AGENDA JAMES CITY COUNTY PLANNING COMMISSION August 5, 2015 - 7:00 p.m.

- 1. ROLL CALL
- 2. PUBLIC COMMENT
- 3. CONSENT AGENDA
 - A. Minutes from the July 1, 2015 Regular Meeting
- 4. REPORTS OF THE COMMISSION
 - A. Development Review Committee
 - B. Policy Committee
 - C. Other Commission Reports
- 5. PUBLIC HEARING
 - A. Case No. Z-0003-2015/SUP-0002-2015/HW-0001-2015, Skiffes Creek Switching Station
- 6. PLANNING DIRECTOR'S REPORT
- 7. COMMISSION DISCUSSION AND REQUESTS
- 8. ADJOURNMENT

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FIRST DAY OF JULY TWO-THOUSAND AND FIFTEEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:
Robin Bledsoe

Rich Krapf

Tim O'Connor

Chris Basic

George Drummond

John Wright, III

Heath Richardson

Staff Present:

Paul Holt, Planning Director Jose Ribeiro, Senior Planner II

Maxwell Hlavin, Assistant County Attorney

Ms. Robin Bledsoe called the meeting to order at 7:00 p.m.

Mr. Paul Holt recognized the presence of Bryan Hill, County Administrator and Michelle Gowdy, County Attorney.

2. PUBLIC COMMENT

Ms. Bledsoe opened the public comment.

As no one wished to speak, Ms. Bledsoe closed the public comment.

3. <u>CONSENT AGENDA</u>

- A. Minutes from the June 3, 2015 Regular Meeting
- B. Historic Minutes Reconciliation Approval Date
- C. Historic Minutes Reconciliation Missing

Mr. Rich Krapf moved to approve the consent agenda.

In a unanimous vote, the Commission approved the consent agenda, 7-0.

4. REPORTS OF THE COMMISSION

A. Development Review Committee

Mr. George Drummond stated that the DRC did not meet in June as there were no cases for review.

Mr. John Wright stated that the Policy Committee did not meet in June as there were no items for consideration.

5. PUBLIC HEARING

A. Case No. Z-0002-2015, Gilley Estates

Mr. José Ribeiro, Senior Planner, II, provided an overview of the request to rezone three properties commonly known as "Gatehouse Farm." Mr. Ribeiro stated that, these properties are currently split-zoned R-1, Limited Residential, and A-1, General Agricultural with proffers. Mr. Ribeiro stated that approximately 65 acres is zoned R-1, with most of this area being used for agricultural purposes. Mr. Ribeiro stated that uses associated with agricultural activities are inconsistent with the current regulations governing the R-1 zoning district. Mr. Ribeiro stated that the purpose of the request is to eliminate the split-zoning of these properties so that they are consistently zoned A-1, bringing the current agricultural uses into compliance with the Zoning Ordinance and allowing for continued farming and agricultural activities. Mr. Ribeiro further noted that the rezoning is consistent with the AFD designation and the conservation easement which exist on the property.

Ms. Bledsoe opened the floor for questions from the Commission.

There were no questions from the Commission.

Ms. Bledsoe called for disclosures from the Commissioners.

There were no disclosures.

Ms. Bledsoe opened the public hearing.

Mr. Will Holt, Kaufman and Canoles PC, 4801 Courthouse Street, stated that he represents the applicant. Mr. Holt provided a history of the property regarding both the zoning and the agricultural activities. Mr. Holt noted that the rezoning would limit the property to agricultural and forestal uses and that the voluntary proffers would prohibit intensive agricultural uses.

Mr. Wright inquired what crops were currently grown on the R-1 property.

Mr. Holt stated that the property generally produced corn and soybeans.

Mr. Wright inquired if those crops were also intended for the future use of the property.

Mr. Holt confirmed.

As no one else wished to speak, Ms. Bledsoe closed the public hearing.

Ms. Bledsoe opened the floor for Commission discussion.

Mr. Krapf stated that he is supportive of the application because it brings consistency to the property.

Mr. Richardson moved to approve the application with the voluntary proffers.

On a roll call vote, the Commission voted to recommend approval of Case No. Z-0002-2015, Gilley Estates, 7-0.

6. PLANNING COMMISSION CONSIDERATION

A. Initiation of a Consideration of Amendments to the Zoning Ordinance to incorporate State Code Changes- Article VIII Appeals

Mr. Holt stated that during the 2015 Legislative session of the General Assembly, amendments to the State Code were passed that need to be incorporated into the County's Zoning Ordinance. The proposed changes deal with the definition of variance, as well as the standards that must be met in order to receive a variance from the Board of Zoning Appeals. Mr. Holt further stated that the proposed language would be presented for discussion at an upcoming Policy Committee meeting.

Ms. Krapf moved to approve the initiating resolution.

On a roll call vote, the Commission voted to approve the initiating resolution for Consideration of Amendments to the Zoning Ordinance to incorporate State Code Changes-Article VIII Appeals, 7-0.

7. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that there was nothing more to add other than what was submitted in the Planning Commission packet.

Mr. Wright inquired when the Zoning Ordinance amendment would be reviewed by the Policy Committee.

Mr. Holt stated that it would be reviewed at the August Policy Committee meeting. Mr. Holt further stated that the Flood Plain Ordinance amendments would be on the agenda for the July Policy Committee meeting.

Mr. O'Connor inquired if there is a balloon test scheduled for the Dominion Power Skiffes Creek Switching Station Height Waiver application.

Mr. Holt stated that a balloon test is not currently scheduled; however, staff is working with the applicant to get visual simulations. Mr. Holt further stated that the proposed structure is lower than some of the existing structures.

8. <u>COMMISSION DISCUSSION AND REQUESTS</u>

Mr. Richard stated that, in conjunction with reviewing the historic minutes, he appreciated the efforts of all the individuals who had previously served on the Planning Commission.

Mr. O'Connor stated that he wanted to recognize Tal Luton who recently retired as Fire Chief after many years of service.

9. <u>ADJOURNMENT</u>

Ms. Bledsoe called for a motion to adjourn.	
Mr. Krapf moved to adjourn.	
The meeting was adjourned at approximately 7:23 p.m.	
Robin Bledsoe, Chairwoman	Paul D. Holt, III, Secretary

REZONING-0003-2015 / SPECIAL USE PERMIT-0002-2015 / HEIGHT WAIVER-0001-2015. Skiffes Creek Switching Station Staff Report for the August 5, 2015 Planning Commission Public Hearing

This staff report was prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS Building F Board Room; County Government Complex

Planning Commission: August 5, 2015, 7:00 p.m.

Board of Supervisors: September 8, 2015, 6:30 p.m. (tentative)

SUMMARY FACTS

Applicant: Ms. Adena Patterson, McGuire Woods, LLP

Land Owner: Virginia Electric and Power Company d/b/a Dominion Virginia Power

Proposal: Rezoning to M-2, General Industrial, with proffers and a special use permit to

allow for an electrical switching station. This use is classified as an electrical generation facility (public or private), steam generation facility, electrical substation with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more. Also includes

a height waiver for two approximately 80-foot-tall structures.

Location: 8968, 8964 and 8960 Pocahontas Trail

Tax Map/Parcel Nos.: 5920100002, 5920100044A and 5920100013 respectively

Parcel Size: +/- 67.6 acres in total (55.0, 11.9 and 0.6 acres respectively)

Existing Zoning: R-8, Rural Residential; M-2, General Industrial; and R-8, Rural Residential

respectively

Proposed Zoning: M-2, General Industrial, with proffers

Comprehensive Plan: Low Density Residential and Neighborhood Commercial respectively

Primary Service Area: Inside

STAFF RECOMMENDATION

Staff recognizes the importance of providing a reliable source of power to James City County and the rest of the Peninsula for economic development, tourism and current businesses and residents while needing to balance the location of electrical facilities with surrounding development to retain the County's character and quality of life. With the acceptance of the proposed proffers and adoption of the proposed conditions, staff finds the proposal to be compatible with surrounding development and generally consistent with the 2035 Comprehensive Plan. Staff recommends the James City County Planning Commission recommend approval of this application to the Board of Supervisors, subject to the listed conditions. Staff also recommends that the Planning Commission determine that this review satisfies Code of Virginia §15.2-2232 for substantial accord with the comprehensive plan. The height limitation waiver is subject to Board action only.

Staff Contact: Leanne Pollock Phone: 253-6876

<u>Proffers</u>: Proffers are signed and submitted in accordance with the James City County Proffer Policy. The submitted proffers limit the permitted uses on this parcel exclusively to the electrical substation and wireless communications facilities and would not permit any other industrial or commercial uses in an effort to minimize impacts to surrounding residential uses.

Cash Proffer Summary (See staff report narrative and attached proffers for further details)					
Use	Amount				
Covered bus stop shelter	No to exceed \$10,000.00				
Pedestrian accommodation	Amount to be determined at the time of site plan approval.				

PROJECT DESCRIPTION

Ms. Adena Patterson of McGuire Woods LLP has applied for a rezoning, special use permit and height waiver for an electrical switching station to be operated by Dominion Virginia Power as part of the proposed Surry-Skiffes Creek 500 kV line and Skiffes Creek-Whealton 230 kV line (Surry-Skiffes Creek-Whealton transmission line). The applicant requests that three properties be rezoned to M-2, General Industrial, with proffers. An electrical substation is a specially permitted use in both the proposed M-2 zoning district and in the existing R-8, Rural Residential zoning district; however, it is necessary for the applicant to rezone the properties due to the proposed height of two structures. In R-8, the maximum permitted height is 45 feet and height limitation waivers are available for taller buildings whereas in M-2 the maximum permitted height is 60 feet and waivers are available for taller structures. A height limitation waiver has also been requested for two static poles which will not exceed 80 feet above grade.

Code of Virginia §15.2-2232 requires that unless a utility facility is shown on the adopted comprehensive plan or other master plan for the County, the local planning commission and governing body shall review the facility to determine whether the location, character and extent of the project is substantially in accord with the adopted comprehensive plan. The proposed switching station is not currently shown on the County's adopted comprehensive plan and so requires this additional level of review by the Planning Commission and the Board of Supervisors.

PROJECT BACKGROUND

There is considerable background information pertaining to Dominion Virginia Power's overall proposed Surry-Skiffes Creek-Whealton transmission line project. The project has been under evaluation for several years in order to ensure the provision of reliable power to the area when Dominion retires two coal-fired generation facilities at the Yorktown Power Station. Originally, the retirement was scheduled for April 2015 to meet Federal environmental requirements, but Dominion has received an extension to keep the facilities operational until April 2016 (with the possibility of another 1-year extension).

It is important to be mindful that the State Corporation Commission (SCC) has reviewed and accepted the proposed route for the transmission lines. This route is still under review by the Army Corps of Engineers. Under Code of Virginia §56-46.1(F), approval of a transmission line by the SCC is deemed to satisfy local zoning ordinances. James City County appealed the SCC's determination that the switching station was part of the transmission line and exempt from local zoning ordinances; however, earlier in 2015 the Virginia Supreme Court decided that the switching station is <u>not</u> part of the transmission lines and so <u>is</u> subject to both local zoning ordinances and review in accordance with Code of Virginia §15.2-2232.

As a result of these proceedings, the scope of staff's review of the rezoning, special use permit and height limitation waiver is limited only to the switching station facility. The applicant has color-coded sheet 1 of the Master Plan to show transmission line components in green and existing overhead transmission lines in blue. Staff notes that there are also several taller backbone structures ranging from 75 feet to 115 feet in height. All of these items have been deemed to be part of the transmission lines and are exempt from local zoning ordinances. The broader route of the 500kV transmission lines, the color-coded items on the Master Plan and the backbones

are shown for informational purposes only and should not be factored into deliberation on the proposed switching station facility rezoning and special use permit.

COMMUNITY MEETINGS

The applicant conducted a community open house at the James River Elementary School on July 23 from 5-7 p.m. to provide additional information about the proposed switching station to nearby residents and businesses.

SURROUNDING ZONING AND DEVELOPMENT ANALYSIS

The project area consists of three parcels that connect the switching station property to Pocahontas Trail by way of an abandoned BASF rail spur. To the north-west, the station is adjacent to active CSX railroad tracks and Merrimac Trail/Route 143. The Merrimac Center and Virginia Peninsula Regional Jail are across Merrimac Trail from the station. Both are zoned PL, Public Lands, and designated Federal, State and County Land on the 2035 Comprehensive Plan. Immediately to the east is a large vacant parcel zoned M-2, General Industrial, and designated General Industry. To the south of the station is a vacant parcel that is zoned R-8, Rural Residential and is designated Low Density Residential (LDR). Both the parcel to the east and the parcel to the south are owned by Skiffes Creek L.L.C. and neither have existing road frontage/access on a public street. Immediately to the west of the station is Country Village Mobile Home Park, which is zoned R-8 and designated Moderate Density Residential (MDR). There are a few other existing residential neighborhoods located in close proximity to the project, including Skiffes Creek Terrace, Carter's Village, Poplar Hall and Windy Hill Mobile Home Park. Property adjacent to the access road and along Pocahontas Trail is zoned a mixture of B-1, General Business; M-1, Limited Business/Industrial; R-8 and M-2; and designated Neighborhood Commercial, LDR, MDR and General Industrial.

HEIGHT WAIVER

As noted earlier, the applicant has applied to the Board of Supervisors for a Height Waiver, which is tentatively scheduled to be heard jointly with the rezoning and special use permit at the September 8, 2015 Board of Supervisors meeting. This analysis is completed with the assumption that the property is rezoned to M-2. On property zoned M-2, structures may be constructed, by right, up to sixty feet in height above grade provided that they meet certain additional setbacks from the property lines. If structures are to exceed sixty feet in height, they must first be authorized by the Board with the issuance of a Height Limitation Waiver (Height Waiver). The applicant has asked for a 20 foot waiver to the height requirements for two structures, which equates to no more than 80 feet above finished grade (which would be the equivalent of 137 feet and 149 feet above mean sea level for each of the two structures respectively). The structures are static poles which are located near the center of the property and serve to attract any lightning strikes rather than to the other switching station equipment. The applicant has provided visual simulations from several viewpoints; however, note that the simulations include the switching station and the transmission lines (not just the static poles). Given the height of the poles and their location on the property, they will have minimal off-site visual impacts.

HEIGHT WAIVER ANALYSIS

Section 24-443 of the James City County Zoning Ordinance states that structures in excess of 60 feet in height may be erected only upon the granting of a height limitation waiver by the Board of Supervisors and upon finding:

- 1. Additional setbacks have been provided; however, the Board may waive additional setbacks for structures in excess of 60 feet; Staff comment: The proposed static poles are more than 400 feet from the southern property line and the nearest pole is more than 350 feet from the eastern property line. They are located in such a way that the full required Ordinance setbacks (98 feet from the southern property line and 35 feet from the eastern property line) are exceeded in all areas.
- 2. Such structure will not obstruct light from adjacent property; Staff comment: Given the distances to the property boundary lines and the design of the static pole, which is similar to a monopole/slick stick cell tower, Planning staff finds that the static poles will not obstruct light from adjacent properties.

