

**SPECIAL USE PERMIT-0019-07. King of Glory Lutheran Church  
Staff Report for the September 11, 2007, 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**

July 11, 2007, 7:00 p.m. (approved 7-0)  
September 11, 2007, 7:00 p.m.

**SUMMARY FACTS**

Applicant: Mr. Matt Burton, Project Manager, DJG, Inc.

Land Owner: King of Glory Lutheran Church

Proposal: To replace an existing 1,407-square-foot modular building with a 2,800-square-foot modular building

Location: 4897 Longhill Road; Berkeley District

Tax Map/Parcel No.: (32-4)(1-33)

Parcel Size: 5.96 acres

Existing Zoning: R-2, General Residential

Comprehensive Plan: Low-Density Residential

Primary Service Area: Inside

**STAFF RECOMMENDATION**

Staff finds the proposed addition consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. Staff recommends that the James City County Board of Supervisors approve the special use permit (SUP) application with the attached SUP conditions.

Staff Contact: Jose Ribeiro, Planner Phone: 253-6685

**PLANNING COMMISSION RECOMMENDATION**

On July 11, 2007, the Planning Commission voted 7-0 to recommend approval of this application.

**Proposed Changes Made After Planning Commission Consideration**

Three SUP conditions have been amended since the last Planning Commission meeting. SUP Condition No. 5, Building Materials, has been revised to clarify the design review process and standards for the proposed modular building and to incorporate information provided to the Planning Commission and Board of Supervisors. SUP Condition No. 6, Landscaping, has been revised to address a specific concern expressed by the applicant in regards to the reforestation plan included in this condition. Although the applicant will provide a landscape plan, staff felt it necessary that the applicant provide additional vegetative buffer in the northern area of the site to visually screen the proposed modular building from adjacent property, the Crossroads Youth Home site. The applicant indicated that the Church would prefer not to provide a reforestation plan along the

northern property line since it is possible that the Church might acquire the adjacent property (i.e., Crossroads Youth Home) for future development and/or expansion of the Church; therefore, a reforestation plan with the intent of screening the modular building from the adjacent property would not be necessary. Staff has revised this condition, as requested by the Planning Commission, to include a bonding mechanism for the landscape/reforestation plan allowing the Church time to evaluate its plans to acquire the adjacent property. SUP Condition No.7, Commencement of Construction, has been revised to more clearly clarify the trigger, which determines the validity of the “construction” period of the modular building, and improve its enforceability.

## **PROJECT DESCRIPTION**

Mr. Matt Burton, on behalf of King of Glory Lutheran Church, has applied for an SUP to allow the replacement of an existing modular building of approximately 1,407 square feet with a larger modular building of approximately 2,800 square feet. In addition to the modular building, 861 square feet of sidewalk will be provided to connect the proposed modular building with the rear of the Church building, the Fellowship Hall, and the existing playground area. The larger modular building will be placed in the same area currently occupied by the smaller modular building, which is located behind the Church structure and beside the existing playground. The proposed structure will provide two classroom spaces for preschool students with capacity for 30 children and will operate during daytime hours, Monday to Friday. This addition will increase the overall preschool student capacity at the Church site from the current 60 students (distributed in four existing classrooms) up to 90 students. An SUP is necessary for the proposed modular building addition since it is an expansion to a specially permitted use. Please note that the proposed use of the modular space and preschool classroom is not binding under the proposed condition.

### *History of the Site*

The existing 7,698-square-foot Church structure and parking area located at the southern region of the site were built in 1995 (SP-7-95). At the time it was originally constructed, a house of worship was a permitted use in the R-2, General Residential, zoning district. In 1998, a site plan (SP-147-98) for the existing modular building was submitted and approved by the County as a by-right use. On May 25, 1999, the Board of Supervisors approved an amendment to the zoning ordinance, which made houses of worship a specially permitted use in the R-2 zoning district. On October 24, 2000, the Board of Supervisors approved an SUP request (SUP-21-00) which allowed for the construction of approximately 16,059 square feet of additions to the Church site. The approved additions included a 10,843-square-foot fellowship hall and a 5,216-square-foot classroom addition.

### *Surrounding Zoning and Development*

Crossroads Youth Home and Wellspring United Methodist Church, both zoned R-2, General Residential, are located to the north of the Church site. A portion of Ford’s Colony, zoned R-4, Residential Planned Community, is located to the west of the site. South of the site is Bazzle’s Apartments, zoned R-2. Williamsburg Plantation, zoned R-2, and Regency at Longhill Apartments, zoned R-5, Multifamily Residential, are located across Longhill Road east of the site. Staff finds that the proposed modular building addition is compatible with the surrounding zoning and development.

