

**SPECIAL USE PERMIT-14-01. JCSA Water Main Alignment
Staff Report for July 24, 2001, Board of Supervisors Public Hearing**

This staff report is 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 C Board Room; County Government Complex
 Planning Commission: July 2, 2001, 6:00 p.m., Building C Board Room
 Board of Supervisors: July 24, 2001, 7:00 p.m., Building C Board Room (Pre-advertised)

SUMMARY FACTS

Applicant: Mr. Danny Poe, on behalf of James City Service Authority

Land Owner: James City Service Authority and Mr. Matthew Broderick

Proposed Use: Installation of a 30-inch force main from Powhatan Secondary area to Greensprings Plantation Drive along Monticello Avenue Extension and a connecting 20-inch force main from the Monticello Avenue Extension along Greensprings Plantation Drive. In both of these sections the force main would be installed within Virginia Department of Transportation (VDOT) right-of-way. From Greensprings Plantation Road the force main would enter private property owned by Greensprings Associates and connect into a lift station approved under a previous special use permit.

Location: The proposed force main would be located along Monticello Avenue Extension within VDOT right-of-way running to the Greensprings Plantation Drive intersection. The force main would then continue down Greensprings Plantation Drive and enter private property owned by Greensprings Associates.

Tax Map and Parcel No.: (37-3 and 4) VDOT right-of-way and (37-3)(1-5) and (46-1)(1-1) private property owned by Greensprings Associates

Primary Service Area: Inside

Existing Zoning: PUD-R; Planned Unit Development Residential

Comprehensive Plan: Low-Density Residential

Staff Contact: Ben Thompson, Phone: 757-253-6685

STAFF RECOMMENDATION:

Staff finds this proposal to be consistent with the Comprehensive Plan and consistent with the surrounding zoning. Staff recommends that the Board of Supervisors approve the special use permit with the conditions listed in the staff report. On July 2, 2001, the Planning Commission voted unanimously to recommend approval of this application.

History

This special use permit request is to realign the layout for a future force main. A connection similar to this application was approved with a former special use permit. The motivation for the realignment and amendment to the previous special use permit is to decrease potential environmental impacts when crossing Powhatan Creek and to increase accessibility to the force main for installation and maintenance. A large portion of the previous alignment would have been installed on private property which is owned by Greensprings Associates, and runs parallel to Powhatan Creek.

Description of Project

This application proposes the installation of a 30-inch force main from the Powhatan Secondary area to Greensprings Plantation Drive along Monticello Avenue Extension and a connecting 20-inch force main from the Monticello Avenue Extension along Greensprings Plantation Drive. In both of these sections, the proposed force main would be installed within VDOT right-of-way. From Greensprings Plantation Drive the proposed force main would enter private property (owned by Greensprings Associates) and connect into a previously approved lift station. Force mains and associated facilities, including transmissions mains, that are intended to serve a number of customers and that are not accessory to an existing or proposed development, require a special use permit.

Surrounding Zoning and Development

One zoning classification, PUD-R, Planned Unit Development Residential, covers the entirety of this proposal. Adjacent parcels are primarily undeveloped, but are zoned for planned communities. These developments include Powhatan Secondary, Greensprings Plantation, and the Hidden tract.

Physical Features and Environmental Considerations

The majority of the proposed force main is to be located within the Virginia Department of Transportation right-of-way. However, on the south end of Greensprings Plantation Drive the proposed force main would cut across private property (owned by Greenspring Associates) to reach a previously approved lift station. Greensprings Associates has agreed to this cut across its property. While the roadway portion of Monticello Avenue Extension is still under construction, Greensprings Plantation Drive is completed. Most of Greensprings Plantation Drive is improved with small clusters of pines, a few single cedars, maples, and hollies scattered along the road, but they are largely outside the proposed construction area of 4 to 8 feet from the edge of pavement. JCSA does not expect to remove any of the trees, although a few may be impacted by the construction. In the event any tree, bush, or shrub is damaged during construction, staff has drafted a condition that would require the applicant to replace the vegetation with one of equal type as approved by the Planning Director.

The force main installation would cross Powhatan Creek via a bridge which will be dedicated to VDOT upon completion of Monticello Avenue Extension. The proposed crossing and realignment would significantly decrease potential impacts to the Powhatan Creek Watershed.

Traffic Impacts

No specific schedule has been set for the construction of the proposed water main. During construction, traffic along both east- and westbound lanes along Monticello Avenue Extension and north- and southbound lanes along Greensprings Plantation Drive would be affected. Traffic will be slowed by an alternating direction signal lane adjacent to the area under construction. All construction will occur during off-peak hours between 9:00 a.m. and 4:00 p.m. to minimize the impact on the community.

Public Utilities

The property is within the Primary Service Area (PSA). The Comprehensive Plan defines the Primary Service Area as areas presently provided with public water and sewer and high levels of other public services, as well as areas expected to receive such services over the next 20 years. Promoting efficiency in the delivery of public services is an important concept in the Comprehensive Plan. The PSA concept encourages efficient utilization of public facilities and services and promotes public health and safety through improved emergency response time. The proposed water main would connect to an existing water line and would improve fire flow as well as provide connections to public water.

Comprehensive Plan Considerations

Land Use Designation

The Comprehensive Plan Land Use Map designates this area as Low Density Residential. Low Density Residential areas are located inside the Primary Service Areas where public utilities and services exist or are expected to be expanded to serve the area over the next 20 years.

Aesthetics

No drainage structures will need to be relocated as a result of this proposed project. However, as stated previously, any unanticipated damage that occurs to the minimal vegetation will be mitigated with vegetation of an equal type as approved by the Director of Planning. This project will be attached to the bridge.

Historical and Archaeological Impact

There are no known archaeological or historic sites on the property as indicated by the James City County Archaeological Assessment. Because the project is within an area previously disturbed by road construction, the probability of any significant finds is minimal.

Recommendation

Staff finds this proposal to be consistent with the Comprehensive Plan and consistent with previous actions taken by the Board of Supervisors. On July 2, 2001, the Planning Commission voted unanimously to recommend approval of this application.

1. All required permits and easements shall be acquired prior to the commencement of construction. If construction has not commenced on the project within twenty-four months from the date of issuance of the special use permit, the permit shall become void. Construction shall be defined as clearing, grading, and excavation of trenches necessary for the water main.
2. For pipeline construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property. It is intended that the present and future results of the proposed water transmission main do not create adverse effects on the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
3. All bridge attachments shall be approved by the Virginia Department of Transportation.
4. The applicant shall avoid removing trees, bushes, and shrubs along the force main corridor. Trees, bushes, and shrubs damaged during construction that are not designated on the site plan to be removed, will be replanted with a tree, bush, or shrub of equal type as approved by the Planning Director.

5. Construction vehicles and/or equipment shall not be parked or stored on Greensprings Plantation Road or Monticello Avenue Extension between the hours of 5:00 p.m. and 7:00 a.m.
6. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Benjamin A. Thompson

CONCUR:

O. Marvin Sowers, Jr.

BAT/g
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Attachments:

1. Planning Commission Minutes
2. Location Map
3. Letter of Agreement from Private Property Owner
4. Resolution