

RESOLUTION

APPROVING CASE NO. Z-0003-2015. SKIFFES CREEK SWITCHING STATION

WHEREAS, Ms. Adena Patterson of McGuire Woods, LLP has applied on behalf of Virginia Electric and Power Company d/b/a Dominion Energy Virginia (the "Owner") to rezone approximately 55.6 acres located at 8968 and 8960 Pocahontas Trail and further identified as James City County Real Estate Tax Map Parcel Nos. 5920100002 and 5920100013, respectively, from R-8, Rural Residential to M-2, General Industrial with proffers, and to rezone approximately 11.8 acres located at 8964 Pocahontas Trail and further identified as James City County Real Estate Tax Map Parcel No. 5920100044A from M-2, General Industrial, to M-2 General Industrial with proffers (collectively the "Property"); and

WHEREAS, the Applicant has also applied for a Special Use Permit on behalf of the Owner for operation of an electrical substation with a capacity of 5,000 kilovolt amperes or more (the "Station") on the Property, referred to as Case No. SUP-0002-2015; and

WHEREAS, the Applicant has also applied for a Height Limitation Waiver on behalf of the Owner to allow for the installation of two static poles not to exceed 80 feet above finished grade for the Station on the Property, referred to as Case No. HW-0001-2015; and

WHEREAS, the proposed Station is depicted on the plan prepared by Dewberry dated September 26, 2016 and last revised November 30, 2016, entitled "Overall Plan Skiffes Creek Switching Station" (the "Plan"); and

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia and Section 24-13 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified and a hearing scheduled for Case No. Z-0003-2015; and


WHEREAS, following a public hearing at the August 5, 2015 Planning Commission meeting, the motion for a recommendation of approval for Application No. Z-0003-2015 failed by a vote of 2-4.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia does hereby make the following findings:

1. The general or approximate location, character and extent of the public utility facility shown in Case No. Z-0003-2015 is substantially in accord with the adopted Comprehensive Plan and applicable part thereof; and
2. The requested rezoning of the Property and establishment of the requested use - the Station - is in substantial accordance with the general purpose and objectives of the Zoning Ordinance; and
3. The rezoning proposed by Case No. Z-0003-2015 is required by public necessity, convenience, general welfare and good zoning practice; and
4. The rezoning proposed by Case No. Z-0003-2015 will not increase public danger; and

- 5. The rezoning proposed by Case No. Z-0003-2015 will not impair the character of the district and adjacent districts; and
- 6. The rezoning proposed by Case No. Z-0003-2015 will not reduce or impair the value of buildings or property in surrounding areas; and
- 7. The rezoning proposed by Case No. Z-0003-2015 will not have adverse effects that cannot be avoided by the acceptance of proffers voluntarily made by the Owner; and
- 8. The public hearing was properly advertised, adjacent property owners were properly notified and a public hearing was properly held.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. Z-0003-2015 as described herein and accepts the voluntary proffers.



 Kevin D. Onizuk
 Chairman, Board of Supervisors

ATTEST:



 Bryan J. Hill
 Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____✓	_____
SADLER	_____✓	_____	_____
HIPPLE	_____✓	_____	_____
LARSON	_____	_____✓	_____
ONIZUK	_____✓	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of July, 2017.

Z03-15-SCrk-approv-res