

**RESOLUTION TO APPROVE SPECIAL USE PERMIT 23-01 ST. JOHN THE EVANGELIST CATHOLIC CHURCH PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON TO AMEND PREVIOUSLY APPROVED CONDITIONS FOR SPECIAL USE PERMIT JUNE 3, 1986 (GPIN 6984-36-7135-000)**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, St. John the Evangelist Catholic Church, and the owner, the St Johns Catholic School TEES, ("the Applicant"), is the requesting a Special Use Permit approval on a parcel of land containing approximately 11.0664 acres, identified as GPIN 6984-36-7135-000, located at 271 Winchester Street in the Town of Warrenton and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant has applied for a Special Use Permit pursuant to §3-4.2.3 of the Zoning Ordinance, to amend a June 3, 1986, approval to allow for the demolition of an existing building and the construction of a new approximate 13,000 square foot office building allow to be located on the Property, hereinafter the "Special Use Permit"; and

**WHEREAS**, the Applicant's Site Development Plan SDP 2017-01 was approved with a note indicating the "owner is aware that any future projects adding more than 5,050 SF of impervious area will have to comply with the State's VSMP requirements for the area shown here and the additional impervious area," and

**WHEREAS**, the adopted Condition of Approval 7.c states the property owner is required to account for all improvements, regardless of square footage, made to the property since July 1, 2014, and design and construct for the accumulative stormwater management for both quantity and quality in accordance with all applicable State and local requirements in effect at the time of site development plan approval; and

**WHEREAS**, the amended Site Development Plan for the property, once satisfying SUP 2023-01 Condition of Approval 7.c, may include a note indicating the SDP 2017-01 note has been addressed; and

**WHEREAS**, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of the Special Use Permit, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on May 16, 2023 and June 20, 2023; and

**WHEREAS**, the Town Council received and considered the recommendation of the Planning Commission for approval of the Special Use Permit based on Conditions of Approval; and

**WHEREAS**, the Town Council of the Town of Warrenton held a Public Hearing on July 12, 2023, upon notice properly and duly given; and

**WHEREAS**, the Town Council of the Town of Warrenton deferred and held open the Public Hearing, upon the request of the Applicant, to December 12<sup>th</sup>, 2023, upon notice properly and duly given; and

**WHEREAS**, the Town Council finds that the Application meets the criteria for approval in the Town of Warrenton Zoning Ordinance; and

**WHEREAS**, the Town Council, in consideration of all of the foregoing, is of the opinion that the application for the Special Use Permit be approved subject to certain conditions;

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council on this 12<sup>th</sup> day of December 2023, that SUP 23-01 be, and is hereby, approved, subject the following conditions:

1. General: 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. Site Development: The Property shall be developed in substantial conformance with the Special Use Permit Plan entitled, "Special Use Permit Plat," prepared by Carson Land Consultants, Page 1 dated February 10, 2023 and Pages 2-4 dated December 6, 2022, all revised October 26, 2023, consisting of four (4) sheets (the "SUP Plan"). Minor changes and adjustments may be made to the road and street alignments, entrances, parking, dimensions and location of SWM/BMP facilities, the exact configuration and location of building footprints, and other similar features as shown on the SUP Plan, provided they meet the intent of these Conditions and are approved by the Director of Community Development or the Zoning Administrator.

