

VOLUNTARY PROFFER STATEMENT

Applicant: Team Crucible, LLC (“Applicant”)
60 Jack Ellington Road, Fredericksburg, VA 22406

Owner: Radio Reconnaissance Technologies, Inc. (“Owner”)

(hereafter and for purposes of this Proffer Statement, the Applicant and Owner shall collectively be referred to as the “Applicant”)

Representative: Charles W. Payne, Jr., Hirschler Fleischer, 725 Jackson Street,
Suite 200, Fredericksburg, VA, 22401, Phone: (540) 604-2108;
Fax (540) 604-2101; Email: cpayne@hf-law.com

Project Name: “Team - Crucible Training Complex”

Property: Spotsylvania County Tax Parcel 76-A-2, known as 6116 Jefferson Davis Hwy, consisting of approximately 69.9846 acres (collectively, the “Property”)

Date: November 26, 2018

GDP: Generalized Development Plan, entitled “Team - Crucible Training Complex”, prepared by W W Webb & Associates, PLLC, originally dated March 27, 2017, and as last revised August 21, 2018, which plan is attached hereto and marked as Exhibit A (the “GDP”)

Rezoning Request: From A-2 to I-2

Rezoning File No.: R17-0005

I. General Information

The Applicant, its successors and assigns, hereby agrees that the development of the Property, subsequent to approval of the rezoning application to which these proffers are attached, will be in conformance with the GDP and the following proffered conditions (the “Proffers”) pursuant to Sections 15.2-2303, et seq. of the Code of Virginia (1950) as amended, and Section 23-4.6.3 of the Zoning Ordinance of Spotsylvania County (1995) as amended. The Proffers are the only conditions offered in this rezoning application, and any prior proffers affecting the Property, whether by prior proffer offers or through the impact statement accompanying this application, are hereby superseded by these Proffers. All previous proffers associated with the Property, whether of record or not, are hereby void and of no further force and effect. The Proffers will be effective only upon Spotsylvania County’s (the “County”) full and final approval of rezoning application R17-0005 and approval of accompanying special use permit application

SUP17-0003, all submitted by the Applicant to reclassify the Property from A-2 to I-2 to allow for the development and operations of a security training facility and related activities.

II. Land Use:

A. General Development. The Property will be developed in conformance with the GDP. Notwithstanding the foregoing, all parcel lines, parcel sizes, building envelopes, building sizes, public road locations, private driveway and travelway locations, utility locations, drainfields, storm water management facilities, and dimensions of undeveloped areas shown on the GDP may be reasonably adjusted for purposes of the final site or subdivision plans to allow the Applicant to address final development, engineering and design requirements, fulfill compliance with state and federal agency regulations including, but not limited to: DHR, VDOT, DEQ, DCR, Army Corps, etc., and fulfill compliance with the requirements of the County's applicable development and zoning ordinances, regulations, and design standards manual. Notwithstanding the foregoing, any said adjustments to the GDP shall be subject to the approval of the County, and in no event shall approved adjustments to the GDP relieve the Applicant from providing any of the below Proffers.

B. GDP Phasing. The GDP reflects maximum phases 1 and 2 of the build-out of the Project, including all or parts thereof, all as shown on the GDP, to include the following build-out scenarios:

1. For purposes of the initial build-out, the following shall apply in addition to the other proffered improvements provided herein:

(i) a perimeter 8-foot tall fence with single strand anti-climb barbed wire along the top of the fence will be constructed and installed on the Property, all in the areas shown on sheet 3 of the GDP;

(ii) construction of a 12-foot tall earthen berm or wall and plantings along the property line shared with adjoining Tax Map Parcels 63-A-37B, 63-A-37A and 76-A-2A, all as shown on sheet 3 of the GDP with the detailed specifics of which, including whether a wall and/or berm, will be finalized at the site plan stage once final engineering occurs; and

(iii) any ranges, when constructed during all phasing, shall include a 20-foot high perimeter earthen berm with at least 18 inches of sand capture material in the impact area, a 10-foot high interior wall, and a horizontal bullet catcher, all as generally depicted on the GDP.

2. For purposes of the final and maximum build-out of the project, the following, in addition to the other proffered improvements provided herein, shall apply:

(i) the entrance shall include a commercial entrance with a 200-foot taper, as shown on sheet 4 of the GDP; and

(ii) the construction and installation of sidewalks along the Rt. 1 frontage only when any adjoining parcel(s) along Rt. 1 commences the development of said adjoining parcel and said parcel constructs sidewalks along the Rt. 1 frontage and connects the same to the Property.

C. Noise Mitigation. The Applicant will undertake the following measures on site prior to any training and shooting activity for purposes of mitigating noise:

1. Construct minimum 20-foot high earthen berms surrounding the outside of all firing ranges, all as generally depicted on the GDP.

