

RESOLUTION DENYING SPECIAL USE PERMIT 22-05, WARRENTON VILLAGE CENTER MIXED USE, PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON, VIRGINIA (GPINS 6985-20-7247 and 6984-29-6753)

WHEREAS, NewCastle Development Group ("the Applicant"), together with the owners of Warrenton Village Center, Jefferson Associates LP and Warrenton Center, LLC, applied for a Special Use Permit on a parcel of land containing approximately 29.05 acres, identified as GPINS 6985-20-7247 and 6984-29-6753, located at the existing Warrenton Village shopping center bordered by Oak Springs Drive, Branch Drive, Lee Highway, and Broadview Avenue in the Town of Warrenton (the "Property"); and

WHEREAS, the Applicant seeks a Special Use Permit pursuant to §3-4.10 and §9-25 of the Zoning Ordinance that would allow a mixed-use development in the existing shopping center with up to 320 apartments, up to 34 2-over-2s, and up to 32 townhomes with the addition of a central plaza, enhanced internal road network, and pedestrian infrastructure to promote walkability (the "Special Use Permit" or "SUP 22-05"); and

WHEREAS, the Applicant has requested waivers and modifications to the Zoning Ordinance for Article 2-6.1 to allow for density increase to 386 units at approximately 13.28 units/per acre; Article 3-4.10.4 to allow for 14' setbacks from Public Right of Way on the east side of Broadview Avenue and 0' setbacks along internal parcel lines within Warrenton Village Center; Article 8-8.5 to allow for 0' buffer width between commercial and residential uses within Warrenton Village Center and 14' buffer width between Public Right of Way and residential uses along the east side of Broadview Avenue; Article 2-20 to allow for maximum building heights of 54' along Oak Springs Drive (Block 1), 36' along Broadview Avenue (Block 1), 36' within Block 2, and 45' within Block 3; Article 3-4.4.5.3 to allow for seven multifamily townhome and/or 2-over-2 units to be grouped contiguously, and Article 2-19 to allow retaining walls in excess of six feet on Oak Springs Drive and Hastings Lane; and

WHEREAS, the Planning Commission held three public work sessions on the Special Use Permit on March 19, 2024; April 16, 2024; April 23, 2024; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon application 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 June 18, 2024; and

WHEREAS, the Planning Commission evaluated the Special Use Permit based on draft Conditions of Approval and Virginia Code Section 15.2-2286.A.3; and

WHEREAS, the Planning Commission found that the Application meets the criteria for approval found in Section 11-3.10.3 in the Town of Warrenton Zoning Ordinance; and

WHEREAS, on June 18, 2024 the Planning Commission, in consideration of all of the foregoing, voted four to one, with one member absent, to recommend approval of the Special Use Permit to the Town Council subject to certain conditions; and

WHEREAS, the Town Council held work sessions on the application on July 9, 2024 and August 13, 2024; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance the Town Council upon advertisement and notice properly given pursuant to Virginia Code Section 15.2-2204, held a Public Hearing on August 13, 2024; and

WHEREAS, the Town Council finds that the Application should be denied based on the following policy factors set out in the Town's Comprehensive Plan and Zoning Ordinance:

1. Town Code Section 11-3.10.3 factors # _____
2. _____
3. _____
4. _____

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 13th day of August 2024, that SUP 22-05 be, and is hereby, denied by Town Council.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Stephen Clough, Town Clerk