

**SPECIAL USE PERMIT-0013-2009. Cardinal Acres Two-Family Dwelling
Staff Report for the October 13, 2009, 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

Planning Commission:
Board of Supervisors:

Building F Board Room; County Government Complex

September 9, 2009, 7:00 p.m.
October 13, 2009, 7:00 p.m.

SUMMARY FACTS

Applicant: Mr. Michael Putt of First Investments of Virginia

Land Owner: Mr. Michael Putt

Proposal: To allow for the construction of one two-family dwelling (“duplex”) on the subject property. Two-family dwellings are specially permitted uses in the R-2, General Residential, zoning district.

Location: 114 Cardinal Acres Drive

Tax Map/Parcel No.: 4640400006A

Parcel Size: .34 acres

Zoning: R-2, General Residential, with Proffers

Comprehensive Plan: Moderate-Density Residential

Primary Service Area: Inside

STAFF RECOMMENDATION

Staff finds this proposal to be consistent with the Comprehensive Plan Land Use Map designation for the subject parcel and with the surrounding development. Staff recommends that the Board of Supervisors approve this Special Use Permit (SUP) with the attached conditions.

Staff Contact: Sarah Propst, Planner Phone: 253-6685

PLANNING COMMISSION RECOMMENDATION

On September 9, 2009, the Planning Commission recommended approval of this application by a vote of 7-0, with the attached conditions.

Proposed Changes Made Since Planning Commission Meeting

None

PROJECT DESCRIPTION

Mr. Michael Putt of First Investments of Virginia has applied for an SUP to allow for the construction of one two-family dwelling (hereafter referred to as a “duplex”) on the property located at 114 Cardinal Acres Drive. The subject property is zoned R-2, General Residential, and is designated Moderate Density Residential on the James City County 2003 Comprehensive Plan Map. The .34-acre site is located in the Cardinal Acres subdivision east of the Foxfield subdivision, south of The Pointe at Jamestown subdivision, and west of the Jamestown 1607 subdivision. The property can further be identified as (46-4)(4-06a).

The parcel is generally level and cleared, although there are some trees and bushes throughout the site. A gravel driveway exists on the southern border of the lot to provide access to the James City Service Authority (JCSA) lot. A 25-foot JCSA easement runs along the back/northeastern border of the parcel; no permanent structures are planned within the easement.

Project History

An SUP and rezoning were previously approved for this site. The rezoning (Z-0012-2004) changed the zoning from R-8, Rural Residential, to R-2, General Residential, with Proffers. The subject parcel was subdivided from the adjacent JCSA well lot. The SUP (SUP-0029-2004) was approved on January 11, 2005, for a duplex of the same size and scale as the current SUP application request. That SUP expired in January 2008.

PUBLIC IMPACTS

Environmental

Watershed: Powhatan Creek Watershed

Staff Comments: The Environmental Division staff has reviewed the application and concurs with the layout proposed on the Master Plan. As this property is located within the tidal mainstem subwatershed of Powhatan Creek, Special Stormwater Criteria (SSC) requirements apply to this lot per the Powhatan Creek Watershed Management Plan. Stormwater runoff from this site is directed to the adjoining property of Jamestown 1607. To manage site runoff, the owner/developer has agreed to stormwater management features such as, but not limited to, rain barrels, pervious pavers, and soil amendments (organic matter or other suitable materials which are tilled into the soil to make the soil more absorbent). The Environmental Division notes that a formal site plan, in conjunction with the Master Plan, will ensure that stormwater management features are properly utilized on the site. Staff has recommended a condition to ensure that runoff reduction measures will be addressed on-site prior to issuance of a building permit.

Public Utilities

The subject parcel lies within the Primary Service Area (PSA) of James City County.

This parcel would be served by public water and public sewer facilities provided by the JCSA.

Staff Comments: The owner/developer will be responsible for creating and enforcing water conservation standards, which will be subject to JCSA’s approval. JCSA noted no problems with or objections to this proposal. JCSA will also review the formal site plan.