3. Use Parameters:
  - a. Special Use Permit Area – The Special Use Permit shall apply to the entire +/- 11.0664 acre site.
  - b. Use Limitations – The use shall be limited to a religious institution and related facilities including the church, school, and those accessory uses customarily incidental to the primary uses.
  - c. Maximum Students – The maximum number of students shall be 540 as approved in the previous SUP dated June 3, 1986.
4. Architecture: The site is located within the Historic District and is subject to Architectural Review Board, Certificates of Appropriateness (COA), and the Town of Warrenton Guide to Historic Resources. No structures shall be modified or erected until a COA has been issued. This includes walls and fences exceeding 42” in height.
5. Signage: All signage shall comply with the applicable provisions of Article 6 of the Town of Warrenton Zoning Ordinance.
6. Site Maintenance and Refuse Collection: Any refuse storage areas shall be screened with a solid enclosure constructed of materials that are compatible with the buildings on the property. The enclosure shall have gates that prohibit viewing this area from adjoining properties and public rights-of-way. The gates shall remain closed when not in use and the trash containers shall be emptied as necessary to prevent odors or infestation by vermin. Compliance with this condition shall be demonstrated on each final site plan(s). Deliveries and refuse collection shall follow Town Code Section 11-19(9).
7. Environment: All landscaping shall be native and drought-resistant or other species as may be approved on the final site plan(s).
  - a) Landscaping – The Applicant shall make all efforts to maintain and preserve the existing mature vegetation and hardwood trees when feasible.
  - b) Minimize Clearing and Grading – The Applicant shall show the limits of clearing and grading for the site on the approved final site plan(s). For portions of buffers located outside the limits of clearing and grading, the existing vegetation shall be preserved and supplemented to meet the intent the buffer as noted above. In addition, existing trees and shrubs shall be incorporated into the landscaping plan. This does not preclude the removal of diseased, noxious and/or invasive vegetation.
  - c) Stormwater Management – The property owner is required to account for all improvements, regardless of square footage, made to the property since July 1, 2014, and design and construct for the accumulative stormwater management for both quantity and quality in accordance with all applicable

State and local requirements in effect at the time of site development plan approval.

8. Lighting:

- a. Proposed lighting shall be reviewed during the review of the Certificate of Appropriateness and at the time of site plan in accordance with the Zoning Ordinance.
- b. Building-mounted security lighting, which is full cut-off and directed toward the building and in compliance with the Zoning Ordinance, shall be permitted.
- c. All new and replacement light fixtures shall consist of full cut-off fixtures with a color temperature of 3,000 K or lower, and a maximum mounting height of 14 feet.
- d. Permanent lighting on the school managed turf fields is prohibited. Temporary lighting is considered on a case by case basis.
- e. All other proposed lighting shall be addressed at site plan in accordance with the Zoning Ordinance.

9. Transportation:

- a) Vehicular Access – The site shall be accessed from the Winchester Street and John E. Mann entrances. Egress shall be controlled via a stop sign traffic control with stop bar at the exits.
- b) There shall be no stacking of vehicles into the public right-of-way. The school is responsible for ensuring drop off and pick up from the school do not result in backs ups on the public streets. Stacking on the property by accessing the school by way of Winchester Street or staggering times is required to achieve this condition.
- c) Handicapped Parking and Signage – Handicapped parking and signage for shall be provided in accordance with the PFM and the Americans with Disabilities Act.
- d) Dedication of public right-of-way on Winchester Street to back of curb, and an easement outside this right-of-way dedication over Town owned utilities, shall be included on the Site Development Plan and be recorded prior to occupancy permit.

10. Parking: Parking located on the north side of the property, adjacent to Richards Lane shall buffer and shield the headlights of vehicles from the adjacent residences. Headlights shall be screened from view from the residential-zoned property located to the north to at least 3.5 feet in height above the parking surface elevation with a solid wall, sight-tight fence, evergreen shrubs, or other method as approved by the Zoning Administrator as a part of the Site Development Plan, to extend the length of the parking on the north side.

11. Water and Sewer: The site shall continue to be served by public water, with the property owner bearing all costs associated with providing the additional services that will be required. Construction of a new 3-story building, +/- 13,000 square foot located at the northwest corner of the property on Winchester Street will require a separate water meter, per Town Code
  
12. Demolition: Demolition of the existing 3 story stone and block building located in the northwest portion of the property adjacent to Richards Lane shall require a permit from the Town. No final occupancy permit shall be issued on a new 3-story building, +/- 13,000 square foot located at the northwest corner of the property on Winchester Street until the above existing building has been demolished. The old building will be demolished within 6 months after the issuance of the temporary occupancy permit.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Community Development Director,

Town Attorney

**ATTEST:** \_\_\_\_\_  
**Town Recorder**