

Attachment C – Special Use Permit Conditions
Dated November 12, 2024

DRAFT APPROVED CONDITIONS

Owner: Mr. Robert Samia
Applicant: Mr. Robert Samia
Special Use Permit: SUP #2024-01
Addresses: 71 S. Fifth Street
GPIN: 6984-42-4640-000 (the "Property")
Special Use Permit Area: +/- 0.2869 acres
Zoning: Commercial District
Date: November 12, 2024

In approving a Special Use Permit, the Town Council may impose such conditions, safeguards and restrictions as may be necessary to avoid, minimize or mitigate any potentially adverse or injurious effect of such special uses upon other properties in the neighborhood, and to carry out the general purpose and intent of this Ordinance. The Council may require a guarantee or bond to ensure compliance with the imposed conditions. All required conditions shall be set out in the documentation approving the Special Use Permit.

The Applicant shall file a site plan within one (1) year of approval of this Special Use Permit by the Town Council unless waived and/or exempted under Article 10-2, and shall have up to five (5) years from the date of final site plan approval to commence the proposed use. Issuance of an occupancy permit constitutes commencement of the use.

1. This Special Use Permit is issued covering the entire Property pursuant to the provisions of §11-3.10 of the Town of Warrenton Zoning Ordinance.
2. The site is located within the Historic District and therefore is subject to the Town of Warrenton Guide to Historic Resources and any exterior changes or alterations require the submission of a Certificate of Appropriateness (COA) and review and approval by the Architectural Review Board (ARB). No structures shall be modified or constructed until a COA has been issued, per §3-5.3 of the Zoning Ordinance.
3. Use Parameters
 - a. Special Use Permit Area – The Special Use Permit shall apply to the entire +/- 0.2869 - acre property.
 - b. Use Limitations - The use shall be limited to Automobile Sales and Truck Sales.
 - c. Hours of Operation – The hours of operation associated with these uses shall be contained between the hours of 9:00 am and 7:00 pm.

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4. Motor Vehicle Sales

- a. Vehicles shall only be displayed in the paved parking areas labeled as “Inventory Parking” as shown on the Special Use Permit Plan dated March 11, 2024. Such areas shall not be used for the storage or display of vehicles that are not in operating or saleable condition.
- b. No vehicles shall be displayed for sale in the right-of-way.
- c. Vehicles for sale shall have all wheels in contact with a paved surface. The use of display ramps and/or stands is prohibited, and hoods shall not be raised nor flashing lights be used as an attention-attracting device.

5. Site Surface

- a. All outdoor areas used for parking, storage, loading, display and driveways shall be constructed and maintained in good repair, free of cracks or damage to the surface.

6. Traffic

- a. Loading/Unloading – All loading and unloading of vehicles shall take place on the Subject Property during regular hours of operation and outside of peak travel hours, to the greatest extent possible, in the Loading Area depicted on the Special Use Permit Plan.
- b. Obstruction of Travel Ways – No vehicles associated with the use shall obstruct the travel ways, fire lanes, adjoining road network or encroach upon landscaped areas as shown on the Special Use Permit Plan. No vehicles shall be located within site entranceways or otherwise impede ingress, egress, and internal circulation.
- c. Delivery of inventory vehicles to subject property - No semi-trailer trucks shall be permitted to deliver inventory vehicles within the Historic District nor shall they be permitted to stop or park along Fifth Street for the purpose of loading/unloading inventory vehicles. All inventory vehicles shall be delivered utilizing mid-size trailers and/or roll-back delivery vehicles.

7. Parking

- a. The Subject Parcel shall meet all parking requirements as outlined in Article 7. Should it be desired to expand the use in any of the buildings located on the Subject Property, the new proposed use shall be required to apply for approvals that meet Zoning Ordinance and additional parking requirements.

8. Outdoor Display

- a. Outdoor display of any objects or materials including: tires, beverages, beverage machines, motor vehicle parts, etc. shall be prohibited.

9. Outdoor Speakers

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- a. Outdoor speakers shall not be permitted. The volume of any indoor speakers shall not be such that the sound is disturbing to adjacent property owners.

10. Refuse Storage Area

- a. Any refuse storage areas shall be screened with a solid enclosure constructed of materials that are compatible with the buildings on the property.

11. Emergency Services

- a. Nothing shall be placed or constructed on the site that would prohibit or restrict Emergency Service vehicles from mounting curbs or accessing structures. There shall be no parking of any vehicles in the travel ways.

12. Lighting

- a. All existing lighting fixtures shall be downward directed and employ cutoff light fixtures. The Applicant shall further provide that lighting shall be automatically dimmed after closing hours to diminish its effects on surrounding properties.
- b. All lighting shall meet the requirements of the Zoning Ordinance, as found in Article 9.
- c. The installation of any new lighting shall require the submission and approval of a Certificate of Appropriateness.

13. Signs

- a. Unless otherwise permitted by the Zoning Ordinance, temporary signs, banners, balloons, streamers, garrison flags, or similar attention-getting devices shall be strictly prohibited.
- b. The existing signage on the property may remain, provided the existing signage is not altered, enlarged, extended, or structurally altered in any manner.
- c. Existing signage shall count towards the maximum allowance of signage in the Zoning Ordinance. All future signage shall meet the Zoning Ordinance at time of permit.
- d. The installation of any new signage shall require the submission and approval of a Certificate of Appropriateness.