

A complete audio file of this meeting is available under the agenda portion of the County website.

VIRGINIA: A SCHEDULED MEETING OF THE SURRY COUNTY BOARD OF SUPERVISORS HELD IN THE GENERAL DISTRICT COURTROOM OF THE SURRY COUNTY GOVERNMENT CENTER ON THURSDAY, FEBRUARY 6, 2020 AT 7:00P.M.

PRESENT: SUPERVISOR ROBERT ELLIOTT, JR.
SUPERVISOR MICHAEL DREWRY
SUPERVISOR JUDY LYTTLE
SUPERVISOR KENNETH HOLMES
SUPERVISOR WILLIAM (TIM) CALHOUN

ALSO

PRESENT: MS. DANIELLE POWELL, COUNTY ATTORNEY
MS. MELISSA ROLLINS, ACTING COUNTY ADMINISTRATOR
MR. RAY PHELPS, EMERGENCY SERVICES
MR. DAVID HARRISON, ECONOMIC DEVELOPMENT
MS. GLADYS FOX, RESOURCE AND ECONOMIC DEVELOPMENT
MR. STANLEY JONES, PARKS AND RECREATION
MS SHARNA WHITE, REGISTRAR
MR. WILLIAMS SAUNDERS, BUILDING AND PLANNING
MS. FRANCES BAILEY, BUILDING AND PLANNING
MS. LINDA GHOLSTON, WORKFORCE DEVELOPMENT
MS. VALERIE PIERCE, SOCIAL SERVICES
MS. PAT BERNSHAUSEN, TOURISM
MR. DELON BROWN, NETWORK ADMINISTRATOR
SHERIFF CARLOS TURNER, SHERIFFS DEPARTMENT
LIEUTENANT JOHN IRONS, SHERIFFS DEPARTMENT

CALL TO ORDER/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE/ADOPT AGENDA

The meeting was called to order by Chairperson Elliott who then asked for a moment of silence. Following the moment of silence, he asked those present to stand and say the pledge of allegiance. Chairperson Elliott advised of two changes to the agenda, removing the Code of Ethics and adding a closed session. The working agenda was adopted by roll call vote.

SUPERVISOR ROBERT ELLIOTT, JR.	AYE
SUPERVISOR MICHAEL DREWRY	AYE
SUPERVISOR JUDY S. LYTTLE	AYE
SUPERVISOR KENNETH R. HOLMES	AYE
SUPERVISOR WILLIAM CALHOUN	AYE

CONSENT ITEMS

1. Payables: February 6, 2020 Review and approve
2. FY2019-20 Budget Amendment - Grant Funding for VESTA 911 Hardware Refresh for Next Generation 911
3. ~~Code of Ethics~~ – **REMOVED**
4. Budget Amendment - Sheriff Replacement Vehicle
5. Minutes for December 5, 2019, January 2, 2020, and January 30, 2020

Supervisor Elliot read the revised items listed for consent and asked Board members if any items needed to be pulled for discussion. Mr. Drewry asked for clarification on recurring payments for item “2. FY2019-20 Budget Amendment - Grant Funding for VESTA 911 Hardware Refresh for Next Generation 911”, which Mr. Ray Phelps, Emergency Services Director, provided. There being no further questions, Supervisor Holmes made a motion to approve consent items as enumerated, with the exception removed item, ‘3. Code of Ethics’. Supervisor Drewry seconded the motion. Supervisors Elliott, Drewry, Lyttle, Holmes, and Calhoun voted affirmatively. **(Approved)**

NEW BUSINESS

1. Planning Commission Member Re-appointments:
 - Thomas S. Hardy, Bacon’s Castle District
 - Carmen D. Judkins, Blackwater District
 - Theodore R. Lunsford, Surry District
 - Courtney D. Livesay, Surry District

Supervisor Lyttle made a motion to approve the re-appointments listed above. Supervisor Holmes seconded the motion. All present voted affirmatively. **(Approved)**

2. Highway Transportation Safety Commission Appointment and Re-appointment

Supervisor Elliott informed of the need for new appointments and the re-appointment of Mr. Roy Lane, Bacons Castle District, to the Highway Transportation Safety Commission. Supervisor Lyttle made a motion to approve the re-appointment of Mr. Roy Lane to the Highway Safety Commission. Supervisor Calhoun seconded the motion. All present voted affirmatively. **(Approved)**

UNFINISHED BUSINESS

1. Board of Historic and Architectural Review (BHAR) Appointment

Supervisor Elliott advised the need for appointments to the Board of Historic and Architectural Review (BHAR). Mr. William Saunders, Director of Planning and Community Development advised The term of a member of the Board of Historic and Architectural Review (BHAR) has expired and a new member needs to be appointed to replace him; as the re-appointment of the previous member, Mr. Roger Clayton, Jr. will not meet ordinance requirements. Surry County Ordinance section 3-1300: Historic

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Preservation has the following detailed requirements for members of the BHAR: A. The board...is hereby established to consist of five citizens, at least four of whom shall be residents of Surry County, with the following characteristics: 1. One of the members shall be a licensed architect or architectural historian; 2. One shall be realtor; 3. One shall be a member of the county planning commission; and, 4. One shall be a citizen who has demonstrated outstanding interest and knowledge in historical or architectural development or building construction within the county. Currently, the board membership satisfies items #1, #2, and #4; however, item #3, a member of the county planning commission is not satisfied. Due to the requirements creating a limited pool of potential appointees, it is recommended that they not be chosen by district. This item was brought before the Board of Supervisors at their October 3, 2019 meeting and the polling of the members of the Planning Commission to see if a member was willing to serve was recommended. As a result of this poll, Mr. Theodore R. Lunsford has volunteered his service on the BHAR. Therefore, it is recommended that Mr. Theodore R. Lunsford be appointed to the Board of Historic and Architectural Review. Supervisor Holmes made a motion to approve the re-appointments listed above. Supervisor Lyttle seconded the motion. All present voted affirmatively. **(Approved)**

Continued Discussion of Highway Transportation Safety Commission Appointment and Re-appointment:

Supervisor Elliott called attention to the need for recommendations for appointments to the Highway Transportation Safety Commission mentioned previously that was not addressed. Supervisor Drewry stated he needed more notice to advise citizens when appointments are available to be made. Board members had no appointment recommendations for the Highway Transportation Safety Commission and Supervisor Elliott advised the appointments would be tabled at this time. **(Tabled)**

2. Board of Zoning Appeals (BZA) Member Appointment

Supervisor Elliott advised the need for appointments to the Board of Zoning Appeals (BZA). Mr. William Saunders, Director of Planning and Community Development advised a member of the Board of Zoning Appeals term has expired. The member whose term has expired is Chris Anderson of the Surry District and he is willing to serve another term. This member should be reappointed or a new member appointed. This item was initially brought to the Board of Supervisors as new business on March 1, 2018, with no action taken since then. BZA members are actually appointed by the Circuit Court, upon a recommendation of the Board of Supervisors. Supervisor Calhoun advised he did not have an appointment recommendation at this time. Supervisor Elliott advised this item would be tabled and revisited in the future. **(Tabled)**

