

**RESOLUTION OF THE TOWN OF WARRENTON FOR SUPPORT OF APPLICATION FOR A
CITIZEN INITIATED PETITION FOR AN ANNEXATION OR BOUNDARY LINE ADJUSTMENT
WITH FAUQUIER COUNTY**

WHEREAS, the Town of Warrenton, Virginia (hereinafter "the Town") is a municipal corporation and body politic located within the County of Fauquier; and

WHEREAS, Alwington Farm, L.L.C. (the "Owner"), is the owner of the parcel identified on the Fauquier County, Virginia, Land Records as Parcel Identification Number (PIN) 6983-44-5875-000 containing approximately 431.19759 acres (the "Parent Tract"); and

WHEREAS, the Parent Tract is located immediately adjacent to the Town's existing boundary along James Madison Highway (Routes 17/29/15) south of Alwington Boulevard (Route 1105), Warrenton and has been previously considered for inclusion in the Town's boundaries; and

WHEREAS, the Board of Supervisors of Fauquier County (the "County") did, on November 12, 2015, approve rezoning application (REZN-15-003477) and a preliminary subdivision plat for the Parent Tract including a proffer statement dated October 30, 2015, which provided for the development of 217 residential lots on a 206.43 acre portion of the Parent Tract rezoned PRD, 10 residential lots on the remaining 224.53 acres of the Parent Tract zoned R-A (9 cluster lots on approximately 29.62 acres, and one open space lot consisting of 194.91 acres) (collectively, the "2015 Approvals", all served with public water from the Town pursuant to an existing Joint Planning and Water Service Agreement dated November 1, 2015, by and between the Town, the County, and Alwington Farm Developers, LLC (the "Joint Water Agreement") and the PRD zoned lots served by a privately owned alternative onsite sewer system and associated primary and reserve dispersal fields; and

WHEREAS, Alwington Farm, L.L.C., has filed an application with the County (REZN-22-017978) to amend the 2015 Approvals and existing proffers (the "Rezoning"), and

WHEREAS, the Rezoning includes three separate development scenarios: (1) a Base Zoning with 217 market-rate lots with public water pursuant to the Joint Water Agreement, and a privately owned alternative onsite sewer system and associated primary and reserve dispersal fields, (2) Alternative A with 195 market-rate lots (144 single-family detached lots and 51 single-family attached lots), 16 single family attached lots reserved for affordable housing, a commercial component consisting of an eating establishment with a gross floor area no greater than 8,000 square feet and a hotel (inn) with a maximum of 15 sleeping rooms, all within the portion of the Parent Tract to be zoned PRD (the "PRD Area"), and a 25-acre land bay to be developed in accordance with the regulations of the Town's Commercial (C) Zoning District ("Land Bay W"), and (3) Alternative B with 254 market-rate lots (161 single-family detached lots and 93 single-family attached lots), 16 single-family attached lots reserved for affordable housing, a commercial component consisting of an eating establishment with a gross floor area no greater than 8,000 square feet and a hotel (inn) with a maximum of 15 sleeping rooms, all within the PRD Area, and the 25-acre Land Bay W to be developed in accordance with the regulations of the Town's Commercial (C) Zoning District; the two alternative scenarios being dependent on inclusion of the PRD Area and Land Bay W within the corporate limits of the Town, the availability of public sanitary sewer service from the Town for all lots, and the availability of additional public water connections from the Town for the commercial components and all residential lots (with Alternative B also requiring dedication

of right-of-way from an adjacent property owner to accommodate the extension of Alwington Boulevard to the northerly boundary of the Parent Tract); and

WHEREAS, a December 6, 2022, update of the Town's Water and Sewer System Growth and Capacity Evaluation (the "Water and Sewer Study") states that the Town is currently planning on increasing the capacity of the wastewater treatment plant ("WWTP") from 2.5 MGD to 3.0 MGD within approximately 10 years, confirms that the actual average daily flow to the WWTP in 2021 was 1.72 MGD, and acknowledges that the current wastewater treatment plant capacity of 2.5 MGD would accommodate the proposed development of the PRD Area and Land Bay W, as currently planned under Alternatives A and B; and