2. Construct minimum 20-foot high earthen berms at the impact area, to include at least 18 inches of sand capture material, all as generally depicted on the GDP.

3. Construct minimum 10-foot high interior walls for the separation of ranges, all as generally depicted on the GDP.

4. Construct an additional 12-foot high earthen berm along the north east corner of the Property, all as shown on the GDP.

5. The Applicant agrees to maintain in place all natural vegetation and trees to the extent reasonably possible. Said natural vegetation and trees that must be removed for purposes of developing the Property in accordance with the GDP and applicable governmental requirements will be replanted as shown on the GDP. All existing vegetation will remain undisturbed in the 50 foot perimeter buffer excluding: (i) the area where the road nears the southern parcel boundary; and (ii) the area needed to install and maintain the perimeter fence.

6. Limit live and blank nighttime firing range training Monday through Friday to no later than two (2) hours after darkness or 10:00 p.m., whichever is earlier (darkness for purposes herein is defined as the end of astronomical twilight as recorded by the United States Naval Observatory (USNO), see Astronomical Twilight for 2019 Table, attached hereto as Exhibit B, which table will adjust pursuant to the applicable year). Live fire operation will end no later than: 5:00 p.m. on Saturday; and 4:00 p.m. on Sunday. Further, the Applicant agrees to limit hours of live fire operation to commence no earlier than: 8:00 a.m. Monday through Friday; 9:00 a.m. on Saturday; and 10:00 a.m. on Sunday.

7. Limit simulated IED scenario training activities during daylight hours only, to commence only after 8:00 a.m. Monday through Friday, and after 9:00 a.m. Saturday and 10:00 a.m. on Sunday and to end before the end of astronomical twilight as recorded by the United States Naval Observatory (USNO).

8. Prohibit use of any high explosives as such term is defined and regulated by the Alcohol, Tobacco, Firearms, and Explosives Bureau ("ATF").

D. Range Controls. The Applicant will undertake the following firing-range controls prior to any shooting and training activity on the Property:

1. All firing training targets shall be located against range backstops, as shown on the GDP, and target height shall not be any higher than 8 feet tall, measured from the range floor.

2. All backstops shall have horizontal bullet catchers consistent with NRA Range Source Book 2012.

3. All target firing activity shall be directed below firing positions at approximately a 3% grade to ensure fired rounds containment.

4. Include a minimum 8 foot high chain link fence with single strand anti climb top wire around the perimeter of the operations, all as generally shown on the GDP.

5. Include visible "No Trespassing" (in English and Spanish) signs at least one 100 feet apart from one another around the perimeter of the Property.

6. Limit the caliber of weapons fired on the Property to the following:

(i) handguns (pistols/revolvers) up to and including .45 caliber;

(ii) shotguns (up to and including 12 gauge);

(iii) rifles/carbines (manually or semi-automatic operated, no larger than .338);

(iv) automatic weapons (no larger than 7.62mm/30 caliber); and

(v) training launchers.

7. There will be no live fire in scenario areas.

E. Environmental Controls. The Applicant will undertake the following environmental controls prior to any shooting and training activity on the Property:

1. All range facilities will be designed to follow *Environmental Protection Agency (USEPA) Best Management Practices for Lead at Outdoor Shooting Ranges (EPA-902-B-01-001)*, as revised June 2005 ("EPA Manual"), as thereafter updated and amended, to mitigate lead contamination;

2. Develop and implement an Environmental Stewardship Plan (ESP) consistent with the EPA Manual, which will include management actions, such as monitoring and reclamation actions, that will mitigate lead migration from the ranges;

3. Disburse and locate adequate lime on range floors based on periodic measurements for purposes of keeping pH levels within the firing ranges above 6.5;

4. Install sheet flows to slow water leaving the range and direct all flows to drainage swales, all as shown on the GDP;

5. Locate grass in swales and install limestone check dams, as provided for in the EPA Manual, and as shown on the GDP;

6. Install water retention structures infiltration with limestone cobbles or evaporation based on geotechnical engineer report at site plan stage in the general areas shown on the GDP; and

7. On an annual basis, account accumulated fired rounds for purposes of determining lead reclamation activities based on round count and soil measurement procedures as set forth in Applicant's Environmental Stewardship Plan, as may thereafter be updated or amended.

F. Community Engagement.

1. Applicant agrees to appoint a contact representative and provide the County contact information for such person to address any community concerns or questions about the ongoing operations of the facility. An appointed contact representative will remain in place in perpetuity as long as the facility operates or exists.

2. Applicant agrees to work with the leaders of established Spotsylvania hunt clubs and host a one day, Hunter Safety Training seminar certified by the VA Department of Game and Inland Fisheries and National Rifle Association. Training will be open to Hunt Club Members and registration conducted by the Applicant. In addition, the applicant will host two days of NRA sanctioned training to be provided by local businesses that are members of the NRA Business Alliance.