PRESENTATIONS

1. **Presentation by: Keith Boswell, President and CEO of Virginia's Gateway Region**
Virginia's Gateway Region exists to enhance the economic development opportunities for the cities of Colonial Heights, Hopewell and Petersburg, and the counties of Chesterfield, Dinwiddie, Prince George, Surry and Sussex. Virginia's

Gateway Region is a private, nonprofit organization that is publicly and privately funded to facilitate new business opportunities, work with existing businesses, advance resources that will enhance the economic viability of the region and foster regional cooperation among the public and private entities that are involved in economic development activities. **(A copy of Mr. Boswell's presentation is attached as an integral component of these minutes.)**

PUBLIC HEARING

1. Spring Grove Solar III, LLC – Application for Amendment to Comprehensive Plan – (CPTA 2019-01)

Mr. William Saunders, Director of Planning and Community Development advised Spring Grove Solar III, LLC, applicant/owner, has applied for an amendment to the Surry County Comprehensive Plan to amend the plan's Development Plan Map by designating the subject property, which is currently classified as Agriculture and Timberlands, as an Industrial future land use. This action is a prerequisite to future rezoning and conditional use permit applications for the subject parcel to be added to the land holdings included in the utility-scale solar projects approved for the Urban Grid Company in 2018. **(Mr. Saunders' staff report is attached as an integral component of these minutes.)**

Supervisor Elliott advised the Public Hearing was open for public comments at 8:13PM.

Mr. Mike Eggleston, Dendron/Blackwater District, Mr. Steven Johnson, Bacons Castle District, Mr. Steven Coggin, Carlsey District, Mr. Dwayne Huber, Dendron District, Mrs. Helen Eggleston, Dendron District, and Mr. Joe Gwaltney, Dendron District, spoke against approving the application amendment for Spring Grove Solar III, LLC.

Ms. Chelsea Jones, Surry District, spoke in support of the amendment requested by Spring Grove Solar III, LLC.

Supervisor Elliott closed the public comments period at 8:24PM.

Prior to the call for a motion to vote, Supervisor Calhoun advised he would be abstaining from voting on Spring Grove Solar III, LLC – Application for Amendment to Comprehensive Plan – (CPTA 2019-01) due to professional reasons.

Supervisor Lyttle and Supervisor Holmes voted in favor of Spring Grove Solar III, LLC – Application for Amendment to Comprehensive Plan – (CPTA 2019-01). Supervisor Drewry advised he needed more information on the project and a development plan on the project before approval and would vote against the amendment at this time. Supervisor Elliott and Supervisor Drewry voted against Spring Grove Solar III, LLC – Application for Amendment to Comprehensive Plan – (CPTA 2019-01). Supervisor Elliott advised the need for more information before deciding on the re-zoning of the property. Supervisor Elliott requests additional information from the Planning Department for future discussion. **(Denied)**

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CITIZEN COMMENTS

Citizen Comments can be heard in the corresponding audio file link available on the County Website.

BOARD COMMENTS

Board Comments can be heard in the corresponding audio file link available on the County Website.

COUNTY ADMINISTRATORS REPORT

- Email Ms. Rollins, Acting county Administrator, with any questions about the budget process
- Copies of budget calendar available online and on the back table of the courtroom
- Changes made to the financial reports provided to the public at citizens request
- Designation of Gray's Creek passed in both House and Senate
- Census Count Committee
- Youth and Family Resources Community Tea January 30, 2020
- Attended Conference in Virginia Beach
- Continuing weekly staff meeting
- Strata Solar Hiring – Hard Hat – 34 individuals hired

CLOSED SESSION

Ms. Danielle Powell, County Attorney, advised the need to convene into closed session as permitted by Virginia Code: § **2.2-3711(A)(6)**: Investment of public funds. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

§2.2-3711(A)(8): Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by counsel as it relates to the super market.

§2.2-3711(A)(3): Disposition of publicly held real property where discussion in an open meeting would adversely affect our bargaining position as it relates to the industrial park.

Supervisor Holmes made a motion to convene into closed session. The motion was seconded by Supervisor Drewry and unanimously approved. Board members convened into closed session at 9:06PM.

Board Members returned from closed session at 9:45PM. Supervisor Drewry made a motion to return to open session. The Board returns to open session and certifies by roll call vote that in the closed session just concluded nothing was discussed

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except the matter or matters specifically identified in the motion to convene in closed session and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in the motion. All present voted affirmatively.

SUPERVISOR ROBERT ELLIOTT, JR.	AYE
SUPERVISOR MICHAEL DREWRY	AYE
SUPERVISOR JUDY S. LYTTLE	AYE
SUPERVISOR WILLIAM CALHOUN	AYE
SUPERVISOR KENNETH R. HOLMES	AYE

Ms. Danielle Powell, County Attorney, advised the need to schedule a public hearing at the next Board of Supervisor meeting held March 5, 2020. Supervisor Lyttle made a motion to schedule the requested public hearing at the March 5, 2020 Board of Supervisor Meeting. Supervisor Drewry seconded the motion. All presented voted affirmatively.

ADJOURNMENT

There being no further business before the Board, Supervisor Drewry made a motion that the Board continues their meeting to the Board Retreat scheduled Thursday, February 20, 2020 and Friday, February 21, 2020 at 8:45 AM in the Boardwalk Conference Room of Smithfield Station in Smithfield, VA. The motion was seconded by Supervisor Holmes and unanimously approved.

Meeting Adjourned at 9:47P.M.



