



**COUNTY OF ALBEMARLE**  
**Department of Community Development**  
401 McIntire Road, Room 227  
Charlottesville, Virginia 22902-4596

Phone (434) 296-5832

Fax (434) 972-4012

March 13, 2007

Valerie W. Long  
Williams Mullen  
321 East Main Street, Suite 400  
Charlottesville, VA 22902

**RE: SP 2006-034 North Pointe - Stream Crossing (Sign #8)**  
Tax Map 32 Parcel 22K

Dear Ms. Long:

On February 14, 2007, the Albemarle County Board of Supervisors took action on SP 2006-034, North Pointe Stream Crossing, to allow fill in the floodplain of Flat Branch Creek for a road crossing to provide access for residential development on Tax Map 32 Parcel 22K in the Rivanna Magisterial District. This special use permit was approved based on the following conditions:

1. County and VDOT approval of the final lane configuration for the Northwest Passage over the stream crossing with the final road plans;
2. County and VDOT approval of final design plans and hydrologic/hydraulic computations for the stream crossing;
3. The applicant must obtain a map revision, letter of revision, or letter of amendment as required from the Federal Emergency Management Agency (FEMA) and copy the County Engineer on all correspondence;
4. County approval of a grading and an erosion and sediment control plan prior to the issuance of a grading permit for modification of the existing stream crossing;
5. Natural Resources Manager approval of a stream buffer mitigation plan prior to the issuance of a grading permit for modification of the existing stream crossing;
6. Provide an informal planting of mixed tree and shrub species and sizes to compensate for removed vegetation, and low-growing plants to stabilize slopes in the "proposed landscaping areas" shown on the plan submitted for ARB review entitled "Proposed Entry Layout with Landscaping North West Passage Intersection @ Route 29 North" with revision date of 12-04-06.
7. Provide large shade trees on the north and south sides of Northwest Passage, along the sidewalk and space reserved for the sidewalk, two and one half inch (2½") caliper minimum at planting, forty feet (40') on center, for a minimum distance of four hundred feet (400') from the existing edge of pavement of Route 29 North;
8. Provide trees in the median of Northwest Passage, beginning at the point closest to Route 29 North that can be approved by VDOT and extending for a minimum distance of four hundred feet (400') from the existing edge of pavement of Route 29 North. The planting shall take the form of

a continuous informal mix of large, medium and small deciduous trees ranging from one and one-half inches (1½") to two and one half inches (2½") caliper and evergreen trees ranging from four feet (4') to six feet (6') in height;

9. All of the above-noted landscaping shall be shown on the road plans submitted for Northwest Passage. The plans shall include a complete planting schedule keyed to the plan. The plans are subject to approval of the Design Planner;
10. Design details of the retaining walls, including column cap design, pier design, stone finish, other materials, etc., plant size and planting configuration shall be shown on the road plans and are subject to approval of the Design Planner; and
11. If the use, structure, or activity for which this special use permit is issued is not commenced within sixty (60) months after the permit is issued, the permit shall be deemed abandoned and the authority granted thereunder shall thereupon terminate.

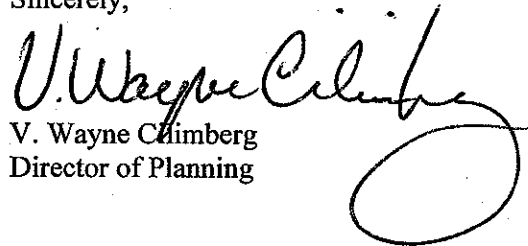
**Please be advised that although the Albemarle County Board of Supervisors took action on the project noted above, no uses on the property as approved above may lawfully begin until all applicable approvals have been received and conditions have been met. This includes:**

- **compliance with conditions of the SPECIAL USE PERMIT;**
- **approval of and compliance with a SITE PLAN; and**
- **approval of a ZONING COMPLIANCE CLEARANCE.**

In the event that the use, structure or activity for which this special use permit is issued is not commenced within sixty (60) months from the date of Board approval, it shall be deemed abandoned and the permit terminated. The term "commenced" means "construction of any structure necessary to the use of the permit."

If you have questions or comments regarding the above-noted action, please do not hesitate to contact Sherri Proctor at 296-5832.

Sincerely,



V. Wayne Cimberg  
Director of Planning

VWC/aer

Cc: North Pointe Charlottesville, LLC  
C/O Great Eastern Management Co.  
P.O. Box 5526, Charlottesville, VA 22905-5526

Virginia Land Trust; Charles Wm Hurt & Shirley L Fisher Trustees  
P O Box 8147, Charlottesville VA 22906

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