- 3. Such structure will not impair the enjoyment of historic attractions and areas of significant historic interest and surrounding developments;
 - Staff comment: The closest area of historic interest is Carter's Grove, which is roughly 4,000 feet from the switching station site. The poles will not be visible from this location. There is an archaeological resource on the switching station property; however, the applicant intends to completely excavate the site prior to construction and this is reflected in the proposed SUP conditions. Staff has visited the surrounding residential neighborhoods and Dominion has provided visual simulations to determine impacts to these areas. Currently, the existing overhead power lines are extremely visible from Country Village Mobile Home Park, the view is already significantly impacted in this area and the transmission lines themselves will further impact the view. The clearing and additional equipment for the switching station/static poles will only impact this view to a minor extent. Visual simulation from other surrounding developments indicates that the static poles will not be visible. Staff does note; however, that visibility from Poplar Hall specifically may change if the intervening parcel is cleared for development. Staff has proposed several landscaping and buffering conditions as part of the SUP in an attempt to mitigate this. Planning staff finds that the proposed static poles will not further impair the enjoyment of nearby historic attractions, areas of significant historic interest or nearby developments.
- 4. Such structure will not impair property values in the area; Staff comment: The Director of Real Estate Assessments reviewed the two proposed static poles and determined that they will not negatively affect the surrounding property values.
- 5. Such structure is adequately designed and served from the standpoint of safety and that the County fire chief finds the fire safety equipment installed is adequately designed and that the structure is reasonably well located in relation to fire stations and equipment, so as to offer adequate protection to life and property;
 - *Staff comment:* The Fire Department indicates that they have no concerns with the static poles from a fire service standpoint. Public safety related to the switching station will be addressed more in depth later in staff's report.
- 6. Such structure will not be contrary to the public health, safety, and general welfare. *Staff comment:* Based on the current proposal and supporting information submitted by the applicant, staff finds that the proposed static poles will not unduly or adversely affect the public health, safety, or general welfare. Public safety related to the switching station will be addressed more in depth later in staff's report.

PUBLIC IMPACTS

Archaeology

The property has been undergoing review as part of the overall permitting process for the Surry-Skiffes Creek Whealton transmission line. Based on the results of a Phase I and Phase II excavation conducted on the property, the Virginia Department of Historic Resources has concurred that there is one archaeological site that is eligible for listing on the National Register of Historic Places. The applicant has indicated that it is their intent to fully excavate the site prior to development and staff has proposed an SUP condition to this effect.

Environmental

Watershed: Skiffes Creek

Staff Comments: The property includes a small Resource Protection Area (RPA) that the applicant proposes to avoid through construction. There are several overhead transmission lines that cross this RPA and so frequent maintenance and trimming will be necessary in this area to keep growth below 15 feet. Due to concerns regarding the use of chemical herbicides in this area, staff has proposed a condition where the owner would need to notify the Director of Engineering and Resource Protection prior to any maintenance activities.

The site also drains to the Skiffes Creek Reservoir, which is a source of drinking water for Newport News Water Works. Staff has included SUP conditions to help mitigate for any negative impacts to the reservoir, including requiring a spill containment/response plan and that post-development stormwater runoff water quality will be treated to achieve the same degree of pre-development water quality. Additionally, the wooded area of the parcel to the west of the switching station will be retained as a tree protection area.

Staff also consulted with the Virginia Department of Conservation and Recreation (DCR) regarding potential habitat for rare, threatened or endangered species. Based on DCR's review, there are no existing species or potential habitat and so no further natural heritage surveys will be necessary.

ERP Comments: Engineering and Resource Protection (ERP) has reviewed the master plan and proposed SUP conditions and concurs that any outstanding items can be addressed through the development plan review process.

Public Utilities

The property is located within the Primary Service Area and would be served by public water (Newport News Water Works) and sewer.

Staff Comments: The applicant is not proposing any connections to public water or sewer. Given the project's location to existing JCSA infrastructure and to the Skiffes Creek Reservoir, staff consulted with both JCSA and Newport News Water Works. Both agencies concur with the master plan and SUP conditions and will also have the opportunity to review future development plans.

Public Safety

The switching station represents a large concentration of high voltage equipment and so staff spent considerable time discussing the project with County Police and Fire personnel in addition to contacting Virginia Natural Gas (who has a gas pipeline along the northern edge of the property) and CSX to determine whether there were any safety concerns. The applicant has confirmed that the access road from Pocahontas Trail will be upgraded to support fire apparatus. Due to the nature of switching station, the road will be gated and the Fire Department will work in conjunction with Dominion personnel in the event of an emergency to ensure conditions are made safe prior to responding to an incident. This is the typical operating procedure for electrical facilities. SUP conditions are proposed for an emergency management plan that will be developed in conjunction with Fire and Police and will outline appropriate contacts, training schedules, etc. The fence will also be equipped with security cameras that will be monitored.

Fiscal

While the proposal does not generate new businesses or housing, the applicant submitted an overview of the fiscal benefit to the County as a result of rezoning these properties and investing in a switching station. Per calculations by Dominion and the SCC, estimates indicate that \$308,185 would be paid in taxes whereas currently, the 2015 real property tax is estimated at \$5,800. Since the property is owned by Dominion, it is assessed by the SCC rather than James City County. The SCC concurred with Dominion's estimation methodology; however, they noted that the investment amount used for the switching station would not be able to be confirmed until later in the project.

Transportation

The project is located on Pocahontas Trail/Route 60 and there is an existing gated driveway which serves as access to the site. There is a secondary access point off Tadich Drive in Country Village Mobile Home Park, which also ultimately connects to Pocahontas Trail.

Traffic Counts: The James City County/Williamsburg/York County Comprehensive Transportation Study (Regional Study) that was completed in March 2012 indicated that the most recent weekday volume for

Pocahontas Trail from BASF Road to the Newport News boundary was 11,188 trips. This represents a current weekday PM peak hour LOS of A-C for the corridor.

Projected Traffic Volume: On Pocahontas Trail from the Grove Interchange to the Newport News boundary, the 2035 Comprehensive Plan projects 21,186 AADT for 2035 – with the note that volumes are expected to be reduced with implementation of the Route 60 relocated project. The Regional Study notes that the PM peak hour LOS for the corridor from BASF Road to the Newport News boundary is projected to still be at a LOS of F in 2034.

Staff Comments: The switching station will not be staffed on a regular basis and the applicant has indicated that they anticipate three vehicle trips per month to the site for regular maintenance and monitoring once the station is complete. An SUP condition will require that a construction management and mitigation plan be provided prior to site plan approval which will address traffic control measures and hours during construction of the station. There is also a condition that limits all access (with the exception of emergencies) to via Pocahontas Trail rather than through residential areas. The applicant has proffered to dedicate additional right-of-way of Pocahontas Trail to accommodate a sheltered bus stop and sidewalk in addition to cash contributions to construct the bus shelter (up to \$10,000) and sidewalk (contribution to be determined). The Pedestrian Accommodation Master Plan for this area calls for a multi-use path. Staff finds that the development can be supported by the existing road network given the proffer that limits the use of the property.

VDOT Comments: VDOT has reviewed the proposal and trip generation figures for the proposed switching station and did not have any concerns with the rezoning/SUP proposal. VDOT was unable to determine whether 20 feet of additional right-of-way would be sufficient for the proffered sidewalk and bus stop improvements. They will be involved in review of any future development plans and the construction management plan.

WATA Comments: WATA is supportive of proffers for a sheltered bus stop in this area. They have not directly considered relocating the existing bus stop at Windy Hill Market to this location, but would be open to discussing it, particularly if a bus pull-off can be provided. WATA did note that \$10,000 would not likely cover the full costs associated with a new bus stop and pull-off (the typical shelter costs around \$6,000 exclusive of design and site work and installation of a pull-off).

COMPREHENSIVE PLAN

The project is designated Low Density Residential (LDR) on the 2035 Comprehensive Plan Land Use Map. LDR sites should be located within the Primary Service Area and have suitable terrain and soils for development. Recommended uses are tiered by group. Group 1 uses include single-family homes, cluster housing and recreational areas. Group 2 uses include schools, places of public assembly, very limited commercial and community-oriented facilities that can meet the following five standards:

- i. Complement the residential character of the area;
- ii. Have traffic, noise, lighting and other impacts similar to surrounding residential uses;
- iii. Generally be located on collector or arterial roads at intersections;
- iv. Provide adequate screening and buffering to protect the character of nearby residential areas; and
- v. Generally intended to support the residential community in which they are located.

New development should only be permitted where such developments are compatible with the character of adjoining uses and where the impacts of such new developments can be adequately addressed. Particular attention should be given to addressing such impacts as incompatible intensity and design, building height and scale, land uses, smoke, noise, dust, odor, vibration, light and traffic. Conflicting uses should be located near residential uses only where the conflicts between such uses can be adequately addressed. Conflicts may be addressed by sufficient screening/buffering or other adequately protective site and building design features. The comprehensive plan also states that the need for public services (police and fire for this specific application) and facilities generated by a development should be met or mitigated by that development.

A portion of the Land Use section in the 2035 Comprehensive Plan includes a discussion about the relationship between the comprehensive plan and zoning map for areas with a residential designation. The majority of this project is zoned R-8 and designated LDR so this section would be pertinent. It notes that in a limited number of instances, to be evaluated on a case-by-case basis, a rezoning to a limited commercial zoning district may be considered but that for either SUP or rezoning legislative actions, careful adherence to the LDR development standards, which have more specific guidelines for these limited commercial uses/districts, will be extremely important.

The Economic Development section contains Goals, Strategies and Actions geared towards supporting existing businesses and tourism and developing ways to attract new and innovative business and industries to the area. An important component of this is ensuring that adequate infrastructure is in place to provide power, water, sewer and other critical services to support economic development. Per the applicant and SCC, this switching station and the associated transmission lines are essential to the reliable provision of electricity to the Peninsula and Hampton Roads area.

A switching station can be considered under the Group 2 uses as a limited commercial or community-oriented facility as it is classified as a utility. Other electrical substations have been permitted on properties within various land use designations, including LDR and Open Space or Recreation, and deemed as facilities that are necessary to support the power needs of general County development.

Staff notes that the property is already significantly impacted by the existing overhead transmission lines that abut the southern property line. As a result, the visual impacts of the switching station are difficult to buffer in that area as plantings have height restrictions to ensure safe operation of the lines. The wooded nature of the adjacent parcel helps to screen the lines and the proposed facility; however, these trees are off-site and could be cleared for future development. Based on the visual simulations provided by the applicant, the switching station will also be visible from a section of Merrimac Trail near the Virginia Peninsula Regional Jail. There is significant existing wooded area between the property and Merrimac Trail; however this is also located off-site and on either VDOT or CSX railroad right-of-way, which could be cleared in the future. The applicant has provided a series of transitional buffers on the property, including a 50-foot buffer (exclusive of existing utility easements) adjacent to residential areas and Merrimac Trail, retention of natural vegetation between the station and Country Village Mobile Home Park, supplemental landscaping along the access road and a 50-foot Community Character Corridor buffer along Pocahontas Trail. The applicant has also proposed lower height plantings under the overhead lines and that plantings will be selected to provide maximum visual screening.

The applicant has addressed potential concerns related to noise generation of the facility. The existing overhead lines, CSX activity and vehicles on Merrimac Trail generate some degree of noise on-site. The applicant has proposed to use low sound design transformers and noise dampening equipment to further mitigate any potential impacts. The bulk of the switching station (transformers, breakers, etc.) is more than 700 feet away from the closest existing residence, which is located in Poplar Hall. The applicant has indicated that under regular operations, the station will not generate odor, smoke or dust.

The project meets the Group 2 criteria in conjunction with the proposed SUP conditions in that it has primary access from Pocahontas Trail; includes buffering and landscaping to the extent feasible given existing conditions; provides assurances that the impacts of lighting, noise and traffic on adjacent residential areas can be mitigated; and the station will more broadly support the surrounding residential community by assuring a reliable source of electricity. As a result, staff finds the proposed development to be generally consistent with the 2035 Comprehensive Plan.

RECOMMENDATION

Staff recognizes the importance of providing a reliable source of power to James City County and the rest of the Peninsula for economic development, tourism and current businesses and residents while balancing the location of electrical facilities with surrounding development to retain the County's character and quality of life. With the acceptance of the proposed proffers and adoption of the proposed conditions, staff finds the proposal to be

compatible with surrounding development and generally consistent with the 2035 Comprehensive Plan. Staff recommends the James City County Planning Commission recommend approval of this application to the Board of Supervisors, subject to the listed conditions. Staff also recommends that the Planning Commission determine that this review satisfies Code of Virginia §15.2-2232 for substantial accord with the comprehensive plan. The Board of Supervisors will also jointly consider the height limitation waiver portion of this application, but those conditions have also been included below for your information.