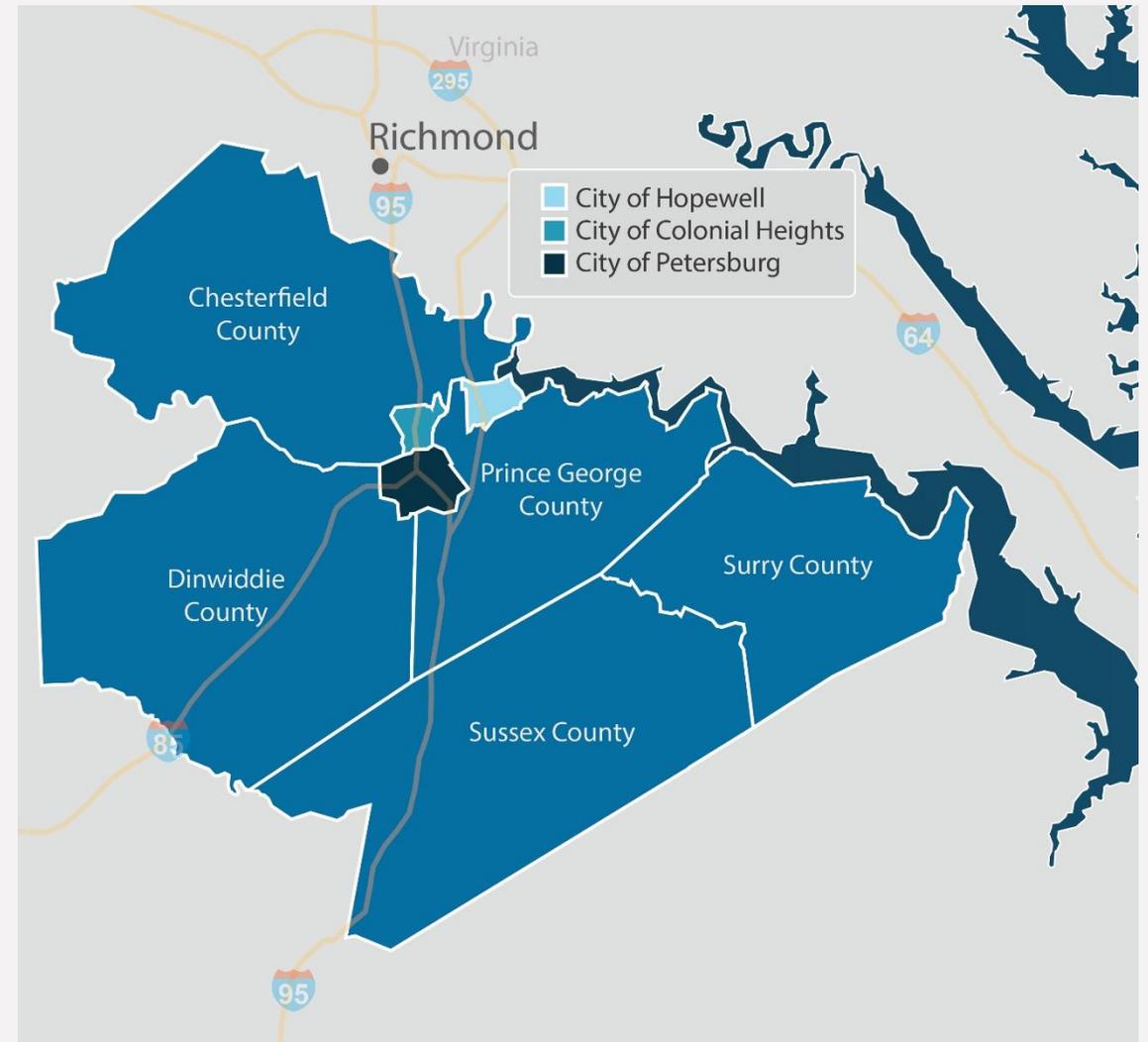
Surry County Economic Development Update



Thursday, February 6th, 2020

About VGR

- ✧ Virginia's first regional economic development entity.
- ✧ VGR serves the Tri-Cities and surrounding five counties, 2,800-square miles representing the southern portion of the Richmond MSA



Mission, Vision and Values

✧ Mission

- ✧ Develop and sustain a thriving local economy by focusing on the attraction, expansion and retention of high-wage jobs and capital investment

✧ Vision

- ✧ We are recognized nationally as a community transformed by job growth, business innovation and International trade

✧ Values

- ✧ Vision: We think big
- ✧ Collaboration: We engage in teamwork
- ✧ Results: We hold ourselves accountable
- ✧ Pride: We believe in our community
- ✧ Integrity: We do the right thing

VGR TEAM

Keith Boswell
President & CEO

Ajay Sujanani
Chief Operating Officer

Chmura Analytics
Economic Research and
Competitiveness

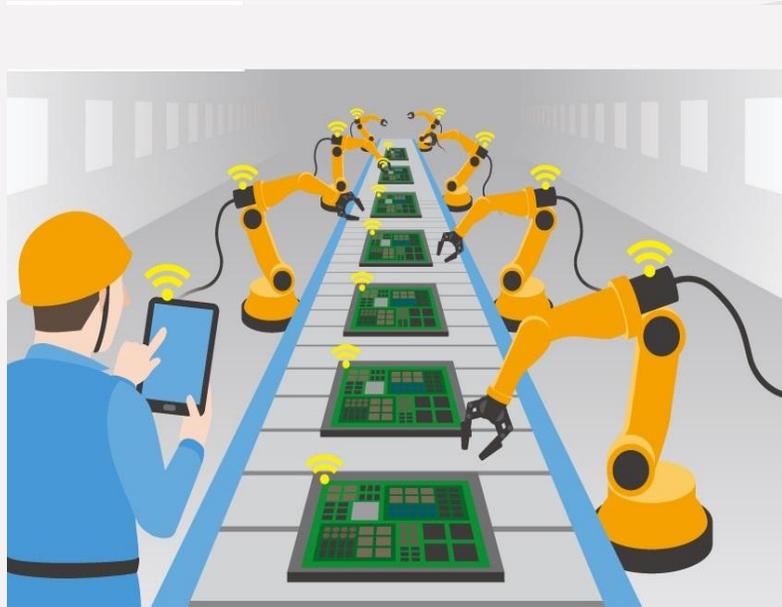
Mario Camardella
VP, Business Development

Amy Everett
Director, Customer
Experience (CX)

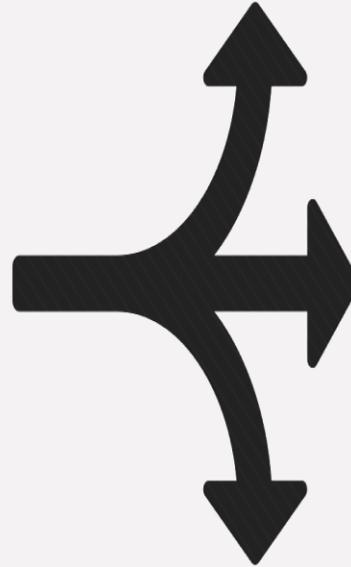
Josh Vaughan
Office Manager

Jill Vaughan
Marketing & PR

How does Economic Development create prosperity?



Businesses invest in the VGR region



Direct jobs



Indirect jobs



Induced jobs/Spending and increase in tax base

Programs, Policies and Activities

PROGRAMS

✧ Business Recruitment

- ✧ Global Marketing Missions (Over 125 qualified meetings/year)
- ✧ Tradeshows/Conferences
- ✧ Consultant/Press trips

✧ Business Retention

- ✧ Touch every industrial company in our region
- ✧ Assist with expansion
- ✧ Export Initiatives

✧ Talent Attraction and Development

- ✧ Joint position with JTCC/CCWA to serve as a bridge between businesses and higher education

