

HARRIS TEETER SERVICE STATION ZONING MAP AMENDMENT AND SPECIAL USE PERMIT

STATEMENT OF JUSTIFICATION

March 10, 2021

Harris Teeter seeks a Zoning Map Amendment and Special Use Permit to authorize a Fueling Center (service station) on a portion of Parcel ID 6984-38-9605/530 Fletcher Drive. The area of the zoning map amendment is approximately 11 acres and the special use permit area is approximately .48 acres.

This Property is zoned with the overlay PUD, Planned Unit Development classification, and subject to the proffers associated with Rezoning 1998-02, Northrock Planned Unit Development. But Northrock has a unique zoning history. It is subject to a Master Zoning Plan first approved in 1999, and subsequently amended. In order for the Fueling Center to be included in the Northrock Commercial Area, that Master Plan must be further amended to provide for the proposed use through a Zoning Map Amendment. Moreover, it has been twice determined by the Town's Zoning Administrator, most recently on January 28, 2013, to be vested to the provisions of the repealed CL Zoning District, in which service stations were permitted by Special Use Permit.

Harris Teeter seeks a Zoning Map Amendment to amend the Master Zoning Plan as noted above, and the special use permit specifically to authorize the service station.

THE REASONS FOR THE PROPOSED ZONING MAP AMENDMENT AND SPECIAL USE PERMIT

Harris Teeter has a "fuel points" program whereby it awards points to customers in connection with grocery purchases. Those points can be redeemed at Fueling Centers that are participants in the program. Many of these are existing service stations, but Harris Teeter also has name branded centers as well, and it seeks to provide this additional service to its customers at its store in the Northrock Shopping Center. This service is a use consistent with the Shopping Center's function, would be most convenient for its patrons, and would constitute an infill development in an underutilized portion of the existing parking lot.¹

CONSISTENCY OF THESE APPLICATIONS WITH THE TOWN'S COMPREHENSIVE PLAN

The Northrock Shopping Center Commercial Area is planned Commercial on the Town's Future Land Use Plan Map. This proposal is consistent with numerous goals and objectives of the Town's 2002-2025 Plan and its 2009 Supplement.

¹ While the Service Station would be available to Harris Teeter customers to use their fuel points, it would also be available to others as well.

The Plan notes that it is anticipated that there will be only a moderate amount of additional retail development in Warrenton, commensurate with the overall population and employment growth, yet retail development within the Warrenton Service District will occur only within the Town boundaries. Plan, p. 2-3. By 2009, the Town had identified a relatively large amount of commercial, industrial, and office space, and that it continued to function as “major commercial activity center” for the County, but that if residential growth continued as it had been, that supply would soon be exhausted. Supp. p. 10-11.

Thus, the Town set goals for overall commercial development to maintain and encourage efficient land use patterns that integrate residential, commercial, public, and employment uses in planned neighborhoods designed to reflect Warrenton’s existing character and to use planning, zoning and public facility investment tools to encourage infill development. Northrock is a prime example of just such a planned community, indeed it was one of the first such developments in the Town. The addition of an infill use in an established area that is compatible and in scale with existing land uses, and that meets the current and future needs of the community, is manifestly consistent with that goal. Plan, pp. 2-11-13, 3-31.

The Town has also specifically encouraged development of a variety of commercial centers (neighborhood convenience, community and mixed-use centers) appropriately located to provide retail and service opportunities. Plan, p. 3-33. This proposal adds a use to Northrock that adds a convenient and useful element to Northrock that no other shopping center in Town can provide, in the manner that Harris Teeter can provide it.

There will be no additional access to a major street or highway as a consequence of this proposal, and the application provides careful site design and planning, convenient, safe and efficient traffic access to all commercial areas in the Northrock Shopping Center and to the Fueling Center itself. Plan, p. 2-13. Commercial expansions should only occur where compatible land uses exist, and the local street system can accommodate the additional traffic demand. In addition, such uses should be designed to fit into the character of the area in which they locate. Plan, p. 3-63. Any new project should maintain a level of service that is in keeping with the surrounding road networks capability. Plan, p. 3-64. And as noted elsewhere in this Statement, there will be no degradation in the Level of Service at any relevant intersection and traffic movement has been planned so that the flow of vehicles to and within Northrock will be fluid.

Northrock is a Limited Commercial area, as recognized in the Town’s Plan, and therefore has heretofore been well planned with retail and service commercial centers and a coordinated integration of different uses. It reduces traffic congestion and facilitates pedestrian access within the Shopping Center, removes traffic from East Lee Highway and Blackwell, and the Fueling Center will reduce trips on those roads that would otherwise be generated by those who would fuel elsewhere. Northrock is a community shopping center that functions as one, and does not contain high intensity, traffic-generating, freestanding uses that make up the majority of the general commercial areas. Plan, p. 3-65. The largest store in the Shopping Center is the Harris Teeter itself, which, in the nature of grocery stores, ably services its surrounding community.

The proposed Fueling Center will also advance the Town's economic goal of promoting a stable and healthy commercial tax base that expands in proportion to the residential tax base. Plan, p. 3-115.

Finally, Northrock has served the community for some 20 years, and it is a Town goal to promote the reuse and redevelopment of retail commercial areas. Plan, p. 3-121, Supp. p 43.

THE APPROXIMATE TIME SCHEDULE FOR THE COMPLETION OF THE DEVELOPMENT

The service station is anticipated to be completed in 2021.

INFORMATION REGARDING THE MARKET AREA TO BE SERVED.

Harris Teeter has found that there is a demand for the retail sales of gasoline in connection with its stores. As is well known, there is a Harris Teeter store in the Shopping Center, so it will be convenient for customers to use the grocery store and to redeem fuel points at the service station. This program is unique, and is an additional service for those customers.

IMPACT MITIGATION

There will be little additional impact associated with the service station since the Harris Teeter store is an existing use within the shopping center.

Included with the Zoning Map Amendment and Special Use Permit Application is a Traffic Impact Analysis prepared by Kimley-Horn and submitted as required by the 1999 Proffers. The TIA concludes that the service station will have minimal impact on the study area intersections, and will not change the overall level of service at any of them. It also found that all relevant queues are anticipated to be less than the available storage length and the existing site entrance will be adequate for the site generated trips.

A principal benefit to be derived from the approval of these Applications, of course, is the economic benefit that will come from this infill development, which will provide taxable area from an underutilized parking lot.

The site will also be physically improved during the development process and will be more visually appealing than a parking lot. Specifically, stormwater quality and quantity will be brought up to current Virginia stormwater regulations. This final design and calculations will be provided with final site plan. Also, additional interior landscape islands have been added to the parking field in order achieve minimum of 10% interior landscaping as required by Zoning Ordinance.

THE CHARACTER OF THE SURROUNDING AREA

The Northrock Shopping Center is situated on the south side of Lee Highway in a commercial area. There are commercially zoned properties and existing commercial uses on both sides of Lee Highway in this area. The shopping center is designated Commercial on the Future Land Use Plan of the Comprehensive Plan. One of the Overall Commercial Objectives in the

Comprehensive Plan is to create an environment where businesses can expand. This additional use will be an expansion to the existing Harris Teeter store to better serve their customers.