0		7		0	7	
<b>UNSAFE STRUCTURES</b>							
Notice of Violation Issued	0		0		0	0	
<b>WEEDS, TRASH &amp; GRASS</b>							
Notice of Violation Issued	43				43		
Notice of Violation Corrected	57				67		

**COMMENTS**

This month the majority of cases dealt with tall grass. In addition, four properties were posted as uninhabitable due to lack of utilities. Two of these dwellings are single family homes, one located in Normandy Village and the other located west of Fall Hill Ave and north of the Canal. Two are townhouses, one located in the Central Park (Bragg Hill) neighborhood and the other east of Lafayette Blvd on the south boundary of the City.

**CITY OF FREDERICKSBURG, VIRGINIA**  
Community Planning and Building Department



**BUILDING CONSTRUCTION ACTIVITY - JULY 2016**

<b>RESIDENTIAL</b>	<b>Jul-16</b>		<b>Jul-15</b>		<b>FYD 2017</b>		<b>FYD 2016</b>	
New-Residential	1		0		1		0	
New-Plumbing/Electrical/Mechanical/Other	2		7		2		7	
Alterations/Additions	18		18		18		18	
Alt/Add - Plumbing/Electrical/Mechanical	25		39		25		39	
Certificates of Occupancy	14		0		14		0	
Fees Collected	\$5,563.15		\$7,340.00		\$5,563.15		\$7,340.00	
Fees Waived	\$0.00		\$0.00		\$0.00		\$0.00	
<b>COMMERCIAL/MULTI-FAMILY</b>		<b>SQFT/#UNITS</b>		<b>SQFT/#UNITS</b>		<b>SQFT/#UNITS</b>		<b>SQFT/#UNITS</b>
New-Commercial	0		0		0		0	
New-Multi-Family	0		0		0		0	
New-Plumbing/Electrical/Mechanical/Other	5		5		5		5	
Alterations	29		51		29		51	
Alt-Plumbing/Electrical/Mechanical	53		60		53		60	
Certificates of Occupancy	1		0		1		0	
Fees Collected	\$12,654.67		\$22,092.25		\$12,654.67		\$22,092.25	
Fees Waived	\$0.00		\$0.00		\$0.00		\$0.00	
<b>CERTIFICATES OF OCCUPANCY-EXISTING</b>								
	8		10		8		10	
<b>BUILDING INSPECTIONS PERFORMED</b>								
	441		556		441		556	
<b>UTILITY FEES COLLECTED</b>								
Water Tap	\$2,600.00		\$0.00		\$2,600.00		\$0.00	
Water Availability	\$33,000.00		\$0.00		\$33,000.00		\$0.00	
Sewer Tap	\$5,100.00		\$0.00		\$5,100.00		\$0.00	
Sewer Availability	\$55,000.00		\$0.00		\$55,000.00		\$0.00	

**COMMENTS**



## CITY COUNCIL MEETINGS & EVENTS CALENDAR

City Hall Council Chambers, 715 Princess Anne Street, Fredericksburg, VA 22401

<b>9/13/16</b>	5:30 p.m.	Work Session <ul style="list-style-type: none"> <li>• Fences</li> <li>• Financial Policies/FY2016 Year End Update</li> </ul>	Suite, Room 218
	7:30 p.m.	Regular Session	Chambers
<b>9/20/16</b>	<b>5:30 p.m.</b>	Work Session <ul style="list-style-type: none"> <li>• Streetsense</li> <li>• Main Street and City Branding</li> </ul>	Suite, Room 218
<b>9/26/16</b>	4:00 p.m.	Doris Buffett Pool Re-Naming Ceremony and Reception	Dixon Park Pool
<b>9/27/16</b>	4:30 p.m.	Ribbon Cutting for Radio System	Police Department
	5:30 p.m.	Work Session <ul style="list-style-type: none"> <li>• Discussion on UDO Amendments/ Proffers</li> </ul>	Suite, Room 218
	7:30 p.m.	Regular Session	Chambers
<b>10/9-11</b>		VML Annual Conference	VA Beach Convention Center
<b>10/11/16 Meeting Canceled (proposed)</b>		<b>No Work Session or Regular Meeting</b>	
<b>10/14 and 15</b>	8 a.m. – 5 p.m.	Council Off-Site	Historic Kenmore Plantation, 1201 Washington Ave, Fleming-Smith Room
<b>10/18/16</b>	7:00 p.m.	Work Session (tentative)	Suite, Room 218
<b>10/25/16</b>	5:30 p.m.	Planning Commission Interviews	Suite, Room 218 Chambers
	7:00 p.m.	Wall of Honor Reception	Chambers
	7:30 p.m.	Regular Session	Chambers

<b>11/8/16</b>	5:30 p.m.	Work Session	Suite, Room 218
	7:30 p.m.	Regular Session	Chambers
<b>11/15/16</b>	7:00 p.m.	Work Session with Economic Development Authority	Large, Room 214
<b>11/22/16</b>	5:30 p.m.	Work Session	Suite, Room 218
	7:30 p.m.	Regular Session	Chambers
<b>12/13/16</b>	5:30 p.m.	Work Session	Suite, Room 218
	7:30 p.m.	Regular Session	Chambers