WHEREAS, the Water and Sewer Study also identified certain water and sewer system infrastructure improvement requirements including substantial modifications or replacement of the Taylor Run Pump Station to serve any further demand from developments within the Town or other areas within the Turkey Run drainage area; and

WHEREAS, the County wishes to make extensive and costly renovations to, and an expansion of, the Taylor Middle School, but because of such proposed renovations and expansion, the County will need additional sanitary sewer service capacity from the Town, and such flows will further exaggerate the need for substantial modifications or replacement of the Taylor Run Pump Station; and

WHEREAS, the Town considers it environmentally desirable and that it promotes the public health, safety, and general welfare for development in and near the Town to occur on public sewer and water service rather than on well and septic systems or a private wastewater treatment facility and to protect the Occoquan Watershed and its tributaries including Taylor Run; and

WHEREAS, a portion of Alwington Boulevard is presently split by the Town/County boundary creating difficulties with maintenance and control of that road between the Town and the Virginia Department of Transportation, such that the Council considers it prudent to bring that entire road into the Town's system of public streets; and

WHEREAS, the Owner has advised both the Town and the County that it intends to commence a Citizen Initiated Petition for the portion of the Parent Tract located within the Turkey Run drainage shed (the "Annexation Area") to be annexed into the Town's boundary pursuant to Va. Code Ann. § 15.2-3203 and related sections of the Code with respect to Boundary Adjustments and Changes of Status of Counties, Cities and Towns; and

WHEREAS, the Owner has advised the County and the Town that if such area is brought within the Town's boundary, the Owner will develop the PRD Area consistently with the Rezoning as approved by the County and will commit to the Proffers, Concept Development Plan, and Code of Development made in connection therewith through an Order to that effect entered by the Special Court approving an adjustment of that boundary and approving land use agreements between the Town and the County as authorized by law in proceedings pursuant to the foregoing statutes; and

WHEREAS, the Owner agrees that if the Annexation Area is brought within the Town's boundary, it will construct, at its sole expense, a new Taylor Run Pump Station and associated gravity sewer and force main as shown on the Concept Development Plan included with the Rezoning, and connect all development within the Annexation Area to the Town's public sewer and water systems in lieu of constructing an alternative onsite sewer system and associated primary and reserve dispersal fields; and

WHEREAS, the Owner agrees that if the Annexation Area is included within the Town's

boundary, the Owner will construct all necessary and planned improvements to Alwington Boulevard that are required to serve the Arrington development and surrounding community at its sole expense; and

WHEREAS, the Town Council is of the opinion that the inclusion of the Annexation Area in the Town's boundaries will provide substantial benefits to the Town both economically and environmentally, and to the County, as set forth herein, and that there is compelling justification for such a boundary adjustment;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council does hereby express its support for a Citizen Initiated Petition as generally described above, and instructs the Town Manager to assist the Owner in the collection of data and materials relevant to that Petition, as such data and materials may be required by law or regulations promulgated by the Virginia Commission on Local Government, to provide those data and materials to the Owner as requested, and to otherwise cooperate fully with the Owner in connection with said Petition.

BE IT FURTHER RESOLVED that nothing contained herein shall preclude the Town from later combining with the Owner and the County in a joint Petition for the purposes stated herein, should the parties so agree.

Votes:

Ayes: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Paul Mooney; Mr. David McGuire.

Nays: Mr. William Semple; Mr. Eric Gagnon.

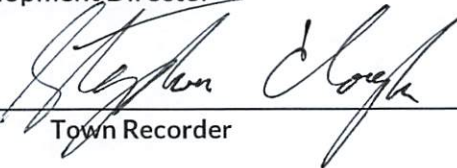
Absent from Meeting: None

For Information:

Community Development Director

Town Attorney

ATTEST:



Town Recorder