Special Use Permit:

- 1. **Plan.** This Special Use Permit shall be valid for a switching station (the "Station") as generally shown on all sheets of the plan prepared by Dewberry, dated July 24, 2015 and entitled "Overall Plan Skiffes Creek Switching Station" (the "Master Plan"). The site plan for the Station shall be generally consistent with the Master Plan as determined by the Director of Planning.
- Noise. Prior to final site plan approval, Dominion Virginia Power (the "Owner") shall demonstrate that
 noise dampening equipment and low sound design transformers have been provided. This shall be
 demonstrated to the satisfaction of the Director of Planning through documents such as manufacturer's
 design specifications and plan notations.
- 3. **BMP Fence.** Prior to final site plan approval, Owner shall submit a detail for the BMP chain link fence (the "Fence"). Fence shall be black plastic coated and shall not contain barbed wire.
- 4. **Security Fence.** Owner shall submit a detail for the Station security fence (the "Security Fence"). The Security Fence shall be black, brown or other neutral color where it abuts Merrimac Trail (Route 143) and property that is zoned and designated for residential use. The Security Fence shall not contain barbed wire and shall not exceed a height of 20 feet above finished grade. The detail and the final color shall be submitted to and approved by the Director of Planning prior to final site plan approval.
- 5. **Tree Preservation.** It is the intent of this SUP application that the hatched area as depicted on the "Buffer Plan" sheet of the Master Plan shall remain in a natural and undisturbed state. No trees shall be removed except in the case where any such trees are diseased or dying, where trees are a danger to electrical facilities, where trees must be removed for the Owner's transmission lines, and where tree removal is approved by the Director of Planning or his designee. The intent of this condition is to demonstrate that the hatched area shall remain as additional buffering from adjacent residential uses as part of the construction of the Station as depicted on the Master Plan.
- 6. **Landscaping.** Prior to final site plan approval, the Director of Planning or his designee shall review and approve a landscape plan and landscape materials for the Station which shall be consistent with buffers as shown on the "Buffer Plan" sheet of the Master Plan. The landscape plan shall provide for transitional buffers, exclusive of existing easements, adjacent to properties zoned for residential use and adjacent to Merrimac Trail and shall provide supplemental plantings along the access road in areas with little existing vegetation. Landscape materials shall be selected to provide maximum visual screening. In addition to the transitional buffer, in areas where there are existing overhead lines immediately along the property line, the landscape plan shall include shorter landscape materials as permitted by the North American Electric Reliability Corporation's planting and landscaping materials standards and approved by the Director of Planning or his designee.
- 7. **Lighting.** A lighting plan shall be reviewed and approved by the Director of Planning or his designee prior to final approval of the site plan for the Station. Any exterior site or building lighting shall be shielded and directed downward. No glare defined as 0.1 foot-candle or higher shall extend outside the property lines. Lights shall be operated by a motion detector or be able to be turned on as needed by the Owner and shall not be routinely illuminated at night. No lighting shall be installed on structures at a height greater than 30 feet above finished grade. This condition shall not apply to any lighting required by Federal or State regulations.
- 8. **Archaeology.** Prior to issuance of a land disturbing permit for any land disturbance activities related to construction of the Station within the boundary of the Historical Area as shown on the Master Plan, a Phase III archaeological assessment shall be completed for such portions of the area proposed for disturbance, and submitted to the Director of Planning or his designee (the Virginia Department of Historic Resources) for review and approval. For any portion of the Historical Area that will be

preserved, a treatment or management plan for the site shall be completed and submitted to the Director of Planning or his designee for review and approval. All archaeological assessments shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Identification and Evaluation Reports for Submission Pursuant to Sections 106 and 110, National Historic Preservation Act, Environmental Impact Reports of State Agencies, Virginia Appropriations Act, 1998 Session Amendments and Guidelines for Archeological Investigations in Virginia June 1996 and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. Upon approval, all treatment plans shall be incorporated into the plan of development for the Station and the clearing, grading or construction activities thereon.

- 9. RPA Management. The Owner shall apply to the Director of Engineering and Resource Protection (ERP) in writing for an exemption to the County Chesapeake Bay Preservation Act prior to conducting any vegetative management, maintenance activities, or use of herbicides within the Resource Protection Area (RPA) delineated on the property and as shown on the Master Plan for the life of the switching station.
- 10. **Construction Management and Mitigation.** The Owner shall provide the following plans for review and approval by the Director of Planning or his designee prior to final site plan approval. In addition to all State and local site plan requirements, such plans shall include, at a minimum, those items listed below.
 - a. Construction Management Plan:
 - i. Traffic control methods, to include lane closures, flagging procedures, directional and informational signage, and designation of the sole access point for deliveries and employee access.
 - ii. Designated parking areas.
 - iii. Hours of construction activities shall be limited to between 7 a.m. and 9 p.m.
 - b. Construction Mitigation Plan:
 - i. Dust mitigation, such as water trucks, mulch, or similar methods.
 - ii. Smoke and burn mitigation, such as containment or similar methods. No materials shall be burned on the Property.
 - iii. Noise mitigation, such as the enforcement of hours of operation, traffic control, and similar methods.
 - iv. Road monitoring and policing on Pocahontas Trail/Highway 60, to include cleaning roadways of mud tracked onto Pocahontas Trail/Highway 60 from construction-related traffic.
- 11. **Spill Response Plan.** Prior to any site plan approval for the Station where the stormwater runoff ultimately drains to the Skiffes Creek Reservoir the following information shall be provided:
 - a. A stormwater management plan shall be submitted to the County Director of ERP or his designee for review and approval. The stormwater management plans shall demonstrate that adequate measures have been taken for the post-development to achieve the same degree of predevelopment water quality. The development of the site shall utilize the applicable best management practices as outlined in the Virginia Department of Environmental Quality Stormwater BMP Clearinghouse.
 - b. A Spill Prevention, Control, and Countermeasure Plan ("Spill Plan") for the Station shall be submitted to the County Director of ERP or his designee for review and approval. Updates and amendments to the Spill Plan shall be forwarded to the County Director of ERP as they are developed.
- 12. **Emergency Management Plan.** The Owner shall prepare and maintain an emergency management plan to address situations that may require response from James City County public safety personnel, including, without limitation, fire safety and emergency response personnel. The Emergency Management Plan shall:
 - a. Be developed in conjunction with and approved by the County Fire Chief and County Police Chief or their designees prior to final site plan approval.
 - b. Provide a mutually agreed upon schedule for the Owner to provide information sessions and

- training for James City County public safety personnel relative to possible emergency response situations at the Station.
- c. Provide pertinent contact numbers for the Owner's emergency personnel.
- d. Provide that all emergency contact information will be posted on access gates.
- 13. **Access Road.** Except in emergencies, sole access to the Station shall be by way of an existing access point along the frontage of the Property on Pocahontas Trail/Highway 60 (the "Access Road") and access shall not be taken through adjacent residential development. The Owner shall design the Access Road to provide adequate access for emergency response vehicles and shall include a turn-around area for such emergency response vehicles in the vicinity of the Station as determined by the Fire Chief or his designee prior to final site plan approval.
- 14. **Commencement.** The Station shall be operational within 36 months from the issuance of an SUP, or the SUP shall become void. The Owner shall submit a certified letter to the County Director of Planning prior to 36 months from the issuance of this SUP to confirm the operation status of the Station.
- 15. **Severance Clause.** This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Height Limitation Waiver:

- 1. **Plan:** This Height Waiver shall be valid for a 20-foot waiver to the height limitation requirements set forth in the James City County Code to allow for the erection of two static poles (the "Poles") up to 80 feet above finished grade as generally shown on the plan prepared by Dewberry, dated July 24, 2015 and entitled "Overall Plan Skiffes Creek Switching Station" (the "Master Plan"). For the purposes of this waiver, "finished grade" for the eastern most Pole and the western most Pole shall be defined as 74 feet and 62 feet respectively above mean sea level.
- 2. **Color:** The Poles shall be gray in color. The final color shall be approved by the Director of Planning, or his designee, prior to final site plan approval.
- 3. **Signage:** No advertising material or signs shall be placed on the Poles.
- 4. **Support Structure:** The Poles shall be freestanding and shall not use guy wires for support.
- 5. **Abandonment:** Prior to final site plan approval, the Owner shall provide a guarantee in a form to be approved by the County Attorney and in an amount sufficient to fund the removal of an abandoned or unused Pole or any disused portion thereof, and site restoration as approved by the Director of Engineering and Resource Protection. This bond or other financial mechanism shall remain in effect throughout the life of the Poles. The Poles shall be considered abandoned or unused if the Station is not being utilized for a period of six months.
- 6. **Severability:** This Height Waiver is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

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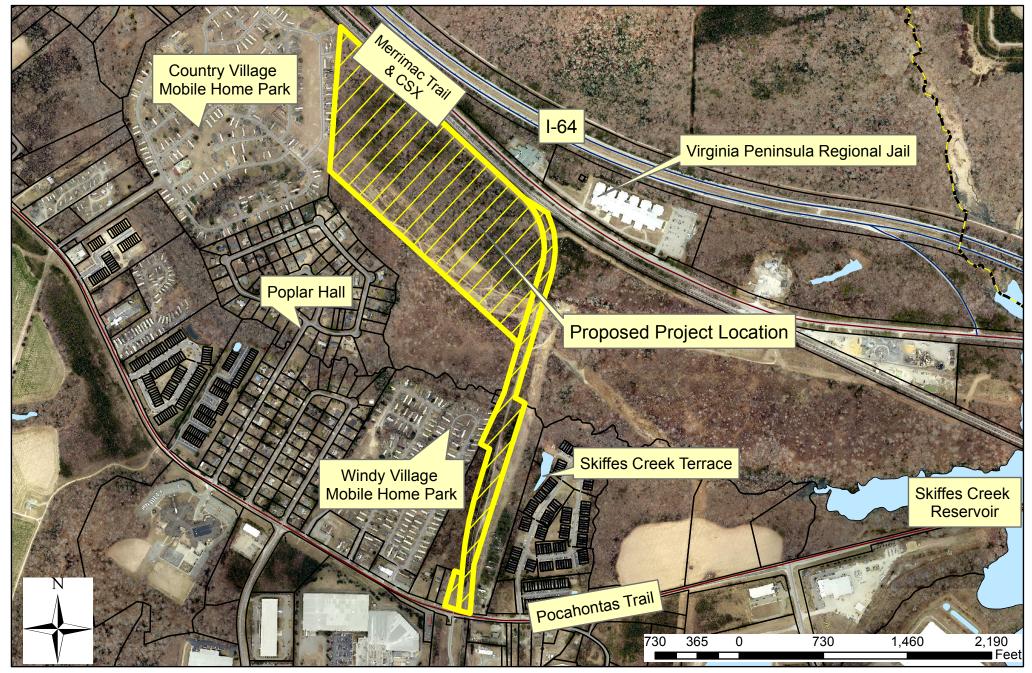
Attachments:¹

- 1. Location map
- 2. Proffers
- 3. Background information provided by applicant
- 4. Environmental constraints analysis
- 5. Visual simulations
- 6. Public comment
- 7. Master plan (under separate cover)

1 The applicant provided additional materials as part of the rezoning application including the findings of the various State Corporation Commission hearings, the verdict in the Virginia State Supreme Court Case and the Army Corps of Engineers alternatives analysis. Due to the volume of materials, these have not been included in the packet but are available from the Planning Division for review upon request.

JCC-Z-0003-2015/SUP-0002-2015/HW-0001-2015 Skiffes Creek Switching Station





SKIFFES CREEK SWITCHING STATION

PROFFERS

THESE PROFFERS are made this 22nd day of July 2015, by VIRGINIA ELECTRIC AND POWER COMPANY D/B/A/ DOMINION VIRGINIA POWER (together with its successors in title and assigns, the "Owner").

RECITALS

- A. The Owner is the fee simple owner of three tracts or parcels of land located in James City County, Virginia, with addresses of 8968 and 8960 Pocahontas Trail, and being Tax Parcels 5920100002, 5920100013, 5920100044A, containing approximately 67.6 acres (the "Property").
- B. The Property is now zoned R-8 and M-2. The Property is designated Low Density Residential on the County's Comprehensive Plan Land Use Map.
- C. The Owner has applied to rezone the Property from R-8 and M-2 to M-2 with proffers.
- D. The Owner has submitted to the County a master plan entitled "Skiffes Creek Switching Station" dated July 10, 2015, and prepared by Dewberry (the "Master Plan") for the Property in accordance with the County Zoning Ordinance. All nine (9) sheets contained within the Master Plan are incorporated herein.
- E. The Owner desires to offer to the County certain conditions on the development of the Property not generally applicable to land zoned M-2.
- F. The Owner has defined "Station" as the electrical transmission switching station (identified in the Zoning Ordinance as an electrical substation) that is to be developed on the Property pursuant to the Master Plan.

PROFFERS

- 1. <u>Use</u>. The use of the Property shall be limited to the Station; uses accessory to the Station; and the Owner's electrical transmission network, which is comprised of any SCC approved transmission facilities or any County approved electrical facilities. In addition, telecommunication facilities may be co-located on any of the Owner's transmission facilities, provided the telecommunication facility is approved by the County. No other uses listed as permitted or specially permitted within in the M-2, General Industrial zoning district, shall be permitted on the Property.
- 2. <u>Improvements</u>. At the time of site plan approval:
 - A. The Owner shall dedicate twenty (20) feet of the Pocahontas Trail Property frontage (as measured from the existing right-of-way) to be used for sidewalk and bus stop improvements.

- B. The Owner shall provide the funds to the County, not to exceed ten thousand dollars (\$10,000.00), for the construction of a covered bus shelter on the Property, if the Windy Hill Market bus stop is relocated to the Property, or to construct a bus shelter at the existing Windy Hill Market bus stop.
- C. The Owner shall provide the funds to the County for construction of a sidewalk across the dedicated right-of-way. The cost of such construction shall be determined at the time of site plan approval.

SIGNATURES FOLLOW ON NEXT PAGE

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2303 of the Code of Virginia, 1950, as amended (the "Virginia Code"), and the County Zoning Ordinance, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted by the County, these Proffers shall be null and void.

WITNESS the following signatures and seals.

VIRGINIA ELECTRIC AND POWER COMPANY CITY/COUNTY OF Richmond The foregoing instrument was acknowledged before me this 22 2015, by Rick Siegka, as Mar Electric Transmission of Virginia Electric and Power Company, a Virginia corporation, on behalf of the corporation. My commission expires: 3-31-2016 Registration number: 385% 3 MY COMMON EXPIRES.

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SKIFFES CREEK SPECIAL USE PERMIT AND REZONING APPLICATION

Background

1. The Property

Virginia Electric and Power Company ("Dominion Virginia Power" or the "Company") owns three parcels of land north of Route 60/Pocahontas Trail near BASF Drive in James City County, Virginia. These parcels are known as map numbers 5920100013 ("0.62-acre Parcel"), 5920100002 ("55-acre Parcel"), and 5920100044A ("12-acre Parcel") totaling 67.6 acres (collectively, the "Property") as shown on the Skiffes Creek Switching Station Master Plan dated June 15, 2015, prepared by Dewberry and attached as Exhibit A (the "Master Plan"). The 12-acre Parcel is zoned M-2; and the 0.62-acre and 55-acre Parcels are zoned R-8.

The 12-acre Parcel connecting Route 60/Pocahontas Trail to the 55-acre Parcel was the location of a former railroad spur. The tracks have been removed from the 12-acre parcel but an existing dirt/gravel access road runs parallel to the old railroad bed. That road is already used by Dominion Virginia Power to access the various overhead transmission lines in the area. The 55-acre Parcel is generally a parallelogram in shape, with the northern and southern boundaries being longer than the eastern and western boundaries. The 55-acre Parcel has the following characteristics:

- The northern boundary is immediately adjacent to a dual track CSX mainline railroad and Route 143/Merrimac Trail, and it is in very close proximity to Interstate 64, the Merrimac Juvenile Detention Center and the Virginia Peninsula Regional Jail. *See* Master Plan sheet 2.
- The southern quarter of the southern portion of the 55-acre Parcel is currently occupied by a two hundred twenty-five (225 +/-) foot width electric transmission corridor that includes four existing overhead transmission lines (two 230 kV lines and two 115 kV lines). *See* Master Plan sheet 1.
- The southern boundary of the 55-acre Parcel is adjacent to a 25.2-acre parcel zoned R-8 and is currently vacant. *See* Master Plan sheet 1, Location Map.
- The western boundary of the 55-acre Parcel is adjacent to property zoned R-8 and is occupied by a manufactured home park. *See* Master Plan sheet 1, Location Map.

