

\* Parcels or Portions thereof identified on this sheet are within the West Broad Street Overlay District and are subject to Special Regulation

**P-12-09**  
**Zoning**  
 Extend Existing Communication Tower  
 Three Chopt District  
 400 Feet  
 PS October 2009 Ref: 739-760-8865



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

Virgil R. Hazelett, P.E.  
County Manager

February 16, 2010

New Cingular Wireless PCS, LLC  
C/O Mr. John Miller  
4801 Cox Road, Suite 300  
Richmond, VA 23060

Re: Provisional Use Permit P-12-09

Dear Mr. Miller:

The Board of Supervisors at its meeting on February 9, 2010, granted your request for a Provisional Use Permit in order to extend the height of an existing telecommunications tower from 150 feet to 169 feet, on part of Parcel 739-760-8865, subject to the following conditions:

1. If the use of the tower for communication purposes is discontinued for 180 days, the tower and all related structures shall be removed from the site within ninety (90) days. Within ten (10) business days after written request by the County, the owner of the tower shall provide the County with written confirmation of the status of the tower, the number of and identity of users on the tower, available co-location space on the tower and such additional information as may be reasonably requested.
2. Application for a building permit to install the tower extension must be made within one year after the Provisional Use Permit is granted by the Board of Supervisors, unless an extension of time is granted by the Director of Planning upon a written request by the applicant.
3. The applicant shall obtain approval from the Planning Commission should the FAA require the addition of standard obstruction marking and lighting (i.e. red lighting and orange and white striping) to the tower. Any proposed changes to the original galvanized finish of the tower shall be submitted to the Director of Planning for approval.
4. When site construction is initiated as a result of this Provisional Use Permit, the applicant shall complete requirements prescribed by Chapter 10 of the Henrico County Code. In particular, land disturbance of more than 2,500 square feet will require that construction plans include a detailed drainage and erosion control plan prepared by a professional engineer certified in the State of Virginia. Ten

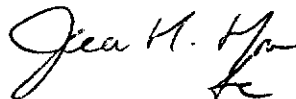
- (10) sets of the construction plans shall be submitted to the Department of Public Works for approval.
5. If ownership of the lease is transferred to another provider, the new owner shall submit a Transfer of Provisional Use Permit.
  6. The height of the tower shall not exceed 169 feet.
  7. This permit shall apply only to the 7,260 + square foot lease area identified in Exhibit B (see case file).
  8. Unless dead or diseased, the existing tree buffers adjoining the proposed lease area shall be preserved and shall not be pruned to reduce their height.
  9. Low-profile or "flush mounted" antennas or a similar style of equipment as approved by the Director of Planning which reduces the visual profile of equipment shall be installed on the tower.
  10. The co-location of additional users, as technically feasible, shall be allowed at this site.
  11. Prior to the co-location of any carrier's antennas or addition of equipment lease space, a revised site plan and equipment placement details shall be submitted to the Planning Department for approval.
  12. To maintain visual and sound buffering, a supplemental landscaping plan may be required by the Director of Planning. The Director of Planning may waive the enforcement of this condition if it is deemed unnecessary.
  13. Any UHF, VHF or other type of receivers/transmitters that would interfere with the County's Division of Police emergency communications are prohibited from this tower.
  14. A Locust Virginia Worm Fence, or substitute approved by the Director of Planning and the Director of Recreation and Parks, approximately 370' in length, shall be installed generally along the southern and eastern access easement boundary (Exhibit C), (see case file). The proposed fence route shall be staked prior to installation for approval.
  15. A UV resistant, vinyl coated polyester with a 75% shade density screen or equivalent screening of a color and type approved by the Director of Planning and the Director of Recreation and Parks shall be installed and maintained around the full perimeter (175 linear feet and 10' high) of the existing 10' high fence and expanded equipment area fence. Installation shall be in accordance with manufacturer's specifications.

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16. An entrance security chain of appropriate grade and length, including a support structure and security padlocks, shall be installed across the Pump Road access entrance. Location, chain grade and length, padlocks, and support system shall be approved, prior to installation, by the Division of Recreation and Parks.
17. Cables may be banded to the exterior of the tower provided their color sufficiently matches the tower's exterior color as approved by the Henrico Division of Recreation and Parks.

The Planning Department has been advised of the action of the Board of Supervisors and requested to revise its records and to place a copy of this notification in the Provisional Use Permit Index.

Sincerely,



Virgil R. Hazelett, P.E.  
County Manager

pc: Gloria L. Freye, Esquire  
Director, Real Estate Assessment  
Director, Real Property  
Director, Recreation and Parks  
Provisional Use Permit Index