



Legislation Details (With Text)

File #: 19-1491 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 11/1/2019 **In control:** Town Council Meeting
On agenda: 12/9/2019 **Final action:**
Title: Request to set a public hearing for February 3, 2020 to amend the Comprehensive Plan as it relates to Town-owned properties at 114 Locust Street SW and 440 Beulah Road NE and refer the matter to the Planning Commission for consideration.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 440 Beulah Rd NE Context Map, 2. 114 Locust St SW Context Map, 3. Town Comprehensive Plan - 2015 Update - Chapter 3 - Land Use - Future Land Use Plan, 4. Town Comprehensive Plan 2015 Update, 5. Regulatory Requirements for Agenda Items - Public Hearing to Amend Comp Plan

Date	Ver.	Action By	Action	Result
12/9/2019	1	Town Council Meeting	approved	Pass

Subject:

Request to set a public hearing for February 3, 2020 to amend the Comprehensive Plan as it relates to Town-owned properties at 114 Locust Street SW and 440 Beulah Road NE and refer the matter to the Planning Commission for consideration.

EXPLANATION AND SUMMARY :

The Town of Vienna purchased property located at 114 Locust St SW in April 2013 and property located at 440 Beulah Road NE in May 2018. Town Council adopted the current Comprehensive Plan May 23, 2016.

In order to utilize any public building or structure that is not already being utilized as such, the Planning Commission must complete a "2232 review." A "2232 review" refers to Section 15.2-2232 of the Code of Virginia. According to Section 15.2-2232, the general location, character, and extent of any future public building must be shown on the adopted comprehensive plan.

Prior to any "2232 review," the Comprehensive Plan must be amended. Specifically, the Future Land Use Plan must be amended to demonstrate "governmental" use and the Community Facilities and Services chapter must be amended to include public use of the 114 Locust Street SW and 440 Beulah Road NE properties.

Section 15.2-2232.A states the following:

"A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation

facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof.”

Departmental Recommendation : Staff recommends amending the Comprehensive Plan to show the 114 Locust Street SW property and 440 Beulah Road NE property and building as being utilized for governmental purposes.

Finance Recommendation : N/A

Purchasing Recommendation : N/A

Town Attorney Recommendation : Pursuant to Virginia Code and the Town Comprehensive Plan, the Town Attorney advises Town Council to refer this matter to the Planning Commission for consideration of a modification to the Town’s Comprehensive Plan to identify as well as obtain public input on a proposed temporary public facility not currently shown within the plan nor on the current zoning map.

Town Manager's Recommendation : I recommend the Town Council set a public hearing for February 3, 2020 regarding the amending of the Comprehensive Plan related to Town-owned properties located at 114 Locust Street SW and 440 Beulah Road NE, as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: N/A

PROPOSED/SUGGESTED MOTION

"I move to set a public hearing for February 3, 2020, in regard to amending the Comprehensive Plan as it relates to Town-owned properties located at 114 Locust Street SW and 440 Beulah Road NE."

Or

Other action deemed necessary by Council.

And

"I further move to direct the Town Clerk to advertise a Notice of Public Hearing."

Or

Other action deemed necessary by Council.

And

"I further move to refer the matter to the Planning Commission for consideration."

Or

Other action deemed necessary by Council.