- The eastern boundary of the 55-acre Parcel is adjacent to land that is zoned M-2 and is currently vacant, save for the electric transmission lines that cross that property. *See* Master Plan sheet 1.
- The parcel is split by wetlands and an identified resource protection area ("RPA") in a northwest to southeast orientation. *See* Master Plan sheet 2.

2. Legal Background Regarding Skiffes Station

By its November 26, 2013 Order, as modified by its February 28, 2014 Order Amending Certificates and confirmed by its April 10, 2014 Order Denying Petition (collectively, the "Skiffes Orders"), the State Corporation Commission ("Commission") approved and certificated under § 56-46.1 of the Code of Virginia ("Va. Code") and the Virginia Utility Facilities Act¹ the construction and operation by Dominion Virginia Power of the electric transmission lines and related facilities proposed by the Company in its application filed in Case No. PUE-2012-00029 on June 11, 2012. Specifically, by the Skiffes Orders, the Commission approved and certificated the construction and operation by the Company of overhead electric transmission lines and related facilities, including (1) a new 500 kV overhead electric transmission line from the Company's existing 500 kV-230 kV Surry Switching Station ("Surry Station") in Surry County to a new 500 kV-230 kV-115 kV Skiffes Creek Switching Station ("Skiffes Station") in James City County (also referred to as Line #582 or the "Surry-Skiffes Creek Line"); (2) the Skiffes Station; (3) a new 230 kV overhead line, in the Counties of James City and York and the City of Newport News, from the proposed Skiffes Creek Station to the Company's existing Whealton Substation located in the City of Hampton ("Skiffes Creek-Whealton Line"); and (4) additional transmission facilities at the existing Surry Station and Whealton Substation (collectively, the "Approved Project"). Copies of the Skiffes Orders are included as Exhibits B, C, and D.

The Skiffes Orders were appealed to the Supreme Court of Virginia, which issued its unanimous opinion on April 16, 2015, affirming the Commission's approval and certification of these overhead transmission facilities, including the overhead 500 kV transmission line from the 500 kV switchyard at the Company's Surry Nuclear Power Station in Surry County across the James River to the proposed site of the Skiffes Station in James City County.

BASF Corp. v. State Corp. Comm'n, ____ Va. ____, 770 S.E.2d 458, reh'g denied, ____Va. ____, ___ S.E.2d ____ (2015) ("BASF"). The Commission's findings of the need, and need date, for the Approved Project were not appealed. A copy of the Court's Opinion is included as Exhibit E.

The Court's opinion in *BASF* also reversed and remanded (by a 4-3 vote) the holding in the Commission's November 26, 2013 Order that the term "transmission line" includes

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¹ Va. Code § 56-265.1 et seq.

transmission switching stations such as Skiffes Station under § 56-46.1 F, which exempts transmission lines approved by the Commission under § 56-46.1 from Va. Code § 15.2-2232 and local zoning ordinances. Petitions of the Commission and the Company seeking rehearing of this aspect of the BASF opinion were denied by the Court on May 15, 2015. As a result, the Company is now required to obtain a special use permit ("SUP") from James City County (or the "County") to construct Skiffes Station.

3. The Need for Skiffes Station

The Approved Project is needed to assure that the Company can continue to provide reliable electric service to its customers in the load area comprised of the Peninsula (Counties of Charles City, James City, and York plus the Cities of Williamsburg, Yorktown, Newport News, Poquoson, and Hampton), Middle Peninsula (Counties of Essex, King William, King and Queen, Middlesex, Mathews, and Gloucester together with City of West Point) and Northern Neck (Counties of King George, Westmoreland, Northumberland, Richmond, and Lancaster and the City of Colonial Beach) ("North Hampton Roads Load Area") consistent with mandatory federal North American Electric Reliability Corporation ("NERC") Reliability Standards and the Company's planning criteria. Power flow studies conducted by the Company and the Commission's Staff showed that the Company's transmission system would not meet NERC Reliability Standards if the Approved Project was not in service by the Summer (commencing June 1) of 2015 as a result of the planned retirement of Units 1 and 2 at the Company's Yorktown Power Station by April 16, 2015, in order to comply with applicable federal environmental requirements.

Timely construction of the transmission facilities approved by the Commission is critical to meet the requirements of the FERC, NERC, and the Commission by April 2016.² Additionally, the Company must obtain a construction permit from the U.S. Army Corps of Engineers ("Corps") and authorization from the Virginia Marine Resources Commission, both of which have been pending since March of 2012. As part of the joint permit application ("JPA") submitted for approval by the Corps, the Company prepared and included an alternatives analysis. See Exhibit F for a copy of this Alternatives Analysis. Upon obtaining

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² As permitted by federal environmental regulations, the Company has obtained from the Virginia Department of Environmental Quality a one-year extension of the April 16, 2015 deadline for Yorktown Units 1 and 2 to comply with the U.S. Environmental Protection Agency's ("EPA") Mercury and Air Toxics Standards ("MATS") regulation that will be achieved by retiring the units, which drove the original June 1, 2015 need date for the new transmission facilities. The Company also will seek from the EPA an administrative order under EPA's Administrative Order Policy for the Mercury and Air Toxics Standards (MATS) rule, which, if granted, would provide an additional one-year waiver of non-compliance with the regulations that drive those retirements, which, if granted, would further extend the need date to June 1, 2017.

³ Surry-Skiffes Creek-Whealton 500 kV/230 KV Alternatives Analysis, prepared for the U.S. Army Corps of Engineers by Dominion Virginia Power and Stantec Consulting Services, Inc., date stamped November 7, 2014 ("Alternatives Analysis").

the necessary approvals, the Company intends to commence construction of the approved and certificated 500 kV and 230 kV lines. Consistent with the Court's opinion in *BASF* and the Commission's June 5 order the Company is now applying to James City County for an SUP to construct Skiffes Station.

The Skiffes Station is needed to meet federal and state transmission reliability requirements. A transmission switching station is a facility that controls and manages power systems at a transmission power level (power levels over 69 kV and above). Skiffes Station, which will contain only transmission facilities and is classified as part of the Bulk Electric System ("BES") by NERC, will be the central point, or hub, where the new 500 kV line from Surry will interconnect:

- with the new 230 kV line to Whealton, which will provide a new source of power directly to the load center at the eastern end of the Peninsula
- with two 230 kV lines from Skiffes Station to the west and two more to the east (all four created by splitting the two existing 230 kV lines at Skiffes Station)
- with two 115 kV lines to the west and two more to the east (all four created by splitting the two existing 115 kV lines at Skiffes Station).

These multiple connections cannot be accomplished by merely connecting the cables of these lines onto the structures that support them. This is for two reasons. First, the lines will operate at different transmission voltages, so the power from the 500 kV line must be transformed to 230 kV before it can be received by the 230 kV facilities of the new line to Whealton and the four split 230 kV lines to the east and west; and the 230 kV power must be transformed to 115 kV before it can be received by the four split 115 kV lines to the east and west. Second, switching equipment is needed to permit the Company to control the flow of power among all of these lines and to provide physical reliability for the line and the system. This physical reliability is provided by shortening the distance between substations and/or switching stations so that if an overhead line or multiple lines are compromised the loss of power will be limited to a smaller area and to fewer customers. Skiffes Switching Station is required to contain the equipment required to accomplish these vital tasks safely and efficiently to maintain the reliability of the interconnected transmission system.

Request

Dominion Virginia Power is requesting rezoning of the Property from R-8 to M-2 with proffered conditions and the issuance of a SUP for Skiffes Station (identified in the zoning ordinance as an electrical substation). The rezoning is requested for several reasons. First, there will be a number of structures (two 80+/- foot static poles) within Skiffes Station that will exceed the 35-foot height limit permitted in R-8, but not the 60 foot height limit

permitted in M-2. By rezoning to M-2, the amount of a height limitation waiver will not be as great as it would be in the R-8 district. Second, the rezoning request will allow for the proffering of conditions beneficial to the County and to the surrounding property owners. *See* Proffers submitted with the application ("Proffers"). Third, rezoning the Property with the Proffers will better reflect the zoning of the surrounding area and specific locational limitations of the Property.

Skiffes Station is proposed to be sited on an approximately 13 acre security fenced area or 24% of the northeastern corner of the 55-acre Parcel. *See* Master Plan sheet 3. Access to the Station will continue to be maintained using the existing dirt/gravel access road located on the 12-acre Parcel. Development of Skiffes Station and ongoing use of the Property as it relates to the Station shall be further restricted by the conditions and commitments contained in the Proffers. In summary, the Proffers offer the following additional protections for adjacent and area property owners:

- Proffer 1 limits the use of the Property to the Station and Owner's electric transmission system only, and no other uses. With this proffer, the Owner has ensured that no other industrial uses can be established on the Property without further legislative action.
- Proffer 2 sets forth parameters for construction of Skiffes Station to ensure that construction activities are not unduly disruptive to area property owners.
- Proffer 4 requires the maintenance of existing vegetation within the areas
 identified on the Master Plan as buffer areas, except as specified in the proffer,
 for the protection of existing residential areas to the south and west of the
 Property.
- Proffer 7 prohibits access to the Station by any other access point other than where the Property fronts on U. S. Route 60, Pocahontas Trail.

Comprehensive Plan

The James City County 2009 Comprehensive Plan (the "Comprehensive Plan") designates the Property for low density residential; however, the Property is not suitable for residential development for the following reasons:

1. The existence of three major transportation facilities - the CSX mainline, Route 143/Merrimac Trail and Interstate 64 - either immediately adjacent to or in close proximity to the Property is not compatible in use and character with residential uses. The Comprehensive Plan and good zoning practice strongly encourage avoiding the aggregation of incompatible uses. (*See* Comprehensive Plan, Chart 2, item 4 on page 141, which recommends that the County should "[1]ocate residential uses immediately adjacent to non-residential uses, major roads, railroads,

airports, agricultural and forestall uses, and other conflicting uses *only where* the conflicts between such uses can be adequately addressed (noise, vibrations, and others).

- 2. Access to the Property for residential use is extremely limited. There is no existing access from Merrimac Trail nor is there the ability to gain access as a road would have to cross the railroad in an area that has a number of grade changes.
- 3. The portion of the Property requested for development of Skiffes Station and the 12-acre Parcel are immediately adjacent to, and in closer proximity to, the 150-acre M-2 zoned parcel adjoining the existing residential developments to the west and south of the Property. The 150-acre parcel is partially developed as the Green Mount Industrial Park
- 4. Wetlands and RPAs split the 55-acre Parcel from the northwest to the southeast. The upper reaches of a perennial stream creates a large finger of RPA along the southern boundary of and bisecting the 55-acre Parcel. This same stream crosses the vacant parcel to the south and continues until it forms that parcel's southern boundary, which is a significant barrier to residential development in that location.
- 5. The southern portion of the 55-acre Parcel is occupied by four existing overhead transmission lines (two 230 kV lines and two 115 kV lines) located in a +/- 225 foot width corridor within which no development may occur.
- 6. Aside from the 12-acre Parcel, no other roads, driveways, or other accesses are available from adjacent properties to the 55-acre Parcel. The Property lies within one of the County's Enterprise Zones, indicating this is an area of the County targeted for job creation and private investment. *See* Exhibit G for a copy of the James City County James River Enterprise Zone.
- 7. The Proffers provides further protections for existing residential uses consistent with the Comprehensive Plan. *See* Comprehensive Plan, Chart 2, item 4 on page 141.

Application Checklist – Additional and Supplemental Information

1. Traffic. During construction, traffic will be managed pursuant to the terms of the Construction Management Plan referenced in the Proffers. The Construction Management Plan is designed to help minimize impacts on adjacent landowners and area roadways. After construction, there will be no pedestrian traffic associated with this use, and Skiffes Station will be an unmanned facility. Currently, Dominion Virginia Power uses an existing dirt/gravel gated access road located on the 12-acre Parcel to service the transmission lines located on the Property. Once in operation, Skiffes Station will generate minimal amounts of traffic, with a typical month requiring

approximately three site visits by Dominion Virginia Power personnel. As such traffic is so minimal, there is no justification for differentiating between peak and off-peak vehicle trips. As vehicular traffic will be minimal, the new switching station will not have any impact on traffic or levels of service along Pocahontas Trail.

- 2. <u>Environmental Constraints</u>. Below is a summary of the environmental constraints. See Exhibit H for a more detailed analysis.
 - A. Wetlands. There are defined wetlands on the site. The proposed work at Skiffes Station is not anticipated to impact any jurisdictional waters. However, any impacts will be coordinated with the U.S. Army Corps of Engineers. There is also an RPA perennial stream on-site and associated buffer, approved by James City County 10-29-2012. The limits of disturbance for this project will maintain the integrity of the RPA buffer.
 - B. Landscaping and Screening. There is dense evergreen and hardwood vegetation on the Property except for areas where the transmission lines and access road currently exist and the area once occupied by the spur track. Pursuant to Proffer 4, the Company has committed to provide a tree preservation area as shown on the Master Plan.
 - C. Safety. Skiffes Station will be built in compliance with the National Electric Safety Code and inspected and maintained pursuant to industry standards. Signs will be posted around the fence indicating a "high voltage" facility and "no trespassing." At a minimum, the electrical equipment will be surrounded by a twenty-foot security fence. *See* Exhibits I-A and I-B for fence example. In addition, all gates are equipped with locks, and there will be downward directed security lights installed at certain locations. No emissions or dust will be created by this facility. The Company also has committed pursuant to Proffers 5 and 6 to submit a spill response plan and an emergency management plan, respectively.
- 3. Historic and Archaeological Study. A Phase I Study and a Phase II Study of the 55-acre Parcel have been completed, copies of which are attached hereto as <u>Exhibits J and K</u> (collectively, the "Archaeological Study"). A known archaeological site has been evaluated. The site will be disturbed by construction of the Switching Station; however, such disturbance shall be done

- pursuant to a plan approved by the Virginia Department of Historic Resources in coordination with the Army Corps of Engineers.
- 4. Water and Sewer Impact Study, and Adequate Public Facilities. No water or sewer facilities will be required for the proposed use. Impacts on public safety facilities will be minimal, and the tax revenue generated by the Skiffes Station (as shown in the fiscal impact analysis) will offset any impacts on capital costs of public safety facilities. Otherwise, there will be no impact on schools, libraries, or other locally financed facilities.

