

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of #1 Courthouse Plaza thereof on Saturday, March 15, 2008 at 8:30 a.m.

PRESENT: J. WALTER TEJADA, Chairman
BARBARA A. FAVOLA, Vice Chairman
JAY FISETTE, Member
MARY HUGHES HYNES, Member
CHRISTOPHER ZIMMERMAN, Member

ALSO PRESENT: RON CARLEE, County Manager
STEPHEN A. MacISAAC, County Attorney
AUBRYN BEDNAR, Acting Clerk

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*** PUBLIC COMMENT**

Nancy Weinberg spoke about Long Bridge Park and therapeutic pools.

Robert Atkins spoke about possible code issues regarding political signs.

Jim Hurysz spoke about transportation issues.

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*** CONSENT ITEMS (ITEMS 1-23) CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE CONSENT AGENDA MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY, MARCH 15, 2008, MEETING BEFORE 9 A.M. PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, MARCH 18, 2008, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).**

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by BARBARA A. FAVOLA, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board approved all consent agenda items except for items #4, #16, #17, and #20 which were pulled from the consent agenda and will be heard at the March 18, 2008 Recessed Meeting.

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SITE PLANS/AMENDMENTS/REVIEWS

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- 1. SP #1 SITE PLAN AMENDMENT AND REVIEW: INCREASE ENROLLMENT, EXPAND SPACE, REVIEW CONVERSION OF SPACE FROM OFFICE TO SCHOOL; 1820 N. FORT MYER DRIVE (THE ART INSTITUTE, RPC #16-036-002).**

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application SP #1 on file in the Office of the Zoning Administrator for a review of an amendment to a special exception for a site plan to expand conversion of office space to school use into additional space for the parcel of real property known as 1820 N. Fort Myer Drive (RPC #16-036-002), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions, the following revised conditions #14 and #16, and with a review by the County Board in five (5) years (March 2013):

- 14. The applicant agrees to provide parking for the office use at a rate of no less than one (1) parking space per 580 square feet of office space in the building. The applicant agrees to provide a minimum of 175 parking spaces and a maximum of 201 parking spaces to be use by students, faculty, and staff of The Art Institute of Washington.

Upon request the applicant will provide enrollment and employment information to the Zoning Administrator in sufficient detail to verify that the parking requirement is being met. The amount of office space used to calculate the office parking ratio for the building at the time shall be 162,000 square feet minus the square feet for which a Certificate of Occupancy has been issued for the school of higher education's use.

- 16. The applicant agrees to enroll no more than 2,301 students and 300 staff and faculty per quarter. In a quarter, each session (AM, PM, or evening) shall not exceed 767 students and 275 faculty and staff, 1,042 total.

[Board Report #1](#)

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- 2. **SP #39 SITE PLAN REVIEW: CONVERSION OF OFFICE SPACE TO HIGHER EDUCATION USE; 1901 N. FT. MYER DRIVE (DIPLOMATIC LANGUAGE SERVICES, RPC #16-020-001).**

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application SP #39 on file in the Office of the Zoning Administrator for renewal of a special exception for a site plan for conversion of office space to school use for the parcel of real property known as 1901 N. Fort Myer Drive (RPC #16-020-001), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions, with a review by the County Board in five (5) years (March 2013).

[Board Report #2](#)

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- 3. **SP #105 SITE PLAN AMENDMENT: CLPF - METROPOLITAN ONE VENTURE, LP, AMEND COMPREHENSIVE SIGN PLAN; 550 S. 14TH ROAD (RPC #35-003-004).**

On consent agenda vote, after a duly advertised public hearing, the Board deferred the proposed site plan amendment to the project's comprehensive sign plan to the April 19, 2008, County Board meeting.

[Board Report #3](#)

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- 4. **SP #231 SITE PLAN REVIEW: CONVERSION OF RETAIL SPACE TO DENTIST OFFICE; 2250 CLARENDON BLVD. (COURTHOUSE, RPC #18-004, -066, -068, 18-005, -040).**

This item was removed from the consent agenda and will be hearing at the March 18, 2008 Recessed Meeting.

