
HEIGHT LIMITATION WAIVER CASE NO. 20-0001. King of Glory Lutheran Church

Staff Report for the July 14, 2020, Board of Supervisors Public Hearing**SUMMARY FACTS**

Applicant: Mr. Greg Warren, LandTech Resources

Land Owner: King of Glory Lutheran Church, Rumsey;
TR; ET ALS

Proposal: A height limitation waiver to permit the construction of a cupola to not exceed a height of \pm 90 feet above finished grade.

Location: 4897 Longhill Road

Tax Map/Parcel No.: 3240100033

Project Acreage: \pm 13.63 acres

Zoning: R-2, General Residential

Comprehensive Plan: Low Density Residential

Primary Service Area (PSA): Inside

Staff Contact: Tom Leininger, Planner

PUBLIC HEARING DATE

Board of Supervisors: July 14, 2020, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions, staff finds that the proposal would not impact surrounding development.

2. Places of public assembly are recommended uses for areas designated Low Density Residential by the adopted Comprehensive Plan. Additionally, staff finds the proposed cupola would not create dust, odor, or noise impacts on adjacent residential properties. The proposal is consistent with the adopted Comprehensive Plan.
3. The proposed structure is located interior to the parcel.
4. Staff finds that the proposed application satisfies the criteria for height waivers found in Section 24-261(3) of the Zoning Ordinance.
5. Impacts: See Impact Analysis on Page 4.

FACTORS UNFAVORABLE

1. Impacts: See Impact Analysis on Page 4.

SUMMARY STAFF RECOMMENDATION

Staff recommends the Board of Supervisors approve this Height Limitation Waiver, subject to the attached conditions.

PROJECT DESCRIPTION

Mr. Greg Warren of LandTech Resources has applied on behalf of King of Glory Lutheran Church, for a Height Limitation Waiver to permit the installation of a new cupola. The cupola is proposed to reach a height of approximately 87 feet above finished grade, and will be located approximately 170 feet from the nearest property line.

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.

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Staff Report for the July 14, 2020, Board of Supervisors Public Hearing**PLANNING AND ZONING HISTORY**

King of Glory received a height waiver in 1996 for a steeple with a maximum height of 85 feet. The portion of the building associated with the height waiver from 1996 is being taken down and the new request is in a different location than the 1996 application. There are multiple Special Use Permits (SUPs) associated with the site, with the most recent SUP approved by the Board of Supervisors on June 11, 2019.

SURROUNDING ZONING AND DEVELOPMENT

- Properties southwest, north, and northeast are zoned R-2 and designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map.
- Properties to the west are zoned R-4 and designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map.
- Properties to the southeast are zoned R-5 and designated Moderate Density Residential on the 2035 Comprehensive Plan Land Use Map.
- The property is surrounded by Ford's Colony, Regency at Longhill, Williamsburg Plantation, and Windsor Forest. Wellspring United Methodist Church borders King of Glory Lutheran Church to the north.

COMPREHENSIVE PLAN

The site is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map.

Low Density Residential describes areas within the PSA where public services and utilities exist or are expected to be expanded to serve the sites over the next 20 years. Additionally, parcels designated Low Density Residential have natural characteristics such as terrain and soils suitable for residential development.

Recommended uses are divided into three different groups. Group 2 includes schools, places of public assembly, very limited commercial, and community-oriented facilities. Staff finds the use consistent with the Group 2 recommended uses.

The property is located along a Community Character Corridor (CCC). Buffering along a CCC is required to be an average width of 50 feet.

The CCC is categorized as a Wooden Community Character Corridor which is intended to visually screen the development from the road. Existing vegetation should be preserved or supplemented to create a wooded buffer that preserves the natural character of the County.

With the most recent approved SUP, staff finds that any impacts to adjacent properties would be mitigated.

HEIGHT LIMITATION WAIVER ANALYSIS

- Section 24-261(3) of the James City County Zoning Ordinance states that structures in excess of 60 feet in height and not exceeding 100 feet in height may be erected only upon the granting of a Height Limitation Waiver by the Board of Supervisors upon finding that the following criteria are met:

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1. Such structure will not obstruct light to adjacent property.

Staff Comment: The structures will be located a minimum of 170 feet from any property lines. Therefore, staff finds the proposed structures will not obstruct light from adjacent property.

2. Such structure will not impair the enjoyment of historic attractions and areas of significant historic interest and surrounding developments.

Staff Comment: Staff did not identify any historic attractions or areas of significant historic interest in close proximity to this project.

3. Such structure will not impair property values in the surrounding area.

Staff Comment: It is the opinion of the Director of Real Estate Assessments that the proposed 87-foot cupola will not impair property values in the area.

4. Such structure is adequately designed and served from the standpoint of safety, and the County Fire Chief finds that the fire safety equipment to be installed is adequately designed and that the building is reasonably well located in relation to fire stations and equipment, to offer adequate protection to life and property.

Staff Comment: The County Fire Chief finds that the cupola is well located relative to fire stations and appropriate equipment is installed to offer adequate protection to life and property.

5. Such structure will not be contrary to the public health, safety, and general welfare.

Staff Comment: Staff finds that the structure is not contrary to public health, safety, and welfare.

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Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	-The proposal is not anticipated to generate traffic. -The subject property is located on a minor arterial road. No changes anticipated to Level of Service on Longhill Road.
<u>Public Transportation: Pedestrian/Bicycle</u>	<u>No Mitigation Required</u>	-Pedestrian/bicycle accommodations improvements shall be in coordination with the Longhill Road widening.
<u>Public Safety</u>	<u>No Mitigation Required</u>	-This area of the County is served by Fire Station 4 on Olde Towne Road, approximately .6 miles from the church property. -The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
<u>Public Schools</u>	<u>No Mitigation Required</u>	-The proposal will not generate school children.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	-The proposal does not generate impacts that require mitigation to the County's parks and recreation services or facilities.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	-The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	-The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.
<u>Watersheds, Streams, and Reservoirs</u>	<u>No Mitigation Required</u>	-The Stormwater and Resource Protection Division has reviewed this application and had no objections. No new impervious surface is proposed as part of this Height Waiver request. Should exterior site improvements be made in the future, those improvements would be subject to additional environmental review at that time.
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	-The subject property has been previously disturbed and has not known cultural resources on-site.

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<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	-In order to mitigate the additional impacts of the proposed structure, staff has proposed several conditions to the Height Limitation Waiver, including minimizing lighting on the structure above 60 feet and a review of architectural elevations prior to site plan approval.
<u>Community Character</u>	<u>Mitigated</u>	-This segment of Longhill Road is a designated Community Character Corridor. -The structure will be visible from Longhill Road, but the proposed structure is well designed architecturally and is typical and consistent of what is historically found on a place of worship building. The proposed structure is setback approximately 170 feet from Longhill Road.

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PROPOSED CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

Staff recommends the Board of Supervisors approve this Height Limitation Waiver application subject to the attached conditions.

TL/md
HW20-1KGlryChurch

Attachments:

1. Resolution
2. Location Map
3. Architectural Elevations
4. Applicant Narrative
5. Location of Proposed Structure

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