Because Dominion Virginia Power's applications for rezoning and a SUP are for non-residential uses, the following checklist items do not apply to this request.

- A. <u>Environmental Inventory</u>. The Natural Resource policy does not apply and an environmental inventory is not required.
- B. <u>Fiscal Impacts</u>. No worksheet for fiscal analysis has been prepared because the proposal does not include residential dwelling units. A summary of the tax revenue estimates is attached as Exhibit L.
- C. <u>Park and Recreation Facilities</u>. No analysis related to the Comprehensive Parks and Recreation Master Plan Proffer Guidelines is required.
- D. <u>Supplemental Submission Requirements</u>.
 - i. No streets will be created with this application so no streetscape plan is required.
 - ii. No buildings are proposed and all structures that may be visible from an arterial right-of-way will be constructed of steel and remain unpainted.

EXHIBIT H ENVIRONMENTAL CONSTRAINTS ANALYSIS

The Master Plan referenced below is the same plan referenced in the application as <u>Exhibit A</u>. The "Jurisdictional Area Impacts and Sensitive Resources Map" (the "Map") was prepared by Stantec and is dated May 20, 2015.

Hydrologic Features:

1. Location of all bodies of water such as streams, ponds, lakes, impoundments, rivers:

Streams are noted on the Master Plan along with designation (perennial vs. intermittent). There are no ponds, lakes, impoundments or rivers.

2. Name of watershed in which project is located:

The Property is located in the Skiffes Creek watershed.

3. Approximate location of tidal and non-tidal wetlands:

Wetlands are noted on the Master Plan and the Map. All wetlands are non-tidal and have been confirmed by the Army Corps of Engineers.

4. Approximate location of perennial and intermittent streams:

See # 1, above. Streams, and their designation, are noted on the Master Plan.

5. Description of receiving streams:

Newport News Reservoir. Due to the close general proximity of this project to and because runoff from the site will directly discharge into Skiffes Creek and within about 1 mile discharge into Skiffes Creek Reservoir, a drinking water reservoir for the City of Newport News, it is recommended that the concept plan be forwarded to the City of Newport News Waterworks, Water Resources Division for cursory review. Skiffes Creek (HUC Code JL35) is listed as a Category 4A impaired waterway for fecal bacteria in accordance with the 2014 Virginia Water Quality Assessment 305(b)/303(d) Integrated Report. It also has an approved TMDL. See Fecal Bacteria Total Maximum Daily Load Development for Warwick River final report dated December 13, 2007 available on the County Stormwater Division and Virginia DEQ websites. (Note: Ultimately this site discharges into the tidal estuarine James River which is listed for multiple impairments, including mercury, PCB, chlorophyll, Escherichia coli, etc.)

6. Floodplain delineation for 100 and 500-year storm events including tidal flooding, if applicable.

Not applicable. The Property is not within the 100- or 500-year floodplain.

Physical Features

1. Approximate location of steep slopes greater than 25 percent.

Steep Slopes areas are identified on the Master Plan. Also, Steep slopes exist along the existing abandoned CSX rail spur on both sides of the access road at various locations.

2. Soils, especially prime agricultural lands and Hydrologic Soil Groups (HSG) A & B, based on the County soil survey.

	SOIL TYPE DATA*					
MAP UNIT	NAME	SOIL EROSION K FACTOR	PERMEABILITY	HYDROLOGY UNIT CODE		
11C	Craven-Uchee Complex, 6-10% Slopes	0.32	MODERATELY LOW TO HIGH	D		
14B	Emporia Fine Sandy Loam, 2-6% Slopes	0.28	MODERATELY LOW TO HIGH	В		
15D	Emporia Complex, 10- 15% Slopes	0.28	MODERATELY LOW TO HIGH	В		
15E	Emporia Complex, 15- 25% Slopes	0.28	MODERATELY LOW TO HIGH	В		
17	Johnston Complex	0.37	MODERATELY LOW TO HIGH	A/D		
19B	Kempsville-Emporia Fine Sandy Loam, 2- 6% Slopes	0.28	MODERATELY LOW TO HIGH	A		
29B	Slagle Fine Sandy Loam, 2-6% Slopes	0.28	VERY LOW TO MODERATELY HIGH	С		
37	Urban Land	N/A	N/A	N/A		
*SOURCE: WEB SOIL SURVEY, NATIONAL RESOURCES CONSERVATION SERVICE						

3. Soils erodability based on the County soils survey.

See column 3 of the table, above.

4. Areas of forest, woodland cover and wildlife corridors.

Outside of the existing overhead transmission corridor, the site is currently forested. Portions of the site to the west will remain forested.

5. Pre-development topography.

The topography shown on the Master Plan is at a contour interval of one foot from a field survey performed by Dewberry Engineers Inc. in August 2012. Horizontal Datum – VA State Plane – NAD83 (South Zone); Vertical Datum – NAVD88

Prohibited or Restricted Development Acres

1. Location of required buffers and existing conservation easements.

Limits of the RPA buffer as approved by James City County on October 29, 2012 are shown on the Master Plan. No other known buffers are required. There are no conservation easements.

2. Sites with known populations of rare, threatened or endangered species of plants or animals per studies done in accordance with the Natural Resource Policy.

A habitat suitable for small whorled pogonia was found onsite, see the <u>Exhibit H-A</u>. A site survey conducted in May 2014 found no small whorled pogonia plants. The area of disturbance will be located outside the habitat area.

3. Location of trees to be preserved in accordance with the Chesapeake Bay Preservation Ordinance.

Areas of tree removal related to Owner's electric transmission overhead lines and switching station are generally shown on the Master Plan. No other trees will be removed except where trees are diseased or dying or present an imminent threat to the public or property.

4. Preliminary location of Resource Protection areas and legal wetlands.

The location of the RPA boundary, as approved by James City County, is shown on the Master Plan. As noted above, the Army Corps of Engineers-approved wetlands are shown on the Master Plan.

Existing and Proposed Changes to the Site:

1. The nature of existing and approved but not-yet-built development(s) on the site.

Currently, the Property is an abandoned CSX rail spur and easement area for an electrical transmission line. The proposed use is site access and an electrical transmission switching station.

2. Location of surrounding properties and neighborhoods.

To the west and south of the Property lies the Country Village, a residential mobile home park, and Poplar Hall Plantation, a residential single family home subdivision. To the north is Merrimac Trail and Interstate 64. The Merrimac Juvenile Detention Center and Virginia Peninsula Regional Jail are to the east.

3. Proposed limit of disturbance and a disturbance area estimate.

The total Property is approximately 67 acres. The area designated for disturbance is 27.23 acres +/- and is shown on the Master Plan.

4. Calculation of existing and proposed pervious and impervious areas.

The total impervious area is approximately 15.1 acres (27.5%). The total pervious area is approximately 39.9 acres (72.5%).

5. If used, description of Better Site Design or Low Impact Development techniques.

In addition to safety and maintenance concerns, the configuration of the electrical equipment and site constraints preclude the use of open channel ditches where standing water within an electrical facility is a safety concern. A BMP will be located outside the switching station.

6. Description of how disturbance is being minimized, indigenous vegetation is being preserved, and impervious cover is being reduced.

After learning that the original location for the proposed switching station fell within the RPA, Dominion Virginia Power shifted the station's equipment to the extent feasible. As proposed, the area of disturbance is minimized by locating the area of disturbance outside of the RPA, wetlands, and away from the small whorled pogonia habitat area.

7. Proposed conceptual stormwater management plan, including pre- and post-development discharge analysis.

Stormwater management compliance adheres to the Virginia DEQ standards. Stormwater management (Water Quantity and Quality) will be provided through the use of a treatment train including a manufactured system (Jellyfish Filter) and a wet pond. The Virginia Runoff Reduction Method was used to show water quality compliance. Per the Virginia Stormwater BMP Clearinghouse website, a Jellyfish Filter and wet pond have phosphorus removal efficiencies of 50%.

The existing pre-development peak run-off from the site for the 2-year storm is calculated to be 16.47 cfs and the proposed post-development peak run-off for the 2-year storm is calculated to be 48.02 cfs. The proposed wet pond will reduce the post-development 2-year storm peak flow to a controlled release rate of 5.80 cfs.

The existing pre-development peak run-off from the site for the 10-year storm is calculated to be 62.23 cfs and the proposed post-development peak run-off for the 10-year storm is calculated to be 99.93 cfs. The proposed wet pond will reduce the post-development 10-year storm peak flow to a controlled release rate of 43.89 cfs. The post-development phosphorous is calculated to be 46.83 lbs/yr. The designed wet pond and jellyfish filter reduces the phosphorous to 20.73 lbs/yr, which is less than the maximum 0.41 lbs/ac/yr. A copy of the Virginia Runoff Reduction Worksheet is attached as Exhibit H-B.

68088963_2



TrueView Photosimulations - Existing & Proposed

Viewpoint Locations

Viewpoint 01 - Corner of Highway 60 and Dirt Access Road

Viewpoint 02 - End of Skiffes Creek Circle

Viewpoint 03 - 70-75 Jan Rae Circle

Viewpoint 04 - 153 Indian Circle

Viewpoint 05 - 7 Tadich Drive

Viewpoint 06 - Merrimac Trail,

Near Middle Peninsula Juvenile Commission

Viewpoint 07 - Merrimac Trail,

Near Virginia Peninsula Regional Jail





Viewpoint 01 - Corner of Highway 60 and Dirt Access Road, Looking North-Northeast - **Existing View**



Viewpoint 01 - Corner of Highway 60 and Dirt Access Road, Looking North-Northeast - Proposed View





Skiffes Creek Switching Station

Viewpoint 01

Corner of Highway 60 and Dirt Access Road

Viouspoint Location

n Projec



Easting Position (State Plane Virginia South): 12033678.8
Northing Position (State Plane Virginia South): 3604404.5
Elevation of Photopoint Position (NAD83): 62.8
Height of Camera Above Ground (ft): 5.4
Date of Photography: 10 June 2015 at 02:30 PM
Orientation of View: NNE
Horizontal Field of View: 124*
Vertical Field of View: 55*

NOTES:

iewpoint locations have been precision surveyed by

Burgess & Nip

/isual assessments should be made from the full size

imensions of the printed full size TrueView" imlidth: 59.2 inches (1504 mm)

Structures and substation subject to final engineer

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DA:

24 June 2015



Viewpoint 02 - End of Skiffes Creek Circle, Looking North-Northwest - **Existing View**



Viewpoint 02 - End of Skiffes Creek Circle, Looking North-Northwest - Proposed View





Skiffes Creek Switching Station

Viewpoint 02

End of Skiffes Creek Circle

■ Viewpoint Loc



Easting Position (State Plane Virginia South): 12034469.2
Northing Position (State Plane Virginia South): 3605818.1
Elevation of Photopoint Position (NAD83): 42.4
Height of Camera Above Ground (ft): 5.4
Date of Photography: 10 June 2015 at 09:20 AW
Orientation of View: NNW
Horizontal Field of View: 55

NOTES:

/iewpoint locations have been precision surveyed by

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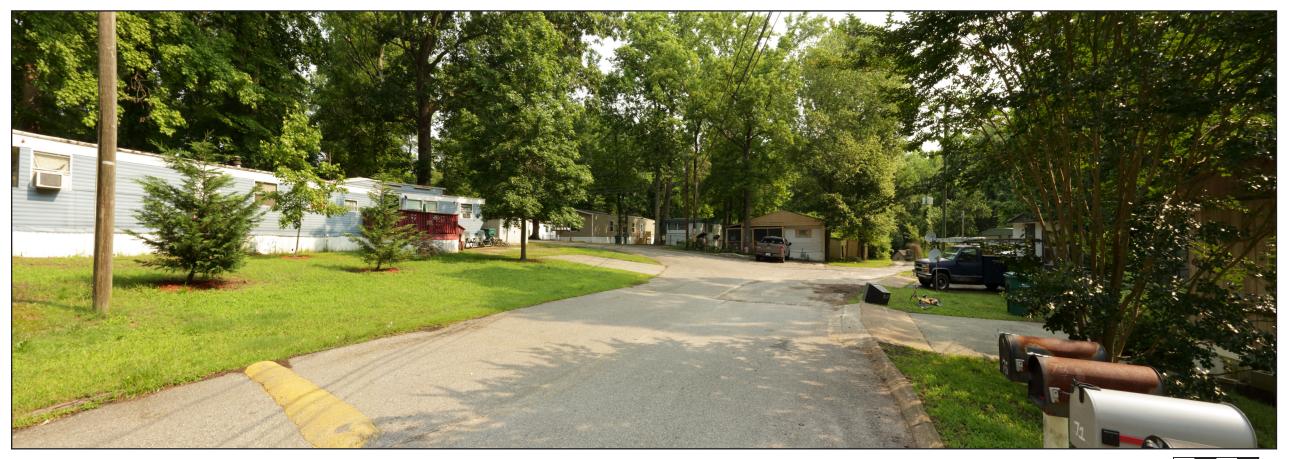
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24 June 2015



Viewpoint 03 - 70-75 Jan Rae Circle, Looking North-Northeast - Existing View



Viewpoint 03 - 70-75 Jan Rae Circle, Looking North-Northeast - **Proposed View**

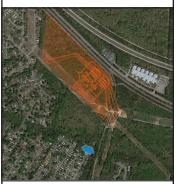




Viewpoint 03

70-75 Jan Rae Circle

Viewpoint Location



Easting Position (State Plane Virginia South): 12033759.7

Northing Position (State Plane Virginia South): 3606031.8

Elevation of Photopoint Position (NAD83): 45.0

Height of Camera Above Ground (tt): 5.4

Date of Photography: 10 June 2015 at 09:40 AM

Orientation of View: NNE

Horizontal Field of View: 1244*

Vertical Field of View: 55*

NOTES:

ewpoint locations have been precision surveyed by

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Dimensions of the printed full size TrueView[™] imag

Width: 59.2 inches (1504 mm) Height: 20.5 inches (520 mm)

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Viewpoint 04 - 153 Indian Circle, Looking Northeast - **Existing View**



Viewpoint 04 - 153 Indian Circle, Looking Northeast - Proposed View





Viewpoint 04

153 Indian Circle

Viewpoint Location



Easting Position (State Plane Virginia South): 12032809.9

Northing Position (State Plane Virginia South): 3607375.1

Elevation of Photopoint Position (NAD83): 62.5

Height of Camera Above Ground (tt): 5.4

Date of Photography: 10 June 2015 at 03:04 PM

Orientation of View: NE

Horizontal Field of View: 1244*

Vertical Field of View: 55*

NOTES:

ewpoint locations have been precision surveyed by

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/isual assessments should be made from the full size frueView™ only.

