



## Legislation Details (With Text)

**File #:** 20-2001      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 12/15/2020      **In control:** Town Council Meeting  
**On agenda:** 1/4/2021      **Final action:**  
**Title:** Set a Public Hearing to consider the alley vacation of 131 Wilmar Place NW

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 131 Wilmar PI NW Application, 2. 131 Wilmar PI NW Appriasal 10-2020, 3. P83-20111-Deed, consolidation1, 4. 131WilmarPIConsolidation, 5. Temp Access Easement, 131 Wilmar, Pettoruto, 6. 131WilmarPI-MetesBounds, 7. Ordinance to Vacate 12-15-2020, Pettoruto, 8. VIEWERS RPT\_\_15-FT ALLEY--AYR HILL NW WILMAR PL NW\_\_WILMAR PL SUBD, 9. 12-15-2020 Wilmar Place NW Alley Map, 10. Regulatory Requirements for Agenda Items Rev 081519 (002)

Date	Ver.	Action By	Action	Result
1/4/2021	1	Town Council Meeting	deferred	Pass

### Subject:

Set a Public Hearing to consider the alley vacation of 131 Wilmar Place NW

### EXPLANATION AND SUMMARY :

Over the last several years, following state code requirements for disposal of public property, Town Council authorized disposal of several sections of the 15' wide public alley running parallel to Ayr Hill Avenue and Willmar Place NW between Center Street and Lawyers Road NW.

A new alley vacation application has been received from Anthony and Cynthia Pettoruto, owners of 131 Wilmar Place NW, to purchase the remaining 7.5' X 50' public alley next to their property.

In 2013 viewers determined that there is no inconvenience to the public nor a need to keep any piece of the alley between Ayr Hill Avenue NW and Wilmar Place NW, beginning at Lawyers Road and ending at Center Street. The Pettorutos submitted a new appraisal performed by Atlantic Real Estate Solutions for the requested portion of the alley. The appraiser compared the value of similar alley vacations and arrived at a value of \$4/square foot or \$1,500. Staff recommends that the \$4/square foot unit price be applied to portions of the public alley under consideration currently.

Until all landlocked portions of the alley are vacated, the Pettorutos will need to grant a temporary access easement for the portion requested for vacation.

**Strategic Plan Initiative:** *Vienna is an influential and well-governed community. Vienna is an engaged community.*

**Departmental Recommendation :** Recommend scheduling a vacation public hearing.

**Finance Recommendation :** N/A

**Purchasing Recommendation :** N/A

**Town Attorney Recommendation :** The Town has previously appointed viewers to determine if there is any public need for the alley, and the Town has vacated other portions of the alley upon application of adjoining property owners. Town Council may set a public hearing to consider vacation of the alley and acceptance of the proposed payment price in the discretion of Town Council.

**Town Manager's Recommendation :** Town Manager recommends setting a public hearing to consider vacation of the public alley adjacent to 131 Wilmar Place NW and instruct the Town Clerk to advertise a notice of a public hearing.

Cost and Financing: \$4/square foot translates to \$1,500.00 in revenue.

Account Number: 100-000-0000-00000-31851

Decision Needed by This date: N/A

#### **PROPOSED/SUGGESTED MOTION**

"I move to set a public hearing for January 25, 2021 to consider vacation of the public alley adjacent to 131 Wilmar Place NW and instruct the Town Clerk to advertise a notice of a public hearing."

Or

Other action deemed necessary by Council.