



COUNTY OF ALBEMARLE PLANNING
STAFF REPORT SUMMARY

Proposal: SP202100016 CVEC Cash's Corner Substation	Staff: Scott Clark, Senior Planner II
Planning Commission Public Hearing: February 15, 2022	Board of Supervisors Hearing: TBA
Owner: Central Virginia Electric Cooperative holds a utility easement over the parcels listed below	Applicant: Central Virginia Electric Cooperative
Acreage: 1 acre	Special Use Permit for: Energy and communications transmission facilities under Section 10.2.2(6) of the Zoning Ordinance, on a 1-acre parcel. No dwelling units proposed.
TMPs: 05000-00-00-045C0 Location: Approximately 1,850 feet north-west of Gordonsville Road (Route 231), from a point on Gordonsville Road approximately 0.4 miles north of the intersection of Gordonsville Road and Lindsay Road.	Zoning/by-right use: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
Magisterial District: Rivanna	Conditions: Yes EC: No
School Districts: Stone-Robinson Elementary – Burley Middle – Monticello High School	
Proposal: Upgrade an existing electrical substation by expanding the equipment pad and adding equipment for 25 kilovolt distribution.	Requested # of Dwelling Units: n/a
DA: n/a RA: Yes	Comp. Plan Designation: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots).
Character of Property: The site is partially developed for electrical transmission equipment, and partially unbuilt, with grass and a few trees.	Use of Surrounding Properties: Surrounding properties are mostly open grazing land.
Factors Favorable: 1. The proposed upgrade meets the utility's need for upgrading electricity distribution without creating significant new impacts on the Rural Area.	Factors Unfavorable: None.
RECOMMENDATIONS: Staff recommends approval of SP202100016 CVEC Cash's Corner Substation with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Scott Clark
February 15, 2022
TBA

PETITION

PROJECT: SP202100016 CVEC Cash’s Corner Substation

MAGISTERIAL DISTRICT(S): Rivanna

TAX MAP/PARCEL(S): 05000-00-00-045C0

LOCATION: Approximately 1,850 feet north-west of Gordonsville Road (Route 231), from a point on Gordonsville Road approximately 0.4 miles north of the intersection of Gordonsville Road and Lindsay Road.

PROPOSAL: Upgrade an existing electrical substation by expanding the equipment pad and adding equipment for 25 kilovolt distribution.

PETITION: Energy and communications transmission facilities under Section 10.2.2(6) of the Zoning Ordinance, on 1-acre parcel. No dwelling units proposed.

ZONING: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: No

COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots).

CHARACTER OF SURROUNDING AREA

The surrounding area is largely made up of large farms and large residential parcels.

PLANNING AND ZONING HISTORY

SP201800014: This special use permit, approved by the Board of Supervisors on March 6, 2019, permitted an upgrade of the existing wooden poles carrying the power transmission lines to this substation with new metal poles.

DETAILS OF THE PROPOSAL

The application (see Attachment C) states that the existing substation, which was built 1963 (and thus predates the Zoning Ordinance), currently steps down power from the transmission lines to 12 kilovolts (kV) for local distribution. Due to a request from a customer planning increased load, the 12 kV output needs to be replaced with 25kV service. The equipment for this change will require that the footprint of the existing substation expand approximately 63 feet southward, into a portion of the 1-acre site that currently has grass and a few trees. This is a 13,104 square foot increase and the total site area will be approximately 35,300 square feet.

As the existing substation predates the Zoning Ordinance requirement for a special use permit for utility transmission facilities, it is an existing non-conforming use. Expansion of an existing non-conforming use requires that the site come into compliance with the Zoning Ordinance through approval of a special use permit before changes can be made.

COMMUNITY MEETING

A virtual community meeting was held on December 22, 2021. No significant concerns or objections were expressed. A video recording of the community meeting can be found by clicking [HERE](#).

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

This special use permit, and all special use permits, are evaluated for compliance with the provisions of Chapter 18, Section 33.40b of the Code of Albemarle. Each provision of that section is addressed below. The provisions of the ordinance are in bold font and underlined.

No substantial detriment. The proposed special use will not be a substantial detriment to adjacent lots.

The replacement of equipment within an existing substation is not expected to cause a substantial detriment. Construction impacts will be limited and temporary, and contained within the 1-acre site.