Dimensions of the printed full size TrueView™ imag Width: 59.2 inches (1504 mm)

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Viewpoint 05 - 7 Tadich Drive, Looking Southeast - **Existing View**



Viewpoint 05 - 7 Tadich Drive, Looking Southeast - Proposed View with Planting Shown at 2 Year Growth

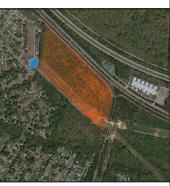




Viewpoint 05

7 Tadich Drive

Viewpoint Locati



Easting Position (State Plane Virginia South): 12032379.3
Northing Position (State Plane Virginia South): 3608490.3
Elevation of Photopoint Position (NADB3): 71.0
Height of Camera Above Ground (ft): 5.4
Date of Photography: 10 June 2015 at 10:21 AM
Orientation of View: SE
Horizontal Field of View: 124*
Vertical Field of View: 55*

NOTES:

iewpoint locations have been precision surveyed by

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Height: 20.5 inches (520 mm)

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Viewpoint 06 - Merrimac Trail, Near Middle Peninsula Juvenile Commission, Looking Southwest - **Existing View**



Viewpoint 06 - Merrimac Trail, Near Middle Peninsula Juvenile Commission, Looking Southwest - Proposed View





Viewpoint 06

Merrimac Trail, Near Middle Peninsula Juvenile

Viewpoint Loca



Easting Position (State Plane Virginia South): 12033756.2

Northing Position (State Plane Virginia South): 3608673.0

Elevation of Photopoint Position (NAD83): 79.0

Height of Camera Above Ground (ft): 5.4

Date of Photography: 10 June 2015 at 10:47 AM

Orientation of View: 124*

Vertical Field of View: 55°

NOTES:

/lewpoint locations have been precision surveyed by

Burgess & Nip

isual assessments should be made from the full size

imensions of the printed full size TrueView™ im-

Height: 20.5 inches (520 mm)

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Viewpoint 07 - Merrimac Trail, Near Virginia Peninsula Regional Jail, Looking West - **Existing View**



Viewpoint 07 - Merrimac Trail, Near Virginia Peninsula Regional Jail, Looking West - Proposed View with Planting Shown at 2 Year Growth





/iewpoint 07

Merrimac Trail, Near Virginia Peninsula Regional Jail

Viewpoint Loc

Project Ar



Easting Position (State Plane Virginia South): 12034475.
Northing Position (State Plane Virginia South): 3608041.
Elevation of Photopoint Position (NADS3): 76.
Height of Camera Above Ground (It): 5.
Date of Photography: 10 June 2015 at 11:13 AN
Orientation of View: V
Horizontal Field of View: 124
Vertical Field of View: 55

NOTES:

/iewpoint locations have been precision surveyed by:

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Visual assessments should be made from the full size

Dimensions of the printed full size TrueView™ imag Width: 59.2 inches (1504 mm)

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Public Comments

From: MNFowler [mailto:onthepond1@gmail.com]

Sent: Friday, July 24, 2015 2:49 PM

To: John McGlennon; Bryan Hill; Maxwell Hlavin; Michelle Gowdy

Cc: Wayne Williamson; Jim Zinn

Subject: Skiffe's Creek

Folks,

Good seeing you all last evening. As I shared then, I am so very grateful for the County's continuing resolve on this matter. Thank you. A thousand times, thank you!

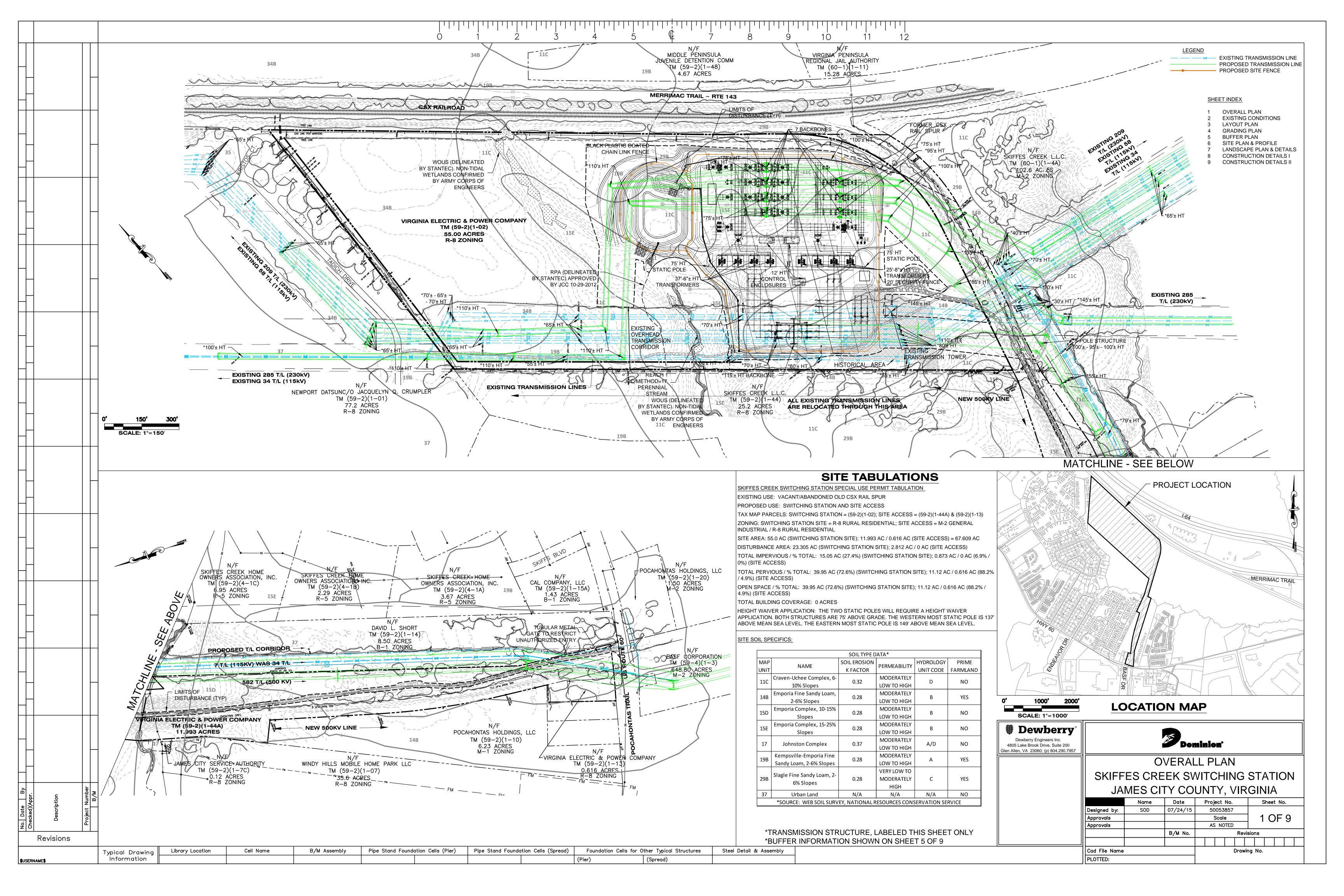
In considering the issues surrounding the county's review of the Dominion application for this installation, may I request that you consider delaying the issuance of the Special Use Permit (SUP), given that their application meets all of the other required criteria, until such time as it is clear that Surry-Skiffe's Creek might actually be built? There remains significant, undetermined outcomes on this project, thus, it would seem prudent to await the final determination on the line itself. Then, if need be, the county could quickly proceed with necessary approvals.

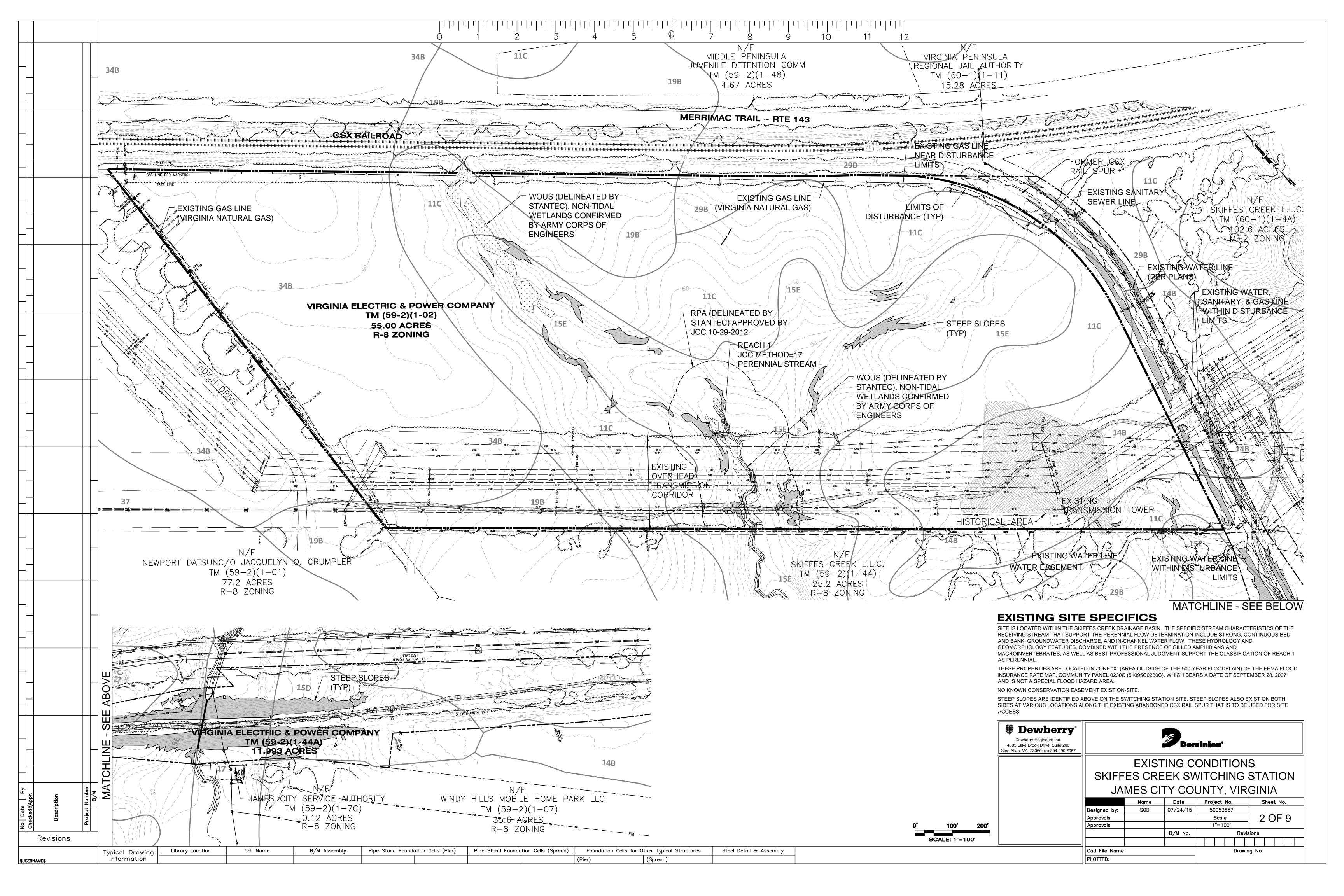
A thought that I hope you will review.