3. Applicant agrees to provide Spotsylvania County first responders and public safety personnel with access to the Applicant's firing range facilities, pursuant to a subsequent agreement between Spotsylvania County and the Applicant.

4. Applicant agrees to provide Spotsylvania County Sheriff's office access to the Applicant's tactical training, pursuant to a subsequent agreement between Spotsylvania County and the Applicant

[AUTHORIZED SIGNATURES TO FOLLOW]

The Applicant makes these proffers voluntarily, in support of their rezoning application.

WITNESS the following signature:

APPLICANT:

TEAM CRUCIBLE, LLC, a
Virginia limited liability company

By: 
John R. Garman, President

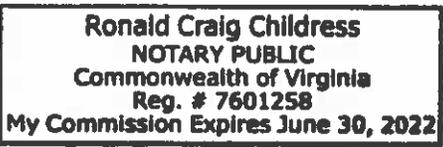
Date: 27 Nov 2018

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF SPOTSYLVANIA

The foregoing was subscribed, sworn to and acknowledged before me this 27th day of NOVEMBER, 2018, by John R. Garman, President of Team Crucible, LLC, a Virginia limited liability company, on behalf of said company.


Notary Public

Print Name: RONALD CRAIG CHILDRESS
My Commission Expires: JUNE 30, 2022
Registration No. 7601258
[SEAL]



OWNER:

RADIO RECONNAISSANCE TECHNOLOGIES, INC., a
Virginia corporation

By: Nicholas E. Hoben
Nicholas E. Hoben, President

Date: 27 Nov 2018

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF SPOTSYLVANIA

The foregoing was subscribed, sworn to and acknowledged before me this 27th day of NOVEMBER, 2018, by Nicholas E. Hoben, President of Radio Reconnaissance Technologies, Inc., a Virginia corporation, on behalf of said company.

Ronald Craig Childress
Notary Public

Print Name: RONALD CRAIG CHILDRESS
My Commission Expires: JUNE 30, 2022
Registration No. 7601258
[SEAL]

**Ronald Craig Childress
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 7601258
My Commission Expires June 30, 2022**

EXHIBIT A

Generalized Development Plan

EXHIBIT B

Astronomical Twilight for 2019 Table

I0636279.1 041791.00001

Location: W077 28, N38 18

FREDERICKSBURG, VIRGINIA
Astronomical Twilight for 2019

Astronomical Applications Dept.
U. S. Naval Observatory
Washington, DC 20392-5420

Eastern Standard Time

Day	Jan.		Feb.		Mar.		Apr.		May		June		July		Aug.		Sept.		Oct.		Nov.		Dec.	
	Begin	End																						
	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m
01	0552	1835	0545	1903	0514	1931	0425	2003	0334	2041	0255	2121	0254	2133	0328	2104	0406	2012	0437	1921	0506	1840	0534	1824
02	0552	1836	0544	1904	0513	1932	0423	2005	0332	2043	0255	2122	0255	2133	0329	2102	0408	2011	0438	1919	0507	1839	0535	1824
03	0552	1836	0543	1905	0512	1933	0422	2006	0331	2044	0254	2123	0255	2132	0330	2101	0409	2009	0439	1918	0508	1838	0536	1824
04	0553	1837	0542	1906	0510	1934	0420	2007	0329	2045	0253	2124	0256	2132	0331	2100	0410	2007	0440	1916	0509	1837	0536	1824
05	0553	1838	0541	1907	0509	1935	0418	2008	0328	2047	0253	2125	0257	2132	0333	2058	0411	2005	0441	1915	0510	1836	0537	1824
06	0553	1839	0541	1908	0507	1936	0416	2009	0326	2048	0252	2126	0258	2131	0334	2057	0412	2004	0442	1913	0511	1835	0538	1824
07	0553	1840	0540	1909	0506	1937	0415	2010	0325	2049	0252	2126	0259	2131	0335	2055	0413	2002	0443	1912	0512	1835	0539	1824
08	0553	1840	0539	1910	0504	1938	0413	2012	0323	2051	0251	2127	0259	2130	0337	2053	0414	2000	0444	1910	0513	1834	0539	1824
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22	0550	1853	0524	1924	0442	1952	0349	2029	0305	2109	0250	2134	0315	2117	0355	2030	0429	1936	0457	1851	0526	1826	0548	1828
23	0550	1854	0522	1925	0440	1953	0347	2030	0304	2111	0250	2134	0316	2116	0356	2028	0430	1934	0458	1850	0527	1825	0549	1829
24	0549	1855	0521	1926	0439	1955	0345	2032	0302	2112	0250	2134	0317	2115	0357	2027	0431	1932	0459	1849	0528	1825	0549	1830
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31	0545	1902			0427	2002			0256	2120			0326	2105	0405	2014			0505	1841			0552	1834

Add one hour for daylight time, if and when in use.

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