✧ Marketing & Communications

- ✧ Social Media
- ✧ Public Relations

POLICIES

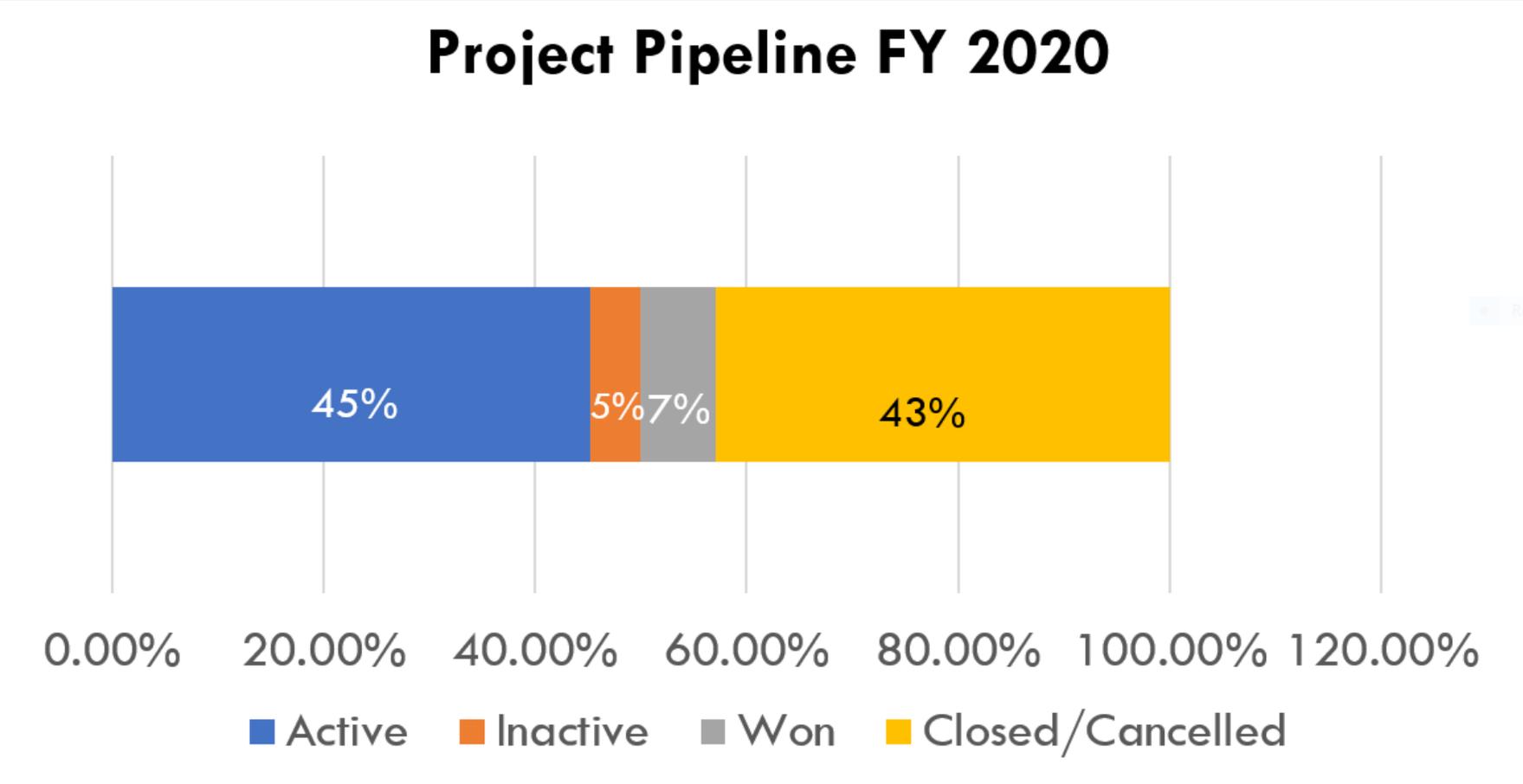
✧ Legislative

- ✧ Incentives
- ✧ Regulations
- ✧ Taxes
- ✧ Business Environment

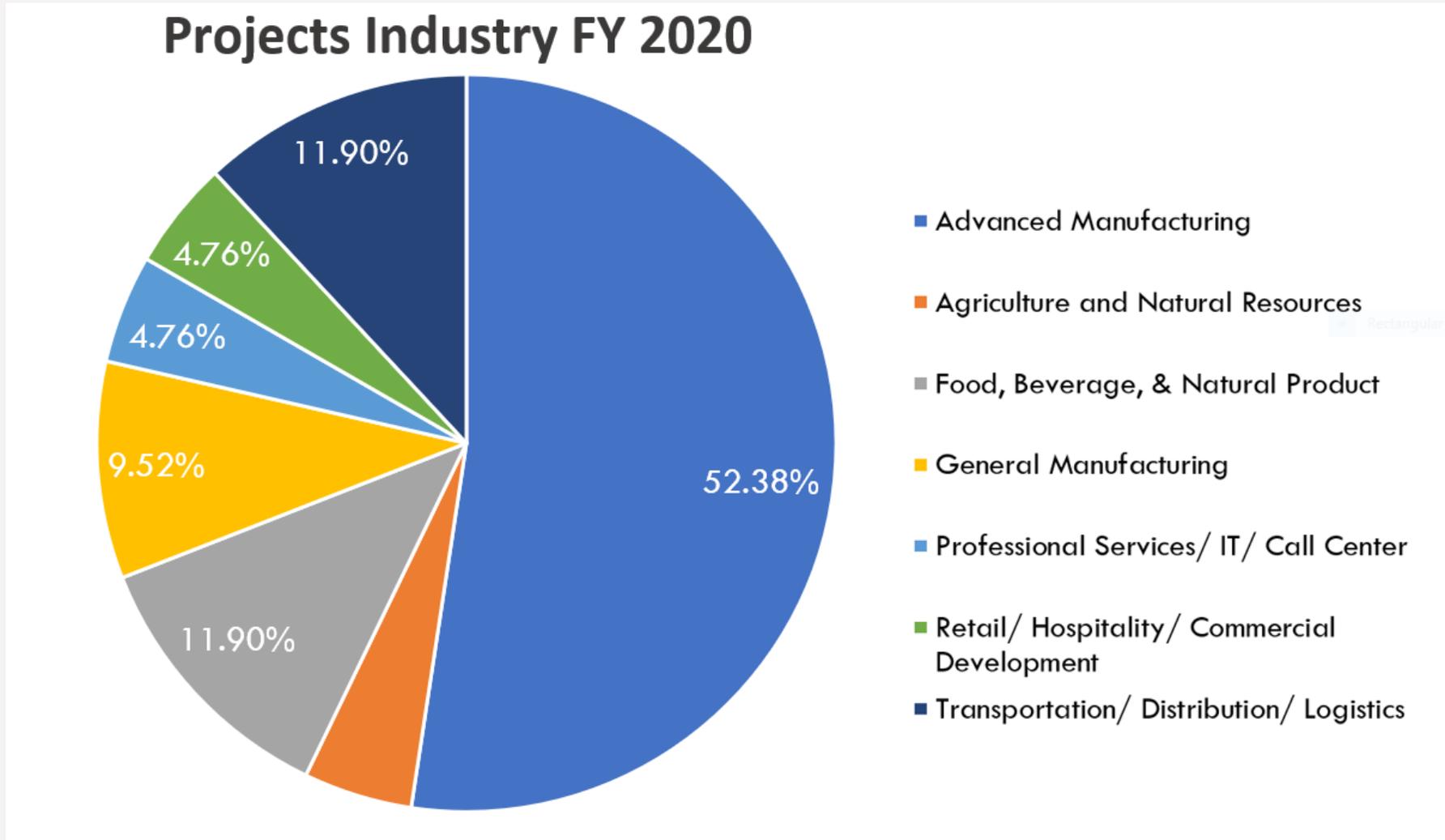
✧ Stakeholder Management

- ✧ Events and networking
- ✧ Regional Leadership Council
- ✧ Partnerships with VEDP, Port of Virginia and VMR
- ✧ Familiarization tours
- ✧ Product Development (Site characterization)
- ✧ Quarterly Economic Development Managers meetings
- ✧ Quarterly City/County Manager meetings