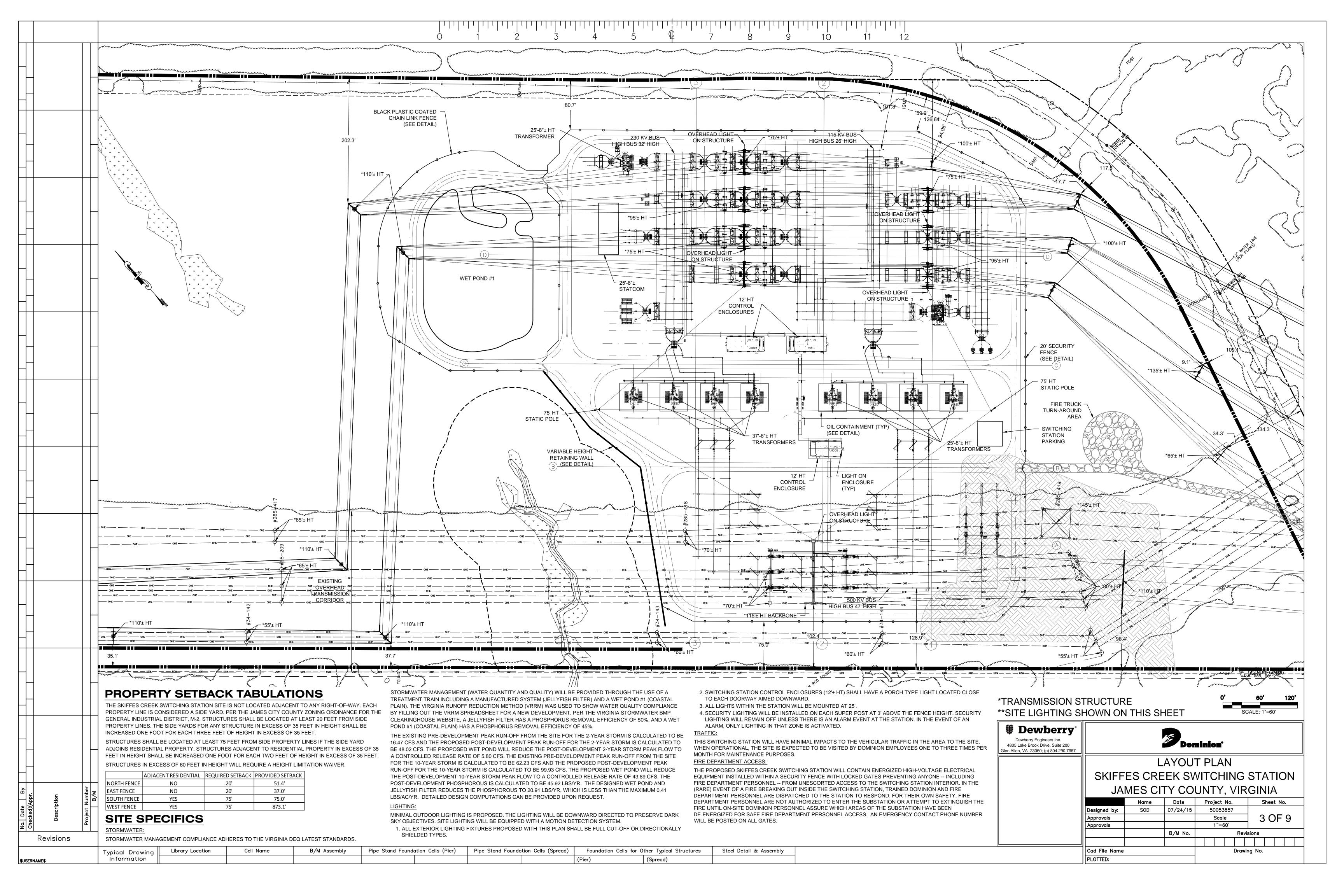
Thanks, Margaret Nelson Fowler

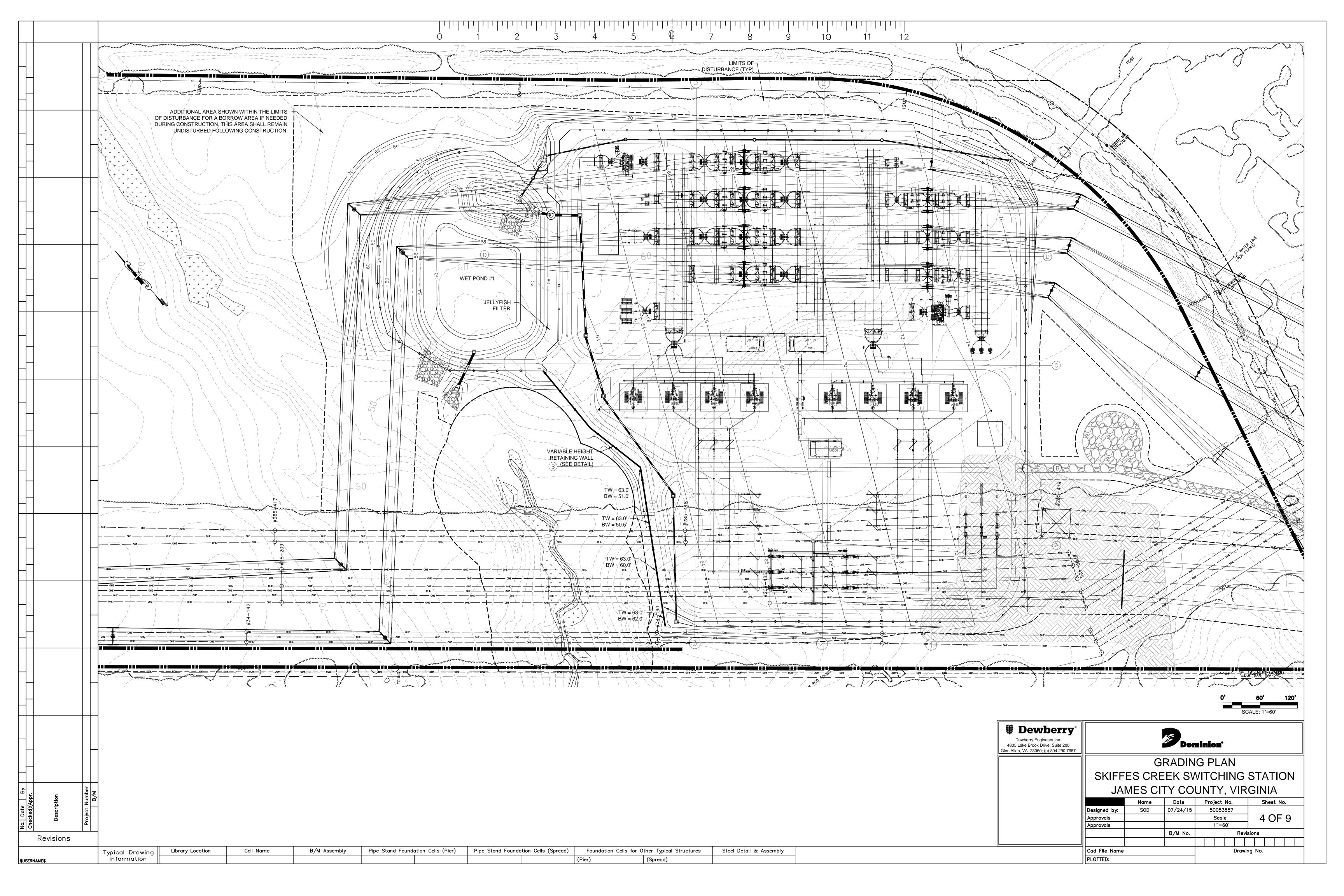
p.s. And, would you pass this to Leanne. I don't seem to have her email address.

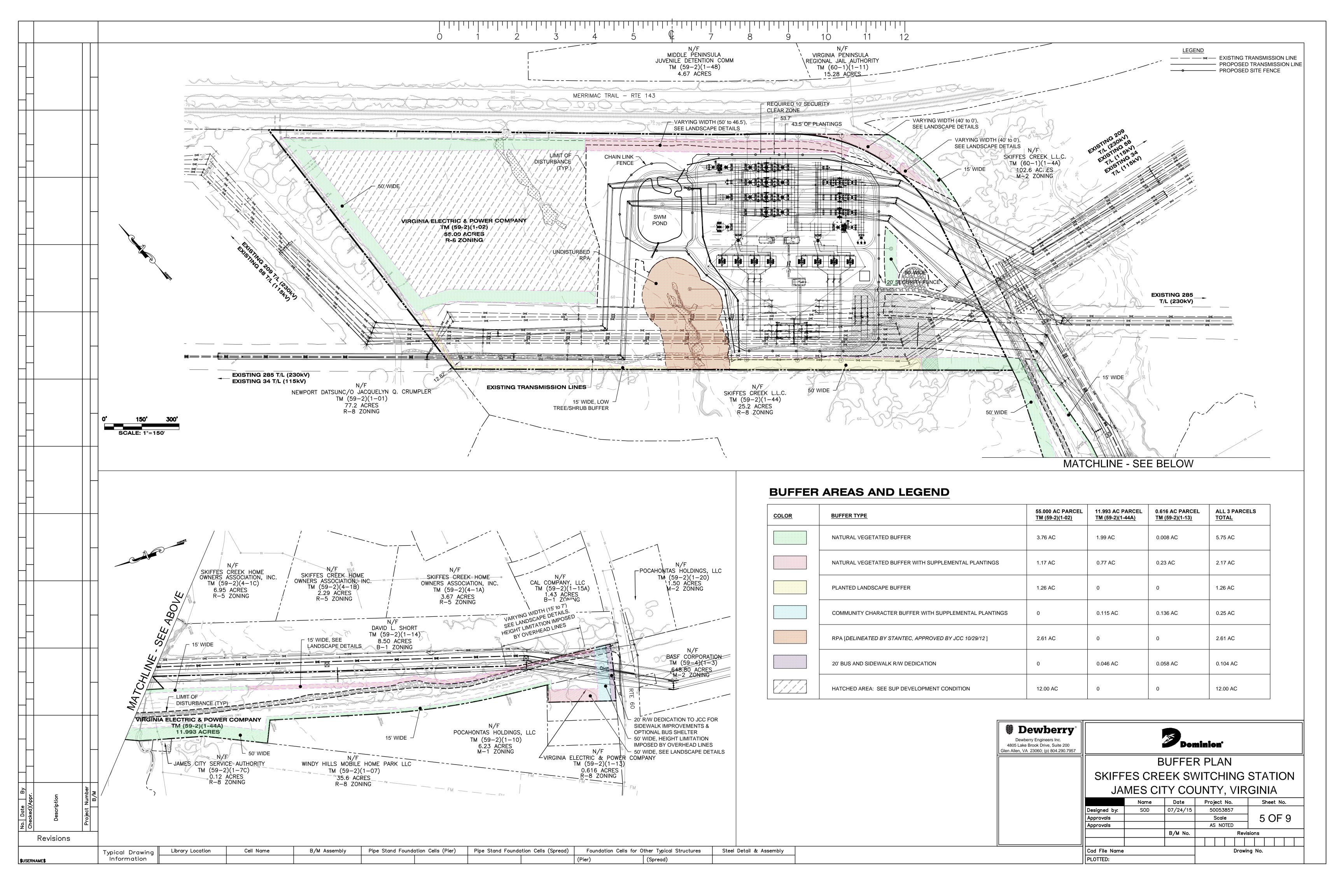
Off the grid. . .