As part of a previous project that increased the overhead-line easement (0.106 acres, with no poles) over the adjacent parcel on the south side of the station (TMP 50-45, which is under a conservation easement held by the Virginia Outdoors Foundation and the County), the applicants planted a tree buffer on the easement property, near the south side of the substation (see images in Attachment 3). This buffer and the significant distance from the nearest public road (over 1,800 feet) mean that visibility of the station upgrades would be minimal.

Staff opinion is that the proposed use would not be a substantial detriment to adjacent parcels.

Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.

This site and the adjacent small parcel are already developed as utility substations. Replacing equipment and increasing this substation's footprint will not change the character of the extensive surrounding farmland.

Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter,

Section 1.4(D) of the Zoning Ordinance states that one of the purposes of the Ordinance is to:

“Facilitate providing adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements;”

The existing substation provides electrical distribution to uses throughout the surrounding area, and would continue to so with limited impacts after the proposed upgrade.

The property to the northeast of the substation (TMP 50-47) is included in the Blue Run Agricultural/Forestral District. However, as the proposed use is an upgrade to an existing utility facility that predates the District, no impact on the District is expected.

Harmony. ...with the uses permitted by right in the district

Public utilities are in harmony with and supportive of agricultural and residential uses in the district.

Harmony. ...with the regulations provided in section 5 as applicable,

5.1.12 PUBLIC UTILITY STRUCTURES/USES

a. The proposed use at the location selected will not endanger the health and safety of workers and/or residents in the community and will not impair or prove detrimental to neighboring properties or the development of same;

The proposal upgrades an existing utility facility used by the surrounding area. Upgrading equipment and increasing the footprint within the 1-acre site will not significantly change the surrounding areas.

b. Public utility buildings and structures in any residential zone shall, wherever practical, have the exterior appearance of residential buildings and shall have landscaping, screen planting and/or fencing, whenever these are deemed necessary by the commission;

In addition, trespass fencing and other safety measures may be required as deemed necessary to reasonably protect the public welfare;

In cases of earth-disturbing activity, immediate erosion control and reseeding shall be required to the satisfaction of the zoning administrator;

The site is fenced, and will continue to be fenced after the expansion of the substation footprint.

c. Such structures as towers, transmission lines, transformers, etc., which are abandoned, damaged or otherwise in a state of disrepair, which in the opinion of the zoning administrator pose a hazard to the public safety, shall be repaired/removed to the satisfaction of the zoning administrator within a reasonable time prescribed by the zoning administrator;

Older equipment will be removed as part of the replacement process.

d. In approval of a public utility use, the commission shall be mindful of the desirability of use by more than one utility company of such features as utility easements and river crossings, particularly in areas of historic, visual or scenic value, and it shall, insofar as practical, condition such approvals so as to minimize the proliferation of such easements or crossings, as described by the comprehensive plan.

No new uses are proposed – only the upgrading of equipment within the existing substation.

Harmony. ...and with the public health, safety and general welfare.

Upgrading equipment within the substation does not introduce new safety issues.

Consistency with the Comprehensive Plan. The use will be consistent with the Comprehensive Plan.

The Rural Area chapter of the Comprehensive Plan includes goals for protecting agricultural and forestal economies, as well as natural resources. Impacts of the proposed upgrade would be limited to the existing 1-acre utility property, and would not prevent agricultural use of the surrounding areas.

Staff feels that the proposal does not conflict with the Comprehensive Plan.

SUMMARY

Staff has identified the following factors favorable to this proposal:

1. The proposed upgrade meets the utility's need for upgrading electricity distribution without creating significant new impacts on the Rural Area.

Staff has identified no unfavorable factors for this proposal.

RECOMMENDED ACTION for SP

Based on the findings contained in this staff report, staff recommends approval of SP202100016 CVEC Cash's Corner Substation with the following condition:

1. Development of the use must be in general accord (as determined by the Director of Community Development, or the Director's designee) with the conceptual plan entitled "115kV Substation – Cash's Corner LS Rebuild," prepared by Booth & Associates, and last revised 10/15/2021. To be in general accord with the plan, development must reflect the location of developed substation pad shown in the plan. Minor modifications to the plan that do not conflict with that essential element may be made to ensure compliance with the Zoning Ordinance.

ATTACHMENTS

1. Location Map
2. Aerial view of Existing Substation
3. Application Narrative
4. Conceptual Plan