

**RESOLUTION PURSUANT TO SECTION 11-3.9 OF THE ZONING ORDINANCE OF
THE TOWN OF WARRENTON FOR APPROVAL OF APPLICATION FOR ISSUANCE
OF A ZONING MAP AMENDMENT**

WHEREAS, Harris Teeter, (“the Applicant”), seeks to amend the North Rock Planned Unit Development zoning district (ZMA 1998-02), located on the south side of Lee Highway, and hereinafter referred to as the “Property”; and

WHEREAS, the Town Council approved the North Rock Planned Unit Development Concept Plan on September 10, 1991, subject to certain conditions set forth in the Zoning Ordinance, including authorization, with the issuance of a Special Use Permit, for up to 100,000 square feet of commercial uses as were then permitted in the PUD District; and

WHEREAS, the Master Plan was amended November 10, 1998; and

WHEREAS, Special Use Permit 1998-7 was granted August 10, 1999 for 107,000 square-feet of Commercial space as a whole; and

WHEREAS, the property received a Zoning Letter of Determination from the Zoning Administrator on June 20, 2005, affirming part of the vested rights requested at that time; and

WHEREAS, the property received a Zoning Letter of Determination from the Zoning Administrator on June 2, 2017; and

WHEREAS, the Applicant has applied for a Zoning Map Amendment pursuant to §11-3.9.12 of the Zoning Ordinance, to include an eight (8) pump fuel station on the Master Development Plan in the North Rock Shopping Center at the property located within the Town of Warrenton, hereinafter the “Zoning Map Amendment”; and

WHEREAS, pursuant to §11-3.9 of the Zoning Ordinance upon petition of the Applicant for approval of the Zoning Map Amendment, the Planning Commission held a Public Hearing on July 19, 2022, and September 20, 2022, upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code; and

WHEREAS, the Town Council received and considered the recommendation of the Planning Commission for approval of the Zoning Map Amendment; and

WHEREAS, the Town Council of the Town of Warrenton held a Public Hearing on October 11, 2022, upon notice properly and duly given; and

WHEREAS, the Town Council has considered the impact of the requested use on the Town of Warrenton and on the facilities and systems listed in § 11-3.9-12 of the Zoning Ordinance for the Town of Warrenton; and

WHEREAS, the Town Council, in consideration of all of the foregoing, is of the opinion that the application for the issuance of the requested Zoning Map Amendment be approved subject to the Master Development Plan dated September 2, 2021, and proffers revised on September 23, 2022.

NOW THEREFORE BE IT RESOLVED, by the Town Council of Warrenton, Virginia doth **SPECIFICALLY FIND** that the application for issuance of a Zoning Map Amendment of the Applicant, to the Master Concept Plan for an eight (8) pump fuel station in the North Rock Shopping Center at the property located within the Town of Warrenton, with amended proffers that supersede previous proffers, complies with the spirit and intent of the provisions in the Zoning District where the property is located; and

BE IT FURTHER RESOLVED that the Town Council for the Town of Warrenton hereby **APPROVES** the application by the Applicant for issuance of a Zoning Map Amendment for the North Rock Shopping Center at the property located within the Town of Warrenton, pursuant to §11-3.9.12 of the Zoning Ordinance for the Town of Warrenton.