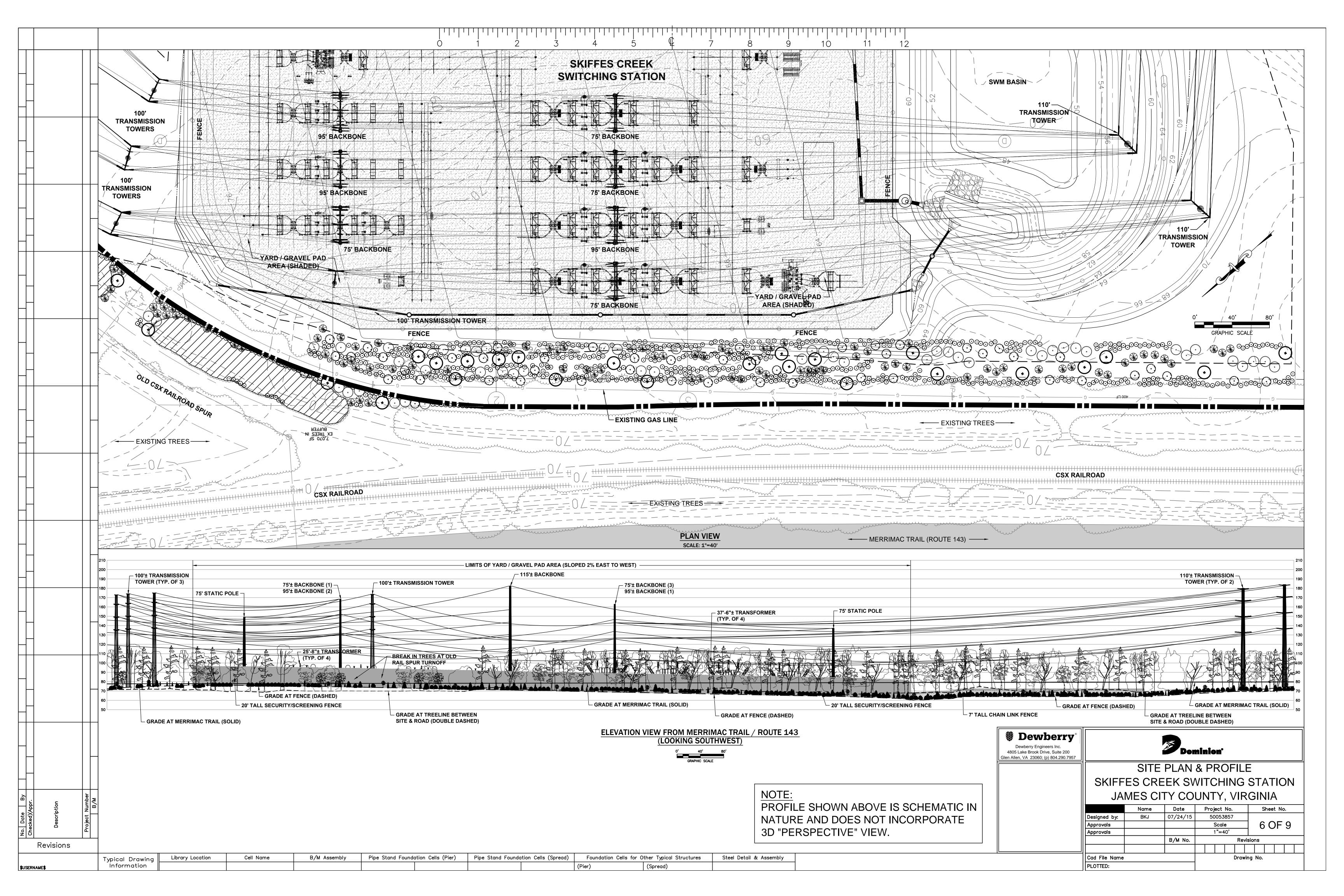


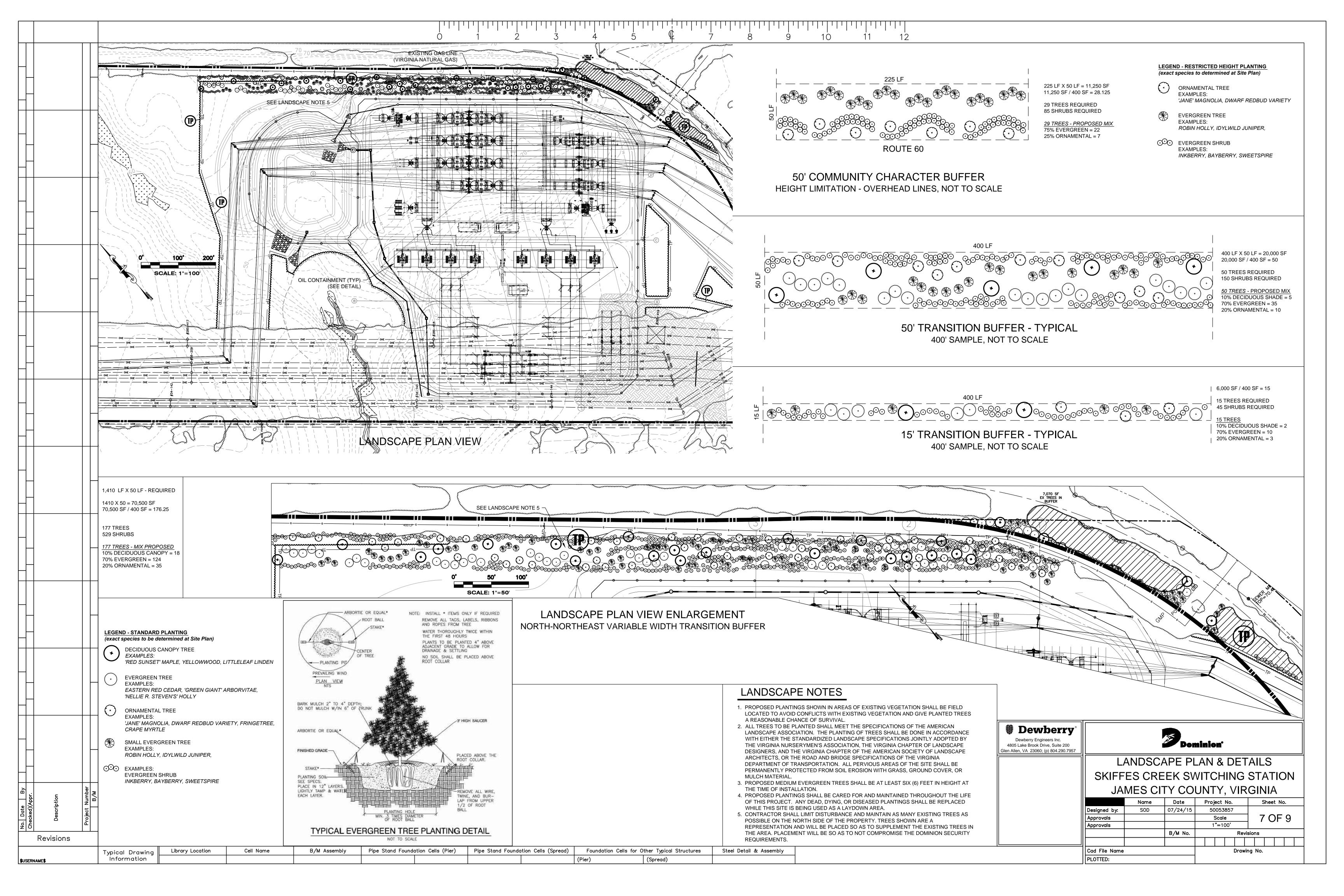


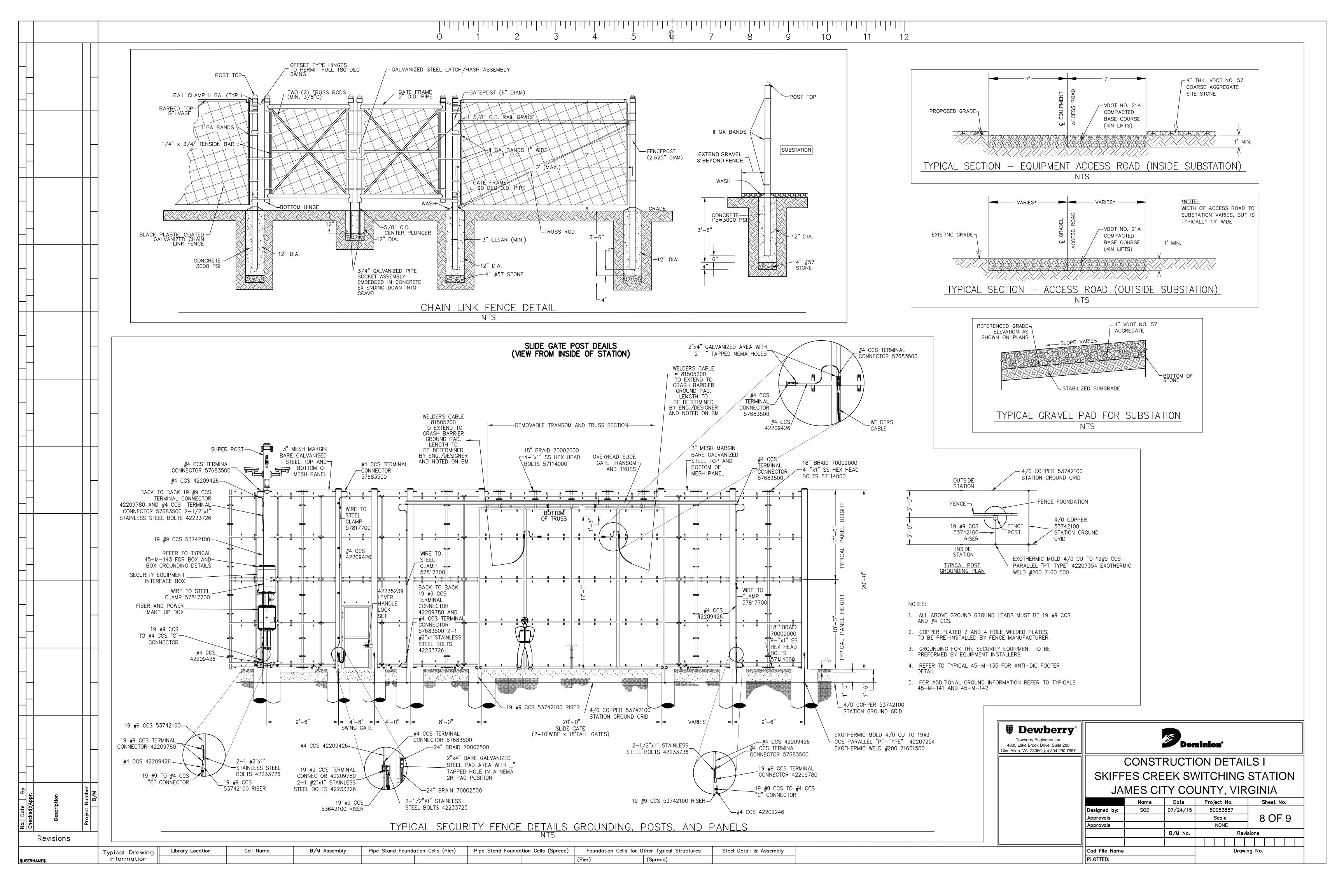


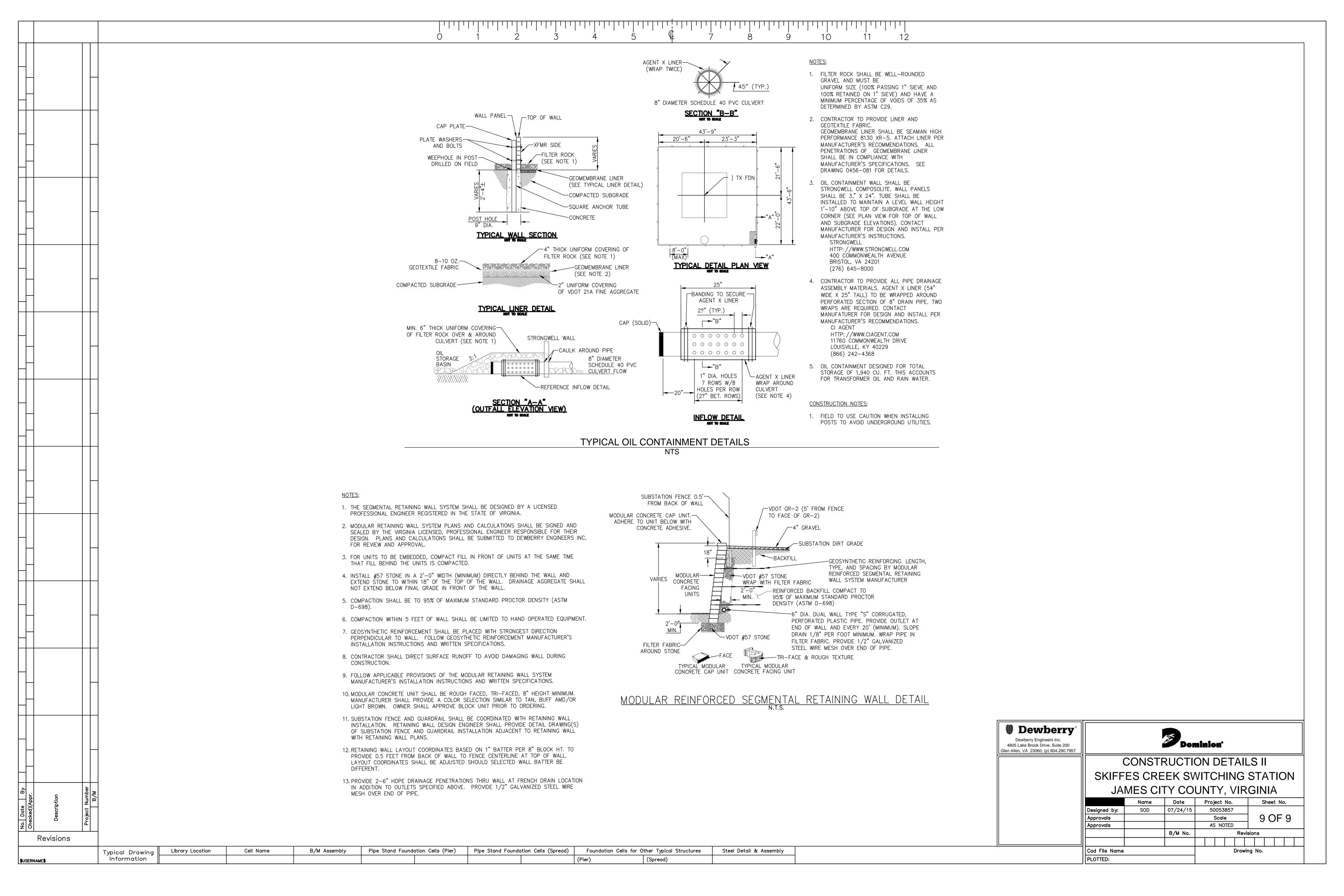












PLANNING DIRECTOR'S REPORT August 2015

This report summarizes the status of selected Planning Division activities during the past month.

- New Town. The Design Review Board did not meet in July. They reviewed electronic submissions for revisions to the proposed assisted living facility and the addition of a sidewalk at the TPMG building. As New Town approaches build-out, staff has been working with the developer to ensure all proffers are fulfilled and anticipates that a proposal for some proffer amendments may be submitted later this year.
- <u>Historical Commission</u>. The Historical Commission sponsored an intensive level architectural survey of the Jerusalem Baptist Church/Brick Bat School structure. As part of the study, the James River Institute for Archaeology (JRIA) took detailed measurements and photos of the building, which is in a state of significant deterioration, and researched the history of how the structure was built and used from the late 1800s to the mid-1900s. Finally, JRIA provided recommendations for stabilization and preservation that the Commission will be evaluating further beginning with their meeting in September. The final report was provided to the Virginia Department of Historic Resources to include in their archives for future reference and also to determine whether they concur that the structure could be eligible for listing on the National Register of Historic Places.
- Monthly Case Report. For a list of all cases received in the last month, please see the attached documents.

• Board Action Results:

- o July 14, 2015
 - Proposed Street Name Change 'The Bluffs' to 'River Bluffs' (Approved, 5-0)

New Cases for August

Case Type	Case Number	Case Title	Address	Description	Planner	District
Conceptual Plan				Conceptual plan to add a large, steel materials storage building at the rear of the		
	C-0040-2015	Jamestown Feed and Seed Storage Building Addition	7348 RICHMOND ROAD	property.	Roberta Sulouff	01-Stonehouse
				Conceptual plan showing changes to a previously proposed addition to the		
	C-0041-2015	Windsormeade Hall Facility Addition	3975 WINDSORMEADE WAY	Windsor Hall development.	Roberta Sulouff	04-Jamestown
	C-0042-2015	Veritas Preparatory School Condition Verification	275 MCLAWS CIRCLE	Parking and circulation information provided to comply with SUP condition.	Ellen Cook	05-Roberts
	C-0043-2015	4037 Ironbound Rd. Parking Improvements	4037 IRONBOUND ROAD	Change in use and parking verification.	Jose Ribeiro	04-Jamestown
	C-0044-2015	132 The Colony Subdivision	132 THE COLONY	Proposed subdivision to create one additional lot.	Savannah Pietrowski	05-Roberts
	C-0045-2015	Kingsmill Laundry Building change of use	8515 POCAHONTAS TR	Conversion of former laundry building to storage for the Kingsmill Resort.	Savannah Pietrowski	05-Roberts
				Application to subdivide one parcel into two parcels under the family subdivision		
	C-0046-2015	8512 Hicks Island Rd. Subdivision	8512 HICKS ISLAND RD	provisions.	Ellen Cook	02-Powhatan
Subdivision	S-0024-2015	Windmill Meadows Sec. 8 - Lots 27-34	6001 CENTERVILLE RD	Creation of final 8 lots at the Windmill Meadows Subdivsion.	Jose Ribeiro	02-Powhatan
	S-0025-2015	Windmill Meadows Sec. 7 - Lots 35-39	6001 CENTERVILLE RD	Creation of 5 lots at the Windmill Meadows Subdivision.	Jose Ribeiro	02-Powhatan
				Application to vacate a boundary line and platted, unbuilt right-of-way adjacent		
	S-0026-2015	201 Norman Davis Dr. ROW Vacation and BLA	201 NORMAN DAVIS DR	to 201 Norman Davis Dr in the Temple Hall subdivision.	Roberta Sulouff	01-Stonehouse
	S-0027-2015	The Settlement at Powhatan Creek, Ph. 3-B, Lots 239-247, Plat of Correction	4101 MONTICELLO AVENUE	Plat of correction for lots 239-247.	Scott Whyte	03-Berkeley
				Application to adjust boundary lines between two adjacent properties owned by		
	S-0028-2015	Our Saviours Evangelical Lutheran Church BLE	7479 RICHMOND ROAD	Our Savior's Lutheran Church	Roberta Sulouff	01-Stonehouse
Site Plan				Site plan for the construction of an ADA ramp and a "structure" connecting two		
	SP-0059-2015	1111-1113 Colony Ln. Building Connection	1111 OLD COLONY LANE	adjacent building.	Jose Ribeiro	05-Roberts
				Plan to add a microwave dish antenna and accessory equipment to existing		
	SP-0060-2015	4881 Centerville Monopole Microwave Co-Location	4881 CENTERVILLE RD	wireless communications tower.	Roberta Sulouff	02-Powhatan
				Removes extra driveway plantings near Village Walk townhomes to improve		
	SP-0061-2015	New Town Sec. 9 (Settlers Market) Townhomes (Village Walk) Landscape SP Amend.	TRAILVIEW	drainage flow.	Leanne Pollock	04-Jamestown
				Addition of a sidewalk to connect a new office door with existing sidewalk along		
	SP-0062-2015	New Town Sec. 6 Blk. 20 (TPMG) Sidewalk Addition SP Amend.	5424 B DISCOVERY PARK BLVD	Discovery Park Blvd.	Leanne Pollock	04-Jamestown
				Improvements to the exterior facing Richmond Rd., including demolishing existing	5	
	SP-0063-2015	Captain George's Exterior Improvements	5363 RICHMOND ROAD	roof parpets for new parpets to be built in colonial style.	Scott Whyte	04-Jamestown
	SP-0064-2015	Williamsburg Premium Outlets BMP Restoration	5715 RICHMOND ROAD	Restoration of BMP located in parking lot behind Phase 4.	Savannah Pietrowski	02-Powhatan
	SP-0065-2015	Busch Gardens -Woods Maze	7851 POCAHONTAS TR	Plan to construct a temporary maze attraction at Busch Gardens.	Roberta Sulouff	05-Roberts
	SP-0066-2015	3259 Deerfield Court, Drainage Improvements	3259 DEERFIELD COURT	Drainage improvements to a drainage system owned by FieldCrest HOA	Jose Ribeiro	03-Berkeley
				Plan is for the proposed construction of a 6,500 s.f. maintenance building to		
	SP-0067-2015	Greensprings Vacation Resort Maintenance Building	3700 WELCOME CENTER DRIVE	service the existing Greensprings Vacation Resort Timeshare community.	Scott Whyte	03-Berkeley
	SP-0068-2015	Kingsmill Resort Electric Vehicle Charging Stations SP Amend.	1000 KINGSMILL ROAD	Site plan for two eletric vehicle charging stations at Kingsmill.	Jose Ribeiro	05-Roberts