Project Pipeline FY 2020



Projects by industry FY 2020



Target Industries

Advanced Manufacturing



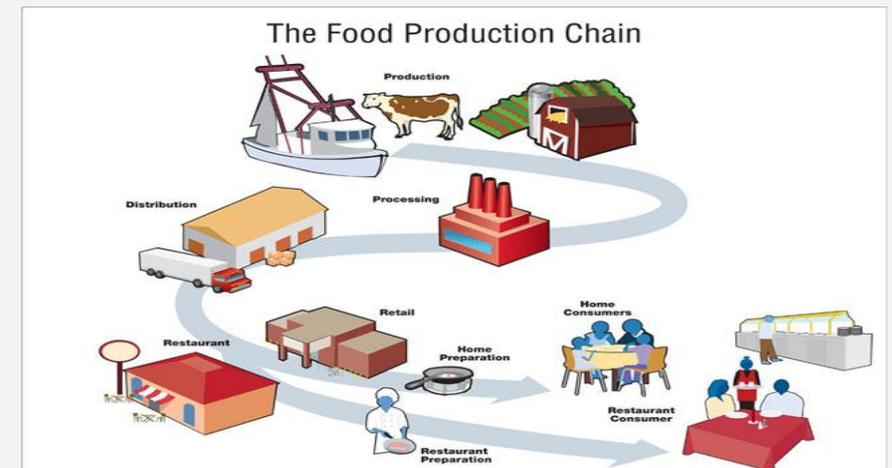
Distribution and Logistics



Business Process Outsourcing



Food and Beverage Processing



A few of the companies in our Region

Foreign Direct Investment

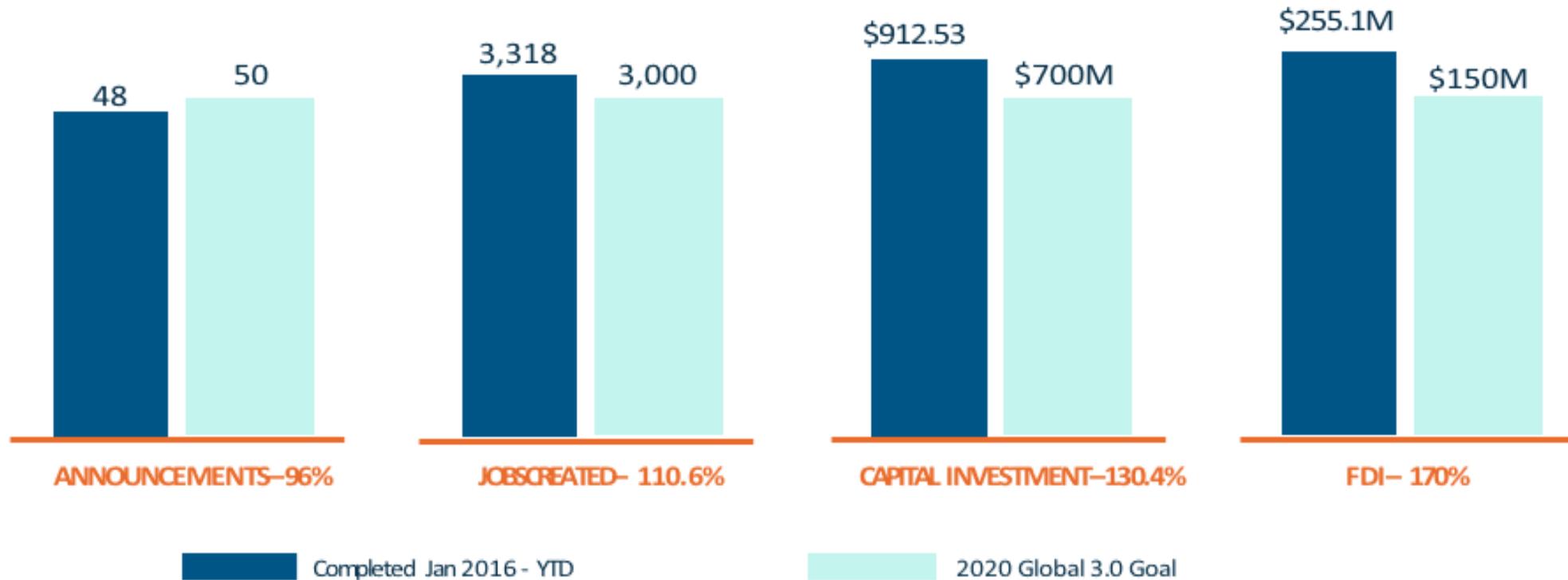


Domestic Investment



We are in the 4th year of our 5-year strategic plan

Global 3.0 Activity Report



Global 3.0!

5-year Strategic Plan

Pillar I	Business Growth and Opportunities	\$2,200,000
Pillar II	Regional Awareness & Message	\$1,450,000
Pillar III	Human Capital & Talent Retention	\$ 750,000
Pillar IV	Infrastructure Development & Preparedness	\$ 350,000
Pillar V	Quality of Place & Regional Lifestyle	<u>\$ 250,000</u>
TOTAL FUNDING GOAL:		\$ 5,000,000



Surry County's yearly contribution allows Surry to access VGR's yearly budget which is on average approximately \$1 million .

VGR's Partnership with Surry County

- ✧ Professional, full time staff available and on-call
- ✧ Resources and contacts for economic development at region, state, and federal level
- ✧ Involvement and interactions with consultants and consultant tours
- ✧ Access to the Virginia Manufacturing Region partnership
- ✧ Facilitation for key initiatives like the Retail Strategies Academy and drone footage of all sites in the region
- ✧ Discovery of project like BBQ, Key, Citrine, and Outfield

VGR and the Future

✧ Product Development

- ✧ After site characterization we will work on Site Development with our communities and VEDP
- ✧ Develop inventory options for buildings and sites

✧ Talent and Workforce Development

- ✧ Leverage Business Retention and Expansion to identify workforce issues
- ✧ Business Leadership Council to target and advance regional issues and goals
- ✧ Work with CCWA/JTCC on workforce training and delivery

✧ Placemaking

- ✧ Expand regional efforts to increase attractiveness and livability
- ✧ Friends of the Lower Appomattox



Thank you for your
partnership!