### *Physical Characteristics of the Site*

The site is relatively flat and open with wooded buffers along the northern, western, and southern perimeter of the property. A planted berm, which was installed at the time of the existing Church’s construction, exists along the Longhill Road frontage. The natural wooded on-site buffers that surround the majority of the site, protects nearby residential uses and the character of the surrounding area. According to the 2003 Comprehensive Plan, Longhill Road is designated a Community Character Road.

## **PUBLIC IMPACTS**

### **Archaeology Impacts:**

**Staff Comment:** The subject site has been previously disturbed and is not located within an area identified as a highly sensitive area in the James City County archaeological assessment. Staff believes that given the size and nature of the proposal no archaeological studies are necessary.

### **Fiscal Impacts:**

**Staff Comment:** A fiscal impact analysis was not required for this project.

### **Public Utilities:**

**Staff Comment:** The site is located within the Primary Service Area (PSA) and is served by public water and sewer. At the time of site plan submittal, the James City Service Authority (JCSA) will require calculations to be submitted showing the adequacy of the water meter and capacity of the grinder pump station and any required improvements. The grinder pump station may require additional approvals. Further, JCSA has requested that the applicant develop and submit water conservation standards to be reviewed and approved by the JCSA. Staff has added conditions (SUP Conditions Nos. 3 and 4) requiring the submittal of these items prior to final site plan approval.

### **Transportation:**

**2005 Traffic Counts:** From Olde Towne Road (Route 658) to Route 199; 20,916 average daily trips.

**2026 Volume Projected:** From Olde Towne Road (Route 658) to Route 199; projected 21,000 average daily trips. This segment of Longhill Road is not under the “watch” category listed in the 2003 Comprehensive Plan.

**VDOT Comment:** VDOT has completed the review for this SUP application and has considered the plan approvable.

**Staff Comment:** Staff notes that the Church property fronts on Longhill Road (Route 612) and the existing entrance would continue to be utilized. There is a narrow driveway located in the northern area of the site. This road, partially located inside the Church property and partially inside the Crossroads Youth Home site, functions as an access road for Crossroads Youth Home and as a service road to the King of Glory Church site. During the previous SUP review for this site (SUP-21-00), an SUP condition was designed requesting a joint access agreement for the above-referenced driveway between King of Glory Lutheran Church and Crossroads Youth Home prior to final site plan approval. At the time of the SUP review, the intent of the Church was to utilize this service road to access the Fellowship Hall from the rear. However, an agreement was not secured between both parties and King of Glory Church modified the development plans so that access to the Fellowship Hall from the service road would not be required and final site plan approval was granted. Currently, the service road is primarily used by Crossroads Youth Home and sporadically by King of Glory Church.

Staff notes that according to information provided by the applicant, the proposed 2,800 modular building addition will generate four peak-hour trips to and from the site, a minor increase to the 31 peak-hour traffic generated by the current conditions found on the site. This trip generation has been calculated using the square footage of the proposed modular building. However, staff notes that, the ITE (Institute of Transportation Engineers) use other variables, besides square footage, to calculate trip generation. Another independent variable that can be used is the number of students created by this expansion. With a proposed addition of 30 new students, it is expected that the trip generation to and from the site will increase by 12

peak-hour trips, totaling 50 peak-hour trips. In regards to parking, the site currently contains 161 total spaces provided (151 standard spaces and 10 handicap spaces), although 107 parking spaces are required per the Zoning Ordinance. The proposed 2,800 modular building addition will not trigger the necessity for additional parking spaces in the site.

**Environmental:**

**Watershed:** Powhatan Creek

There is an existing Best Management Practice (BMP) facility located at the southern area of the Church site capturing stormwater runoff for the entire site. At the southwest corner of the larger parking area there is a rain garden (i.e. bioretention basin) developed voluntarily and in conjunction with the property owner and the Environmental Division in order to resolve localized erosion issues. A Stormwater Management Plan for the site was submitted for County review and approved as part of Site Plan SP-118-00.

**Environmental Comment:** At the time of site plan submittal, the Environmental Division will require an erosion and sediment control plan to be submitted for County review. Further, at the site plan stage, the Environmental Division will request evidence that the existing downstream structural BMP is adequate for the increase in pervious area and that the BMP is currently in good working order and performing at the design level of service. Staff notes that Special Stormwater Criteria (SSC) does not apply to this project.

**Staff Comment:** Planning staff also notes that with the addition of the proposed modular building and sidewalk, the percentage of impervious surface for the entire site will increase from existing 40.7 percent to 41.7 percent. The existing open space area for the site is 59.3 percent and after the proposed additions, the total open space for the site will be approximately 58.3 percent. The gross impervious area addition to the site corresponds to 0.8 percent.

