



Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council

Carter Nevill, Mayor
Heather Sutphin, Ward 1
William Semple, Ward 2
Brett Hamby, Ward 3
James Hartman, Ward 4 Vice Mayor
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	May 14 th , 2024
Agenda Title:	Arrington Project- Voluntary Settlement Agreement update
Requested Action:	Consider approval of the updated Voluntary Settlement Agreement
Department / Agency Lead:	Town Manager
Staff Lead:	Frank Cassidy

EXECUTIVE SUMMARY

At the March 12th, 2024, Regular Town Council meeting a proposed draft was presented for preliminary approval by the Town Council pursuant to § 15.2-3400, Voluntary settlements among local governments. This motion passed unanimously.

The developer presented detailed information on the project to the Council at the April 9th, 2024, Town Council meeting.

Since the Town Council and Board of supervisors both authorized the draft, the next step is submission of the draft VSA to COLG, then, after COLG's report the VSA will come back to the Town and County for public hearing and approval by ordinance. If both bodies adopt ordinances approving the VSA, we will submit it to a special three-judge court for review and approval.

At the April 11th, 2024, Fauquier County Board of Supervisors, an update to the Voluntary settlement agreement was approved by the Board inclusive of two additional properties owned by Alwington Estates, LLC, to the scope of the VSA. The Agreement needs to be updated for submission.

BACKGROUND

At the December 12th, 2023, Regular Town Council Meeting, a Resolution was passed in support of application for a Citizen initiated petition for an annexation or boundary line adjustment with Fauquier County.

On November 12, 2015, the Fauquier County Board of Supervisors approved several applications related to the development of Arrington. These included a Comprehensive Plan Amendment (COMA-15-003473), Rezoning (REZN-15-003477), a Category 20 Special Exception to allow for a Sewer Treatment Facility, a Category 30 Special Exception to Waive the Requirement for Public Sewer (SPEX-15-003479), a Category 20 Special Exception for a Floodplain Crossing (SPEX-15-003481), and a Preliminary Plat (PREP-15-003482). Additionally, a Joint Planning and Water Service Agreement (Town of Warrenton, Fauquier County, and Applicants), which outlined the terms in which the Town of Warrenton would provide public water service to the project was executed.

The aforementioned approvals allowed the Arrington project to be primarily developed as an age-restricted community with an emphasis on preservation of natural open spaces and a compact traditional design form which is compatible with the historic portions of Warrenton. The Planned Residential District (PRD) portions of the project were limited to 217 residential lots for active adult residents over the age of 55. The Arrington approvals also permit 10 rural residential lots, in the RA zoned portions of the property and one residential (R-1) lot. The Rezoning approval included a Proffer Statement, Concept Development Plan (CDP), and Code of Development (COD). The CDP and COD regulate the site design and development and ensure that the property is developed in conformance with the County's PRD regulations.

On August 8, 2018, the Board of Supervisors held a public hearing on REZN-19-011151, which was seeking to amend portions of the Arrington Proffer Statement associated with REZN-15-03477. No action was taken at the public hearing, and subsequently the application was placed on hold and then closed.

On February 10, 2022, the Board of Supervisors approved a Comprehensive Plan Amendment to add approximately 27.9 acres to the Warrenton Service District, changing the land use from Rural to Open Space/Park. The Comprehensive Plan Amendment restored the Warrenton Service District boundary to its location prior to approval of the Comprehensive Plan Amendment in 2015. Specifically, it allowed for a redesign of the wastewater treatment facility associated with the residential development to include a larger dispersal field area to better comply with regulatory recommendations and requirements. At the time of the request, the Applicant indicated that the change was not to support any additional density within Arrington or to be used for any habitable vertical improvements. Additionally, the Comprehensive Plan Amendment expanded the Urban Development Area (UDA) to include the 27.9 acres that were added back into the Warrenton Service District.

***Background taken from Fauquier County's staff report presented to the Board of Supervisors on November 9, 2023.**

STAFF RECOMMENDATION

Consider the Resolution of the updated Voluntary Settlement Agreement.

Service Level/Collaborative Impact

The Town Attorney is currently working with the County Attorney to finalize the Voluntary Settlement Agreement to clarify the terms by which the current County approvals would transfer should the Council of Local Government allow the Arrington Property to annex into the Town Limits of Warrenton.

Policy Direction/Warrenton Plan 2040

H-1: Ensure equitable, attainable housing opportunities across residents of all ages, incomes, and abilities by catering to the needs of a diverse community, including young families, professionals early in their careers, essential workforce, and those entering retirement.

H-2: Character Districts will accommodate a balance of available housing typologies that are compatible to existing neighborhoods in scale, character, and transition.

H-3: Preserve existing neighborhoods and promote infill that supports the character and heritage of Warrenton.

H-4: Create regional partnerships to address and enhance attainable housing supply.

Fiscal Impact

Legal Impact

ATTACHMENTS

1. Phase Map