**STAFF REPORT TO THE
SURRY COUNTY BOARD OF SUPERVISORS**

Comprehensive Plan Text Amendment No. 2019-01

February 6, 2020

Applicants / Owners Name & Address	Spring Grove Solar III, LLC 337 Log Canoe Circle Stevensville, MD 21666
Property Location and Description	Parcel 26-4C (672 acres) Spring Grove, Virginia 23881 Approximately \pm 3/4 mile southwest of the intersection of Hollybush Rd. & Rt. 10.
Statistical Data	
Current Zoning District	A-R, Agricultural-Rural
Current Use	Residential
Surrounding Zoning / Land Uses	A-R, Agricultural-Rural; agricultural, residential

CPTA No. 2019-01:

Spring Grove Solar III, LLC, applicant/owner, has applied for an amendment to the Surry County Comprehensive Plan; specifically, to amend the plan's Development Plan Map to designate the subject property as an Industrial future land use, as it is currently classified as Agriculture and Timberlands. (The proposal that went before the Planning Commission at their December 16, 2019 meeting was to amend the Development Plan Map, as well as to add supporting text relative to solar projects in the county; however, in response to the Planning Commission's recommendation to deny this application due to the fact that we are on the eve of adopting a new Comprehensive Plan, the applicant has rescinded their request to change the text and only wishes to have their property designated as Industrial on the Development Plan Map).

The applicant/owner is part of the Urban Grid firm which received a Conditional Use Permit (CUP #2018-03) to develop utility-scale solar electric generating facilities with a generating capacity up to 400 megawatts (MW) and another (CUP #2018-04), to construct a utility switchyard.

Due to the first two projects under this approval (Colonial Trail West and Spring Grove 1 Solar Farms) requiring more land than expected to generate the desired amount of electric power, the applicants have acquired a 672 acre parcel adjacent to their existing property to facilitate the production of their entire approved 400 MW capacity.

The Surry County Solar Ordinance, adopted in December 2018 and after the aforementioned CUPs, disallows utility-scale solar projects in the A-R, Agricultural-Rural zoning district, only allowing such facilities to be located in M-1 (General Industrial) and M-2 (General Industrial) zoning districts with Conditional Use Permits.

As the subject parcel is not zoned M-1 or M-2, nor is it designated in the Development Plan Map of the Comprehensive Plan as Industrial, a Comprehensive Plan Amendment and rezoning of the property is required; in addition to a § 15.2-2232 review and the granting of a Conditional Use Permit.

Before you is the proposed change to the Development Plan Map of the Comprehensive Plan, which adds a designation for Industrial in the area of the subject parcel, which would support the consideration for a rezoning suitable for a utility-scale solar project.

Process:

In regard to the process for this application, and others like it under the new Solar Ordinance, the following actions will be required if final approval is to be achieved:

1. A review of the Comprehensive Plan amendment with a recommendation from the Planning Commission, and subsequent adoption by the Board of Supervisors.
2. A § 15.2-2232 review by the Planning Commission that confirms the proposed project is in conformance with the Comprehensive Plan.
3. A rezoning application to M-1 or M-2 zoning, reviewed by the Planning Commission, and adopted by the Board of Supervisors.
4. A Conditional Use Permit application, reviewed by the Planning Commission, and granted by the Board of Supervisors.

Surry County Ordinances / State Code Summary:

Surry County Solar Energy Ordinance

Section 4.12 Allowable Zoning Districts, Applicable Codes and Inspections

A. Allowable Zoning Districts

- a. Solar farms shall be permitted by a Conditional Use Permit in the M-1 (General Industrial District) and M-2 (General Industrial District) zoning districts.

Surry County Subdivision Ordinance

Sec. 8.1.4. - Conformance.

In addition to the regulations found in this appendix, all land development activity within the county shall comply with the county's comprehensive plan...

Surry County Zoning Ordinance

Sec. 1-107. - Relationship to comprehensive plan.

It is the intention of the board of supervisors that this ordinance implements the planning policies and objectives for the county as reflected in the comprehensive plan...

Vicinity Map



Staff Comments:

As mentioned, the Planning Commission at their December 16, 2019 meeting recommended denial of this application to the Board of Supervisors since we are near the adoption of a new Comprehensive Plan. While this is true and it is identified as a weakness from staff of the overall timing of the application, there is nothing in the state code or county regulations that prohibits an applicant from making application at a time of their choosing. Therefore, the Planning Commission's recommendation of denial was based more upon a technicality than strictly a land use decision.

In regard to land use, the designation of this parcel as Industrial would be sound due to it being adjacent to a major thoroughfare and the VDOT facility across Rt. 10, and in close proximity to the Surry West Business Park.

Planning staff identifies the following strengths and weaknesses of this application to classify the subject parcel as Industrial in the Development Plan Map:

Strengths:

- The application is serving to facilitate a previously approved Conditional Use Permit.
- The subject parcel is adjacent to the existing project and associated infrastructure.
- The subject parcel is adjacent to a major thoroughfare.
- The subject parcel is adjacent to the VDOT facility and is a short distance from the Surry West Business Park; both similar Industrial uses and sites.
- The parcel is not comprised of prime agricultural land currently in production.
- A future Industrial use here would expand the county's tax base due to the increased value of the land and the addition of machinery and tools to the site.

Weaknesses:

- The application is unfortunately on the eve of adoption of a revised Comprehensive Plan.

Contact William Saunders at (757) 294-5210 or wsaunders@surrycountyva.gov with questions.

DEPARTMENT OF PLANNING

P. O. Box 357 - 45 School Street

Surry, VA 23883

(757) 294-5210

REQUEST FOR:

<input type="checkbox"/> Administrative Appeal (\$200.00)	<input type="checkbox"/> BHAR Application (\$200)
<input checked="" type="checkbox"/> Comp. Plan Amendment (\$300.00)	<input type="checkbox"/> Conditional Use (\$350.00)
<input type="checkbox"/> Site Plan Review (\$300.00)	<input type="checkbox"/> Special Exception (\$200.00)
<input type="checkbox"/> Variance (\$200.00)	<input type="checkbox"/> Wetlands Permit (\$300.00)
<input type="checkbox"/> Zoning Change (\$500.00)	<input type="checkbox"/> Text Amendment (\$300.00)

DATE 10/18/2019

APPLICATION NUMBER _____

APPLICANT Spring Grove Solar III, LLC PHONE (434)953-8810

ADDRESS 337 Log Canoe Circle, Stevensville, MD 21666

EMAIL james.crawford@urbanbridco.com

OWNER (IF DIFFERENT THAN APPLICANT): _____

ADDRESS _____

ADDRESS AND LOCATION OF SUBJECT PROPERTY

Street/Road Colonial Trail West

Magisterial District Guilford Tax Map 26 Parcel 4C

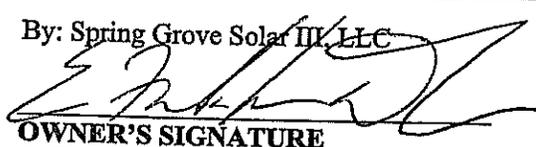
LOCATION Part of Tract 46, South side of Rt. 10

APPLICATION IS HEREBY BEING MADE FOR THE PREMISES DESIGNATED AS:

Current zoning: A-R Proposed zoning: _____

REASON FOR APPLICATION: Development and construction of a utility-scale solar electric generating facility

By: Spring Grove Solar III, LLC



OWNER'S SIGNATURE
E. Franklin DePew, Manager

APPLICANT'S SIGNATURE

ATTACH SUPPORTING MATERIAL SUCH AS SITE PLAN, TOPOGRAPHIC, DRAINAGE, UTILITY EASEMENT, OR BUILDING ELEVATION MAPS.