Transportation

2007 Traffic Counts: From Cardinal Acres Drive to 4H Club Road, approximately 8,235 average daily trips.

2026 Volume Projected: From the James River to Neck-O-Land Road, projected 10,000 vehicles per day. “OK” category in the 2003 Comprehensive Plan.

Traffic Generation and Road Improvements: The proposed project has the potential to generate 12 additional daily trips. This will not impact the surrounding road network.

VDOT Comments: The Virginia Department of Transportation (VDOT) staff has reviewed the application and has no objection to the proposed project.

Staff Comments: The addition of a duplex on the last available lot in Cardinal Acres subdivision should not have any appreciable negative impact on the overall traffic flow in the surrounding area.

COMPREHENSIVE PLAN

(Note: Page References are made to the James City County 2003 Comprehensive Plan.)

Land Use Map

Designation	<p>Moderate Density Residential (Page 121): Moderate-Density Residential areas are residential developments or land suitable for such developments with a minimum gross density of four dwelling units per acre, up to a maximum of 12 units per acre, depending on the character and density of surrounding development, physical attributes of the property, buffers, and the degree to which the development is consistent with the Comprehensive Plan. Suggested uses include townhouses, apartments, attached cluster housing, recreation areas, and manufactured home parks.</p>
	<p>Staff Comments: Staff believes that the proposed in-fill development of a duplex on the last available lot in the Cardinal Acres subdivision is consistent with the surrounding development and the Moderate-Density Residential designation.</p>
Goals, Strategies, and Actions	<p>Strategy No. 2 (Page 138): Ensure development is compatible in scale, size, and location to surrounding existing and planned development.</p>
	<p>Action No. 16 (Page 140): Identify target areas for infill, redevelopment, and rehabilitation with the PSA.</p>
	<p>Staff Comments: The application proposes to put growth into the PSA where it may be more efficiently served by public utilities and services. As noted previously, the proposal would be compatible and harmonious both in terms of use and intensity with the surrounding area. This application represents a positive and beneficial infill project for James City County that would result in a better use of the subject property.</p>

Environment

Powhatan Creek Watershed Management Plan	<p>Description (Page 47): Powhatan Creek is a 22 square-mile watershed of significantly biodiversity. The Powhatan Creek drains into the James River.</p>
	<p>Staff Comment: Because of its location, this property is subject to SSC established for developments located within the Powhatan Creek Watershed Area.</p>
Goals, Strategies, and Actions	<p>Action No. 5 (Page 66): Encourage the use of Better Site Design, Low Impact Development, and Best Management Practices (BMPs) to mitigate adverse environmental impacts.</p>
	<p>Staff Comment: According to information provided by the applicant, Low Impact Development (LID) measures will be considered for implementation and compliance with the requirements set forth by SSC for the Powhatan Creek Watershed Management Plan Area. A condition has been included to reflect this.</p>

Transportation

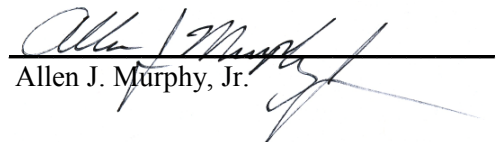
Jamestown Road	Description (Page 76): Projected traffic volumes for Jamestown Road would normally justify widening the two-lane road to four-lanes. Construction of a four-lane facility would be very disruptive; therefore, the comprehensive plan recommends that Jamestown Road be maintained as a two-lane facility.
	Staff Comment: According to VDOT's analysis, the traffic generated by this proposal will not negatively affect the current Level of Service for this segment of Jamestown Road.

RECOMMENDATION

On September 9, 2009, the Planning Commission recommended approval of this application by a vote of 7-0. Staff finds that this proposal is consistent with the Comprehensive Plan Land Use Map designation for the subject parcel and with surrounding development. Based on this analysis, staff recommends approval of this application with the attached resolution.

Sarah Propst, Planner

CONCUR:


Allen J. Murphy, Jr.

SP/nb
SUP0013_2009

ATTACHMENTS:

1. Location Map
2. Plat
3. Unapproved Minutes from the September 9, 2009, Planning Commission Meeting