



Community Development
Department

STAFF REPORT

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| Town Council Meeting Date: | November 14, 2023 |
| Agenda Title: | Special Use Permit 2023-01 St John the Evangelist |
| Requested Action: | Continue Public Hearing |
| Decision Deadline: | February 12, 2024 |
| Staff Lead: | Denise Harris, Planning Manager |

EXECUTIVE SUMMARY

Special Use Permit (SUP) 2023-01 St John the Evangelist, the Applicant, and the Owner, the Catholic Diocese of Arlington (St Johns Catholic School Tees), seeks to amend a June 3, 1986, SUP approval to allow for the demolition of an existing building and the construction of a new 13,000 square foot office building. The subject parcel is located in the Residential (R-10) District of the Town of Warrenton Zoning Ordinance and is designated as Live/Work on the Future Land Use Map. The subject parcel (GPIN 6984-36-7135-000) is located at 271 Winchester Street on approximately 11.0664 acres.

The Town Council held a public hearing in July, 2023, on the application. At that time, The Applicant requested a of action to further investigate the right-of way dedication on Winchester Street. Subsequently the Applicant requested a deferral, which Town Council granted, until the November public hearing. The Applicant requested the Archdiocese of Arlington's General Counsel to work with the Town Attorney regarding the Condition of Approval regarding the right-of-way dedication on Winchester Street. This was completed and a solution was agreed upon that would dedicate the road from centerline to back of curb. However, the Applicant's updated submission includes multiple proposed changes to the Planning Commission recommended Conditions of Approval beyond Winchester Street (see attached Applicant Proposed Conditions of Approval REDLINE).

On October 27, 2023, the Applicant submitted an updated SUP Plan indicating a 15' right of way dedication from the centerline on Winchester Street. The Applicant also submitted a redline version of the Planning Commission's recommended Conditions of Approval, and those conditions contained in the Town Council July public hearing, that go well beyond the discussions of Winchester Street. The proposed Conditions of Approval seek to modify items the Planning Commission spent time discussing, including

substantial conformance, site area, refuse, stormwater, lighting, stacking in the right of way, buffering of parking lot adjacent to Richards Drive, water and sewer, and demolition.

The Planning Commission held a Work Session on April 18, 2023⁶ and a Public Hearing on May 16, 2023. Three members of the public spoke to the application. Items brought up included proximity of the new building to Winchester Street, potential loss of old growth trees, noise “bounce back” to residences, no crosswalk on Winchester to entrance, water run-off, topo/grade changes, no lighting on building, loss of green space, question if additional parking is necessary, and support for the existing building to be demolished. The Planning Commission requested the Applicant work to address items missing on the SUP Plans and issues raised. The Planning Commission also suggested the Applicant look at the potential of green space vs additional parking. The Planning Commission voted 3-0 (Lawrence, Lasher absent) to hold the Public Hearing open until the June Planning Commission meeting.

On June 1, 2023, the Applicant submitted an updated SUP Plan to address the requested missing information, including parking, topography, improvements on the site, refuse locations, adjacent properties, and other miscellaneous items. The Applicant piloted a new student pick up/drop off pattern to address draft Condition of Approval 9.b and found it to be successful in preventing stacking in the public-right-of way.

The Planning Commission continued the Public Hearing on June 20, 2023. Three members of the public spoke to the application. One in support of the church and two adjacent property owners, while generally in support, raised questions regarding water runoff. The residents questioned if leaving the old building in place while the new one is constructed will impact and hinder the ability to properly grade the site to resolve ongoing water runoff issues to properties on Richards Drive and Winchester Street. Citizens spoke to the desire for reassurance the new building will deal with the water issues.

The Planning Commission voted to recommend approval to the Town Council subject to draft Conditions of Approval (4-0-1; Lawrence abstained).

BACKGROUND

In 1986, St Johns the Evangelist received a Special Use Permit for a school. The minutes from the Town Council meeting indicate the intent was to allow:

1. Construction of the School in two phases
2. Phase 1 enrollment 270
3. Phase 2 enrollment 540
4. Relocate the convent
5. Obtain Right of way dedication to centerline of King Street (aka John E Mann Street) and Winchester

When the church school sought an expansion in 2017, a Zoning Determination letter found the building expansion could proceed without a Special Use Permit amendment as the enrollment numbers were not changing. However, during the Site Development Plan (SDP 2017-01), the Town indicated that *“as new projects are proposed by the Church, the additional work will be considered accumulative to this plan and will trigger the Commonwealth’s SWM Regulations.”* The Town’s willingness to work with the applicant in 2017 was predicated on the shared knowledge that the next proposed improvement would include a comprehensive update of the site’s uses and existing conditions. This Special Use Permit application is the opportunity for the Applicant to bring the last 37 years of property uses up to date.

During agency review of the application, staff raised several potential issues and asked the Applicant to address them. Highlights of issues include the potential inability to meet landscaping buffer requirements, no details on lighting, preliminary stormwater design, proposed refuse locations, and no height and dimensions of the building, retaining walls, parking, travelways, setbacks, and landscape buffers for staff to ensure the proposal will meet requirements. Staff is aware that stormwater and landscape buffer solutions can be expensive to engineer. Staff sought to help the applicant understand that staff cannot ensure this proposal works without more information and/or requested waivers.

The Planning Commission held a work session and two public hearing dates on this proposal. The Planning Commission discussed buffers and landscaping along the length of the northern boundary of the property; energy, water, and sewer demands; intentions of existing building and timing of demolition; parking overflow into adjacent neighborhoods and stacking in the public right-of-way; elevations from Winchester Street and the request for artist’s rendering; appropriate stormwater, sediment control, and boundary line adjustments; and ARB approvals. The recommended Conditions of Approval are comparable to other approved Special Use Permits of similar land uses. Unique conditions relate to the Planning Commission addressing site specific issues of stormwater, potential adjacent property impacts, and demolition.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval to the Town Council subject to the draft Condition of Approval. The Applicant is requesting a deferral to the October Town Council meeting.

Suggested Motions

1. I move the Town Council accept the Applicant’s request to defer the application until the next Town Council Regular Meeting.
 2. Due to the Applicant submitting redlined language to the Planning Commission’s previously recommended Conditions of Approval that seek to remove or modify mitigations, I move the Town Council refer the application back to the Planning Commission based on Zoning Ordinance 11-3.10.9 Modifications to the Application or Conditions which states *“...after the Planning Commission has made its recommendation to the Town Council, should the application be modified, or additional conditions...offered by the applicant that results in...altered conditions that were intended to mitigate the impact of the development...then a second public hearing shall be held by the Planning Commission before the modified application may be heard by Town Council.”*
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ATTACHMENTS

1. Attachment A – Maps
2. Attachment B – May 13, 2023, Staff Analysis
3. Attachment C – October 26, 2023, Special Use Permit Plan
4. Attachment D – July 11, 2023, Conditions of Approval (Planning Commission Recommendation)
5. Attachment E – Applicant Redline of July 11, 2023, Conditions of Approval
6. Attachment F – Applicant Clean Proposed Conditions of Approval
7. Attachment G - Statement of Justification/Addendum to the Statement of Justification
8. Attachment H - Overall Site Access Plan
9. Attachment I – March 23, 2023/Revised April 27, 2023, Comment Response Letter
10. Attachment J – Town Council 1986 Meeting Minutes
11. Attachment K – Artist Renderings from Winchester Street
12. Attachment L – 1986 Town Council Minutes
13. Attachment M – July 11, Town Council Presentation