**COMPREHENSIVE PLAN**

**Land Use Map**

Designation	<p><b>Low Density Residential (Page 120):</b>                  Low-density areas are residential developments or land suitable for such developments with gross densities up to one dwelling unit per acre depending on the character and density of surrounding development, physical attributes of the property, buffers, the number of dwellings in the proposed development, and the degree to which the development is consistent with the Comprehensive Plan. Examples of acceptable land uses within this designation include single-family homes, duplexes, cluster housing, recreation areas, schools, churches, community-oriented public facilities, and very limited commercial establishments.</p> <p><b>Staff Comment:</b> Staff finds that the proposed modular building addition to the Church site consistent with the Comprehensive Plan land use designation.</p>
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**Environment**

Goals, strategies, and actions	<p><i>Action #5 - Page 66:</i> Encourage the use of Better Site Design, Low Impact Development, and the best management practices (BMPs) to mitigate adverse environmental impacts.</p> <p><b>Staff Comment:</b> There is an existing BMP facility and LID feature (i.e. bioretention basin) located at the southern area of the site that treats on-site runoff from stormwater.</p>
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**Transportation**

<p>General</p>	<p><i>Longhill Road - Page 78:</i> It is recommended that Longhill Road from Seasons Trace to Olde Towne Road not be improved to four lanes despite its projected 2026 volume of 22,000. Despite the opening of the Route 199 expansion, existing volumes remain well above the capacity of a standard two-lane road. Although classified as a two-lane facility, Longhill Road acts like a three-lane facility because of numerous turn lanes. However, it will be important to monitor the actual delay in this segment. Additional residential or commercial development along this corridor beyond that currently planned should be allowed only if acceptable levels of service can be maintained.</p> <p><b>Staff Comment:</b> According to information provided by the applicant, the existing Level of Service (LOS) to the entrance of the site/exit to the roadway is “B”. The proposed 2,800 modular building addition to the Church site will not involve any work on VDOT’s right-of-way and no road improvements will be necessary to accommodate the addition. It is expected, according to staff’s calculations, that the proposed expansion will increase traffic during the peak hours from existing 38 peak-hour trips to 50 peak-hour trips. Staff notes that this figure was calculated using the number of students being generated by the expansion. The applicant has provided a trip generation that was calculated using the square footage of the proposed building, which results in a total of 35 peak-hour trip with the proposed additions.</p>
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**Community Character Corridor**

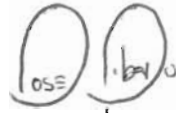
<p>Goals, Strategies, and actions</p>	<p><i>Goal #1 - Page 95:</i> Improve the overall appearance of the County’s urban and rural environment.</p> <p><i>Strategy #2 - Page 95:</i> Ensure that development is compatible in scale, size, and location to surrounding existing and planned development.</p> <p><b>Staff Comment:</b> When the original site plan for the Church and the parking lot expansion (SP-7-95) was approved in 1995, the required landscape buffer along Longhill Road was 30 feet. With the revised landscape ordinance in 1999, the requirement for a landscape buffer along Community Character Corridors was increased to 50 feet. Currently, this site does not meet the suggested 50-foot Community Character Corridor buffer. However, the Church has provided berms with plantings along the Longhill Road frontage, which screens the parking area from the road. Staff notes that this proposed addition to the site would not impact the existing buffer. Further, staff finds that this is a small addition to the site and compatible in scale, size, and location with the Church site and adjacent properties.</p>
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**STAFF COMMENT**

Staff finds that the proposed 2,800-square-foot modular building and 861square feet of sidewalk are minor additions to the Church site and that impacts to traffic and to the environment will be minimal. Further, staff notes that the proposed addition will not disturb any of the natural wooded buffers, which surround the site and protects nearby residential uses and the character of the surrounding area.

**RECOMMENDATION**

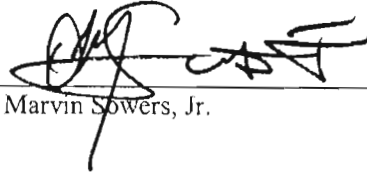
Staff finds the proposed addition consistent with surrounding zoning and development and generally consistent with the Comprehensive Plan. Staff recommends that the James City County Board of Supervisors approve the SUP application with the conditions listed in the attached resolution.



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Jose Ribeiro

CONCUR:



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O. Marvin Sowers, Jr.

JR/nb  
SUP-0019-07

ATTACHMENTS:

1. Unapproved Planning Commission minutes from July 11, 2007
2. Location Map
3. Master Plan (under separate cover)
4. Picture of a similar modular building to be placed at the King of Glory site titled "Exhibit 1"
5. Resolution