ADJACENT PROPERTY OWNERS

NAME

MAILING ADDRESS

*See attached list

_____	_____
_____	_____
_____	_____
_____	_____



Barrie B. Bowers
Roger G. Bowers

—————
Lora T. Monahan
Cindy L. Gantnier

FutureLaw II, LLC
5516 Falmouth Street
Suite 200
Richmond, Virginia 23230
www.futurelaw.net

Roger G. Bowers
Direct Dial: 804.726.2400
Direct Fax: 804.729.2410
rbowers@futurelaw.net

January 23, 2020

BY ELECTRONIC CORRESPONDENCE

Mr. William Saunders, IV
Director, Planning and Community Development
Surry County
45 School Street
Surry, Virginia 23883

**Comprehensive Plan Map Amendment Request
Spring Grove Solar III, LLC**

Dear Mr. Saunders:

Thank you for meeting with James Crawford and me last week to discuss our request for a Comprehensive Plan Map Amendment associated with our proposed development of a solar electricity generation facility (the “Project”) by Spring Grove Solar III, LLC (“Applicant”) on approximately 672 acres currently zoned A-R, Agricultural, known as Tax Parcel 26-4C (the “Property”). As discussed, this proposed Project will utilize a portion of the 400 MWac generation capacity previously approved pursuant to CUP 2018-03, and the existing Utility Switchyard approved pursuant to CUP 2018-04 (the “Existing Utility Connection”). This is not part of a new solar facility, but instead provides additional space needed to realize on the existing transmission line switchyard infrastructure and previously approved electrical generation capacity. As you know, in December 2018, Surry adopted the Surry Solar Energy Ordinance requiring that solar facilities be approved as conditional uses in the M-1 or M-2, General Industrial Districts. Thus, we need this Property to be identified as appropriate for M-1 as a prerequisite to seeking zoning approvals for the Project.

Applicant now requests a Map Amendment to the Comprehensive Plan for a location that best conforms to the future use requirements for solar facilities in Surry County. The proposed Project will use previously approved generation capacity through the Existing Utility Connection. In this way, the Project represents the adaptation of the Surry Solar Ordinance to existing approved uses. This Project will provide significant additional revenue through an increase in assessed value and leverage of the existing utility infrastructure. The increase in revenue is estimated to be \$92,000 on top of the half million dollars in revenue that is coming to the County from the already approved Spring Grove Solar Projects.

Enclosed please find: (a) a proposed Map Amendment to the Surry County Future Land Use Map and (b) an updated Memorandum in support of this Request.

FutureLaw

Mr. William Saunders
January 23, 2020
Page 2

We understand that the County is currently considering an update to its Comprehensive Plan and that there may be changes therein that address solar power generation. However, because of the need to coordinate with the previously approved Spring Grove solar development, to speedily complete the on-going construction and to meet PJM regulatory deadlines, we would appreciate immediate consideration of the proposed Map Amendment to allow our property to be identified as appropriate to be considered for rezoning to an M-1 usage.

In a letter to you earlier this week, we formally withdrew our November 2019 request for a Comprehensive Plan Text Amendment. As we discussed back in October, ideally the current Comprehensive Plan would expressly address solar electricity generation. As such, we were happy to work with Surry and ask for a Text Amendment to add text addressing solar to the current Comprehensive Plan. Unfortunately anticipating the eventual update, the Planning Commission did not share this view that a text amendment to specifically address solar was warranted at this time. On December 16th they moved to recommend that our request for Comprehensive Plan Amendments be denied, including in the motion that this denial was “until at least we can complete a Comprehensive Plan [Update].” It was acknowledged at the meeting that the current Comprehensive Plan Update process will likely not be completed until the Summer of 2020. As previously stated, the viability of our Project hinges on decisions whether we can proceed that need to be made this Spring.

Therefore, we ask the Board to consider only our proposed Map Amendment, a copy of which is enclosed herewith. We feel that this request may be looked upon favorably by the Board. This Property is well suited for industrial use, whether that be for solar generation or other business development. It is on Route 10 in close proximity to other M-1 uses, directly across from the VDOT Regional Office and an entrance to the Spring Grove Solar facilities, and the buildable area on this property is set back well from the road and shielded by natural buffers. While we may understand the Planning Commission’s reluctance to add specific text of the Comprehensive Plan when they are about to invest months of energy into updating the whole Plan, a Map Amendment of this type is a simple ministerial act that will further the business development goals of this new Board and the County. For these reasons, we ask for Staff’s recommendation of approval for this Map Amendment and the Board’s approval of the Map Amendment request on February 6th.

Please let me know if there is any additional information that we may provide. We look forward to working with you on this request. Thank you for your assistance in this matter.