[Board Report #4](#)

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- 5. **SP #397 SITE PLAN AMENDMENT: SAUL CENTERS, INC., AMEND CONDITION #77 AND #78 REGARDING EASEMENTS; 3000, 3012, 3016, 3020, 3028 WILSON BLVD., 3010, 3019 CLARENDON BLVD., 1101 N. HIGHLAND ST. (RPC #18-012-001, -002, -003, -004, -005, -006, -007, -008, -009, -010).**

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application SP #397 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan for Saul Centers, Inc. regarding easements for the parcel of real property known as 3000, 3012, 3016, 3020, 3028 Wilson Blvd., 3010, 3019 Clarendon Blvd., 1101 N. Highland St. (RPC #18-012-001, -002, -003, -004, -005, -006, -007, -008, -009, -010), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions and the following amended conditions #77 and #78 regarding easements:

77. Prior to the issuance of the final building permit, the developer agrees to record a permanent preservation easement, subject to review by the County Manager, running to either the benefit of the Northern Virginia Conservation Trust (NVCT), the County Board, or to another entity identified and mutually acceptable to the landowner of the Underwood Building and County Manager over the area occupied by the building known as the "Underwood Building" (which occupies approximately 4,162 square feet of land area) and which occupies the western portion of the block bounded by Wilson Boulevard, Clarendon Boulevard, North Highland Street and North Garfield Street. This preservation easement shall commit to preserve and maintain the exterior of the building, subject to the terms of this condition, in its present (June 10, 2006) configuration. The developer need not preserve any aspects of the interior of the building and, for purposes of the building's operations, may replace or add to equipment on the roof or on, in, or attached to the penthouse. The easement shall permit modifications to be made to the Underwood Building, as specifically set forth below. This easement will allow the commercial signage, awnings and doorways on the Underwood Building to be changed, provided that such signage/awnings otherwise complies with the Arlington County Sign Ordinance or if permitted in the comprehensive sign plan, and provided that signage color may be subject to commercially reasonable standards customarily applied with respect to commercial signage on historic properties. The developer shall be permitted to make modifications to the exterior of the building as required by insurance carriers for insurance on the Underwood Building or businesses therein. The developer may make modifications as required by, or according to standards set forth in, any Federal, state or local laws (such as ADA, etc.). The developer shall be permitted to maintain, repair or replace any exterior features with features that are similar as to design, materials, and decoration, so that they appear to be the same. The easement shall permit other exterior modifications proposed by the developer of the Underwood Building if, after review by the Historical Affairs and Landmark Review Board (HALRB) the County Manager determines that the modifications will not be detrimental to the historic nature of the building prior to acceptance by the NVCT, the County Board, or other entity identified. The developer may receive any available tax credits as a result of any improvements or renovations that are performed to the exterior or the interior of the Underwood Building.
78. Prior to the issuance of the final building permit, the developer agrees to record a permanent preservation easement, subject to review by the County Manager, running to either the benefit of the Northern Virginia Conservation Trust (NVCT), the County Board, or to another entity identified and mutually acceptable to the landowner of the Underwood Building and County Manager over the area known as the "Old Dominion Building" (which occupies approximately 6,531 square feet of land area) and which occupies the southwestern portion of the block bounded by Clarendon Boulevard, North Garfield Street, 11th Street North, and North Highland Street. This preservation easement shall commit to preserve and maintain the exterior of the building, subject to the terms of this condition, in its present (June 10, 2006) configuration. The developer need not preserve any aspects of the interior of the building and, for purposes of the building's operations, may replace or add to equipment on the roof or on, in or attached to the penthouse. The easement shall permit modifications to be made to the Old Dominion Building, as specifically set forth below. This easement will allow the commercial signage, awnings and doorways on the Old Dominion Building to be changed, provided that such signage/awnings otherwise complies with the Arlington County Sign Ordinance or if permitted in the comprehensive sign plan, and provided that signage color may be subject to commercially reasonable standards customarily applied with respect to commercial signage on historic properties. The developer shall be permitted to make modifications to the exterior of the building as required by insurance carriers for insurance on the Old Dominion Building or businesses therein. The developer may make modifications as required by, or according to standards set forth in, any Federal, state or local laws (such as ADA, etc.). The developer shall be permitted to maintain, repair or replace any exterior features with features that are similar as to design, materials, and decoration, so that they appear to be the same. The easement shall permit other exterior modifications proposed by the developer of the Old Dominion Building if, after review by the Historical Affairs and Landmark Review Board (HALRB) the County Manager determines that the modifications will not be detrimental to the historic nature of the building prior to acceptance by the NVCT, the County Board or other entity

identified. The developer may receive any available tax credits as a result of any improvements or renovations that are performed to the exterior or the interior of the Old Dominion Building.

