File #: 19-1515, **Version:** 1

Subject:
Request to set a public hearing for January 27, 2020 regarding proposed amendments to proffered conditions for 374 to 380 Maple Avenue W and to refer this matter to the Planning Commission for a recommendation.

EXPLANATION AND SUMMARY :
On June 17, 2019, Town Council voted to approve the rezoning application for a mixed-use building with ground floor retail and multifamily residential condominium units at 374-380 Maple Avenue W.

On August 19, 2019, Town Council voted to accept amendments to proffered conditions for 374-380 Maple Avenue W. Those amendments did not affect conditions of use or density, and therefore the governing body had the right to waive the requirement for a public hearing for amended proffers per § 15.2-2302.

The applicant is now requesting to amend the proffered conditions again to include a change of use and revised architecture for an assisted living facility in place of the approved mixed-use building with multifamily residential units.

Departmental Recommendation : Recommend setting a public hearing for January 27, 2020 regarding proposed amendments to proffered conditions for 374 to 380 Maple Avenue W and referring this item to the Planning Commission for recommendation and public input.

Finance Recommendation :

Purchasing Recommendation :

Town Attorney Recommendation : Town Council must conduct a public hearing on a request to modify accepted zoning proffers in which the modification includes a change in use, and Council should refer this matter to the Planning Commission for its recommendation and public input.

Town Manager's Recommendation : I recommend the Town Council refer the proposed amendments to proffered conditions for 374-380 Maple Avenue W to the Planning Commission for recommendation and public input, as presented.

Cost and Financing: N/A
Account Number: N/A
Decision Needed by This date: N/A/

PROPOSED/SUGGESTED MOTION
“Pursuant to Virginia Code § 15.2-2302(B) and 15.2-2204, I move to refer the proposed amendments to proffered conditions for 374-380 Maple Avenue W to the Planning Commission for recommendation and public input. I further move to set a public hearing on this matter for January 27,

2020 and direct the Town Clerk to advertise a Notice of Public Hearing."

Or
Other action deemed necessary by Council.

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