Very truly yours,

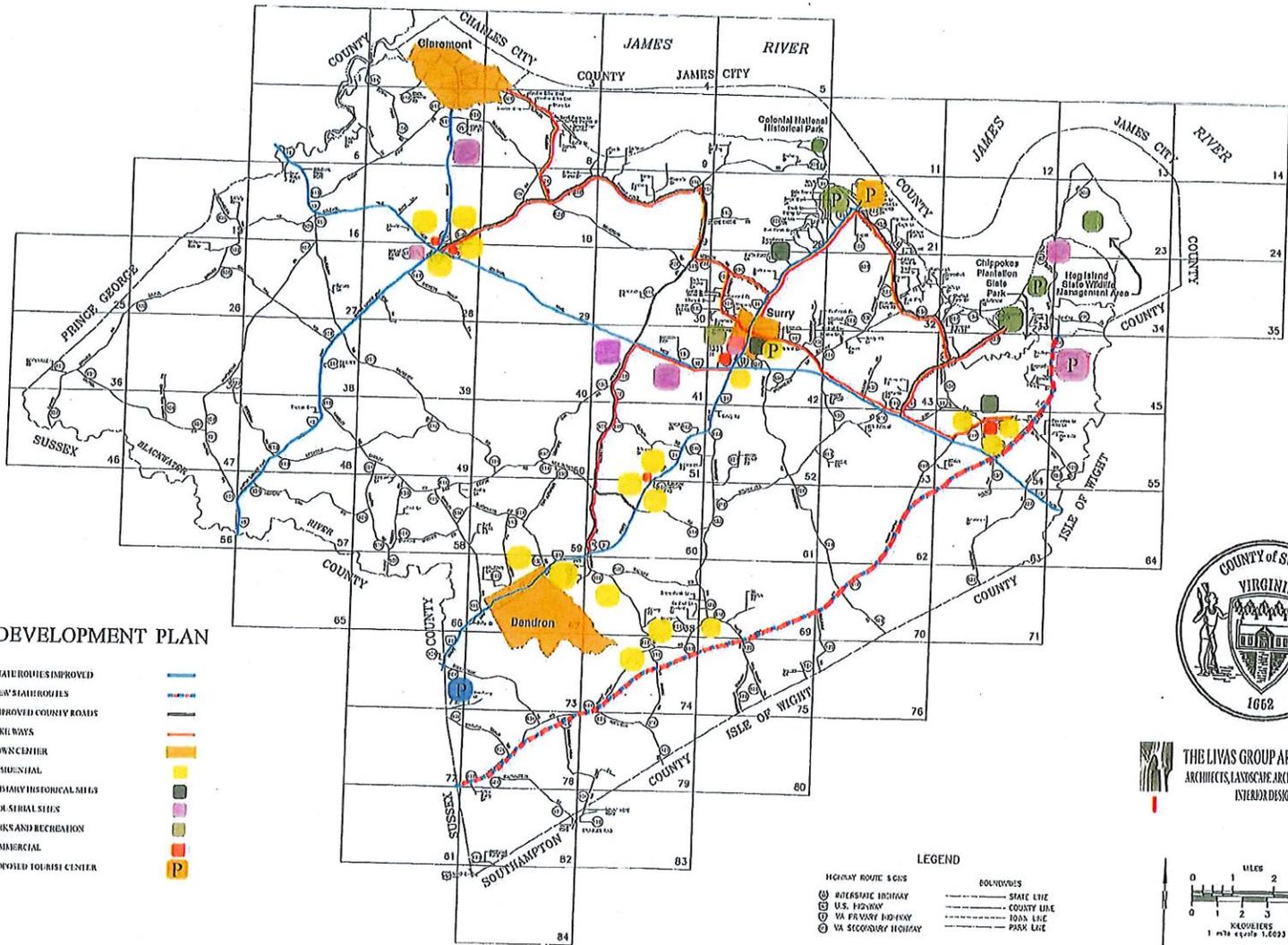


Roger G. Bowers

Enclosures

cc: Spring Grove Solar III, LLC

SURRY COUNTY COMPREHENSIVE PLAN



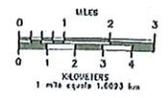
DEVELOPMENT PLAN

- STATE ROUTES IMPROVED —
- NEW STATE ROUTES - - -
- IMPROVED COUNTY ROADS —
- BIKEWAYS —
- TOWN CENTER
- RESIDENTIAL
- PRIMARY HISTORICAL SITES
- ISLAND SITES
- PARKS AND RECREATION
- COMMERCIAL
- PROMISED TOURIST CENTER P

- ### LEGEND
- H HIGHWAY ROUTE SIGNS
 - I INTERSTATE HIGHWAY
 - U U.S. HIGHWAY
 - V VA PRIMARY HIGHWAY
 - S VA SECONDARY HIGHWAY
 - COUNTY BOUNDARIES
 - STATE LINE
 - COUNTY LINE
 - TOWN LINE
 - PARK LINE



THE LIVAS GROUP ARCHITECTS P.C.
 ARCHITECTS, LANDSCAPE ARCHITECTS, PLANNERS,
 INTERIOR DESIGNERS





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MEMORANDUM

To: Mr. William Saunders, IV
Director, Planning and Community Development for Surry County

From: Roger G. Bowers

Re: Comprehensive Plan Map Amendment Request

Date: Updated January 23, 2020

This Memorandum provides a brief explanation in support of the requested Amendment to the Surry Comprehensive Plan Future Land Use and Development Plan, a copy of which attached, to recognize the identified property as an appropriate Industrial Site. This property is located on the south side of Colonial Trail West (Route 10) approximately a third of a mile west of the intersection with Hollybush Road (Route 618) with approximately 672 acres that is now primarily used for timber production (the "Property") and currently zoned A-R, Agricultural – Rural District.

The Plan sets the general goal to achieve a balanced pattern of land use that stimulates development and protects the ecological integrity of the land. *Plan, Section III.* With respect to Land Use, the goal of the Plan is to guide and support land-use development within the County in a sound and attractive manner that will result in the best possible fiscal and environmental impact. *Id.* The Plan's stated Industrial and Economic Development Goal is, among other goals, to promote the expansion of desirable industrial and commercial development in the County in order to broaden the tax base. *Id.*

This Map Amendment asks that the Board recognize that the Property which is on Route 10, one of the County's primary approved State Routes, is an appropriate place for industrial development regardless of whether it is used for business or solar development. The Property is well suited to be an Industrial Site. It has adequate frontage on Route 10 and is in close proximity to other M-1 uses in the center of the County. It is directly across from the VDOT Regional Office and an entrance to the Spring Grove Solar facilities. Moreover, the buildable area on this Property is set back from the road and shielded by natural buffers. For all these reasons an Industrial Site here will benefit the County regardless of what use is eventually developed here.

Given the investment already made in solar energy generation made through the Spring Grove Solar Projects, the first of which came on-line in December, we know that solar development is appropriate in this area. With the approval of CUP 2018-03 and CUP 2018-04 in 2018, Surry County recognized that solar energy generation in this general area was substantially in accord with the Comprehensive Plan and appropriate in the area of the Property. With the adoption of the Solar Ordinance in 2018, the County required that such use be zoned industrial, and established the need for this Map Amendment request. Per the Solar Ordinance, solar generation projects should be sourced in locations adjacent to

FutureLaw

Memo in Support of Map Amendment
Updated January 23, 2020
Page 2

existing infrastructure that enhance the availability and efficient use of the County's resources, benefit the County and its residents. This Property is adjacent to and will use the new Colonial Trail West Switching Station which was approved under CUP 2018-04 and is now operational.

This Map Amendment would recognize that this Property is appropriate for industrial activity. The Staff Report provided to the Planning Commission echoed this recognition. If successful, Applicant will still need to work through an M-1 rezoning and the Conditional Use Permit process with Staff and the County before any solar use is approved for this Property. This Map Amendment will recognize that this Property is appropriate for industrial use and can increase the County's tax base and local employment opportunities, while maintaining the County's rural character.

Because this Property is appropriate for industrial development, we respectfully request prompt and favorable consideration of the proposed Comprehensive Plan Map Amendment by the Board of Supervisors.

RGB



Barrie B. Bowers
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January 21, 2020

BY ELECTRONIC CORRESPONDENCE

Mr. William Saunders, IV
Director, Planning and Community Development
Surry County
45 School Street
Surry, Virginia 23883

**Withdrawal of Request for Comprehensive Plan Text Amendment
Spring Grove Solar III, LLC**

Dear Mr. Saunders:

Thank you for meeting with James Crawford and me last week to discuss the Application of Spring Grove Solar III, LLC (“Applicant”) for a Comprehensive Plan Text Amendment relative to Tax Parcel 26-4C (the “Property”). As discussed, this letter is to formally withdraw our Application for a Comprehensive Plan Text Amendment at this time.

Applicant wishes to continue with its request and Application for a Comprehensive Plan Map Amendment relative to the Property, as previously submitted. Since the Planning Commission has heard the request for a Map Amendment, and Applicant proposes no change to that request and it has been advertised, we would appreciate the earliest possible consideration of the Board of Supervisors as to proposed Map Amendment as they relate to the current Comprehensive Plan.

Please let me know if there is any additional information that we may provide. We look forward to working with you on this request. Thank you for your assistance in this matter.

Very truly yours,

Roger G. Bowers

cc: Spring Grove Solar III, LLC