[Board Report #5](#)

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USE PERMITS REQUEST/REVIEWS/AMENDMENTS

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- 6. **U-2670-90-5 USE PERMIT REVIEW (CARRY-OVER): SERVICE STATION AND PUBLIC GARAGE; 6720, 6730 LEE HIGHWAY (RCP #11-005-001, -042).**

On consent agenda vote, after a duly advertised public hearing, the Board deferred the use permit review for a service station and public garage to the May 17, 2008 County Board meeting.

[Board Report #6](#)

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- 7. **U-2712-91-1 USE PERMIT REVIEW: 68 BED RESIDENTIAL PROGRAM CENTER; 1554 COLUMBIA PIKE (HUMAN SERVICES RESIDENTIAL PROGRAM CENTER, RPC #34-015-003).**

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application U-2712-91-1 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for a 68-bed residential program center, homeless shelter, and detoxification/post-detoxification program for the parcel of real property known as 1554 Columbia Pike (Residential Program Center) (RPC #34-015-003), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to all previous conditions and no further scheduled County Board review.

[Board Report #7](#)

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- 8. **U-2834-95-3 USE PERMIT REVIEW: REVIEW FOOD DELIVERY SERVICE; 3811 WILSON BLVD. (PIZZA HUT, RPC #14-041-008).**

On consent agenda vote, after a duly advertised public hearing, the Board discontinued the subject use permit for a food delivery business.

[Board Report #8](#)

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- 9. **U-2956-99-1 USE PERMIT REVIEW: HOMEWORK AFTER SCHOOL CLUB AND COMPUTER LEARNING CENTER; 3412 S. 22ND ST. (MACEDONIA BAPTIST CHURCH, RPC #31-023-005).**

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application U-2956-99-1 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for operation of a homework after school club and computer learning center for the parcel of real property known as 3412 S. 22nd Street (RPC #31-023-005), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to all previous conditions, with no further scheduled review.

[Board Report #9](#)

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10. U-2957-99-1 USE PERMIT REVIEW: TIRE STORE; 3237 WILSON BLVD. (GUARANTEED USED TIRES, RPC #15-089-010).

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application U-2957-99-1 on file in the Office of the Zoning Administrator for renewal of a special exception for operation of a tire shop for the parcel of real property known as 3237 Wilson Boulevard (Guaranteed Used Tires) (RPC #15-089-010), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to all previous conditions and not further scheduled County Board review.

[Board Report #10](#)

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11. U-3054-03-1 USE PERMIT REVIEW: REVISED SITE LAYOUT, FAÇADE, SIGNAGE LOCATION, NUMBER OF DRIVE-THROUGH WINDOWS, LANDSCAPING; 4681 S. KING ST. (TACO BELL, RPC #28-019-031).

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application U-3054-03-1 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for revised site layout, façade, signage location, number of drive-through windows, and landscaping for the parcel of real property known as 4681 South King Street (Taco Bell of America) (RPC #28-019-031), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to all previously approved conditions, with a review by the County Board in three (3) years (March 2011).

[Board Report #11](#)

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12. U-3087-04-3 USE PERMIT REVIEW: LIVE ENTERTAINMENT; 4704 COLUMBIA PIKE (AMIT'S PIZZA AND SUBS, RPC #27-004-002).

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application U-3087-04-3 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for live entertainment for the parcel of real property known as 4704 Columbia Pike (Amit's Pizza and Subs) (RPC #27-004-002), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to all previous conditions and with a review by the County Board in three (3) years (March 2011).

[Board Report #12](#)

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13. AMENDMENTS TO THE ARLINGTON COUNTY ZONING ORDINANCE, SECTION 16. "RA4.8" MULTIPLE-FAMILY DWELLING DISTRICTS, SUBSECTION 16.B. SPECIAL EXCEPTIONS TO PERMIT STREET-LEVEL COMMERCIAL USES BY SITE PLAN APPROVAL.

On consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance to amend, reenact, and recodify Section 16. "RA4.8" Multiple-Family Dwelling Districts Subsection 16.B. of the Arlington County Zoning Ordinance to permit street-level commercial uses by site plan approval, as set forth in the document entitled "Addendum 3-15-08-A – Section 16" attached for the public record to these minutes.

[Addendum 3-15-08-A – Section 16](#)

[Board Report #13](#)

[Board Report #13-Attachment](#)

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14. FORT MYER HEIGHTS NORTH.

- A. Adoption of the Fort Myer Heights North Plan.

On consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the Fort Myer Heights North Plan until the June 17, 2008, County Board meeting and the associated Planning Commission meeting.

- B. GP-300-04-2 Adoption of General Land Use Plan amendments to add an open space symbol (triangle) to the following locations in order to encourage public open space: Northeast corner of the block bordered by 16th Street North, North Queen Street, 14th Street North, and North Quinn Street; the Southwest corner of the block bordered by Clarendon Boulevard, North Quinn Street, North Rhodes Street, and 16th Street North (south of the existing public park); and the Northeast corner of the block bordered by 14th Street North, North Rhodes Street, Fairfax Drive, and North Rolfe Street.

On consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of General Land Use Plan amendments to add open space symbols to three locations until the June 17, 2008, County Board meeting and the associated Planning Commission meeting.

- C. Ordinance to amend, reenact, and recodify Zoning Ordinance Section 13. "RA8-18" Apartment Dwelling Districts and Section 15. "RA6-15" Apartment Dwelling Districts of the Zoning Ordinance, to add new items to the list of Special Exceptions in order to preserve the character of the "Fort Myer Heights North Special District," which includes multi-family residential development reminiscent of the first multi-family housing in Arlington County and which provides a significant supply of affordable housing; to facilitate the creation of convenient, attractive and harmonious community within the "Fort Myer Heights North Special District" (see Ordinance).

On consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of amendments to Section 13. "RA8-18" Apartment Dwelling Districts and Section 15. "RA6-15" Apartment Dwelling Districts of the Zoning Ordinance, to add new items to the list of Special Exceptions in order to preserve the character of the "Fort Myer Heights North Special District," which includes multi-family residential development reminiscent of the first multi-family housing in Arlington County and which provides a significant supply of affordable housing; to facilitate the creation of convenient, attractive and harmonious community within the "Fort Myer Heights North Special District" (see Ordinance attached to the County Manager's February 28, 2008 report) to the June 17, 2008, County Board meeting and the associated Planning Commission meeting.

[Board Report #14 A., B., C.](#)

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15. ADOPTION OF NON-CODIFIED ORDINANCES DESIGNATING NINE TREES ON PUBLIC PROPERTY AND ONE TREE ON PRIVATE PROPERTY AS "SPECIMEN TREES" IN ACCORDANCE WITH ARLINGTON COUNTY'S TREE PRESERVATION ORDINANCE (CHAPTER 67, TREES AND SHRUBS) SO THAT THEY ARE SUBJECT TO PROTECTION FROM REMOVAL OR INJURY. .

On consent agenda vote, after a duly advertised public hearing, the Board authorized adoption of the following ordinances to designate nine trees on public property and one tree on private property as "Specimen Trees" in accordance with Arlington County's Tree Preservation Ordinance so that they are subject to protection from removal or injury:

ORDINANCE DESIGNATING NINE SPECIMEN TREES ON PUBLIC PROPERTY

BE IT ORDAINED that the County Board of Arlington, Virginia, hereby designates the post oak (*Quercus stellata*) located within the street right-of-way in front of 5845 11th Street North, a scarlet oak (*Quercus coccinea*) located on the grounds of the Lee Community Center (5722 Lee Highway), a chestnut oak (*Quercus prinus*) located in Bluemont Park, a swamp white oak (*Quercus bicolor*) located adjacent to the picnic shelter in Bluemont Park, a tulip poplar (*Liriodendron tulipifera*) located on the grounds of Fort C.F. Smith Park, a swamp chestnut oak (*Quercus michauxii*) located in Nina Park, two Virginia pines (*Pinus virginiana*) located in Lacey Woods Park, and a scarlet oak (*Quercus coccinea*) located in Chestnut Hills Park, Specimen Trees, pursuant to its authority under Arlington County Code § 67-3-1 and upon recommendation of the urban forester, and that the trees shall be accorded all protections as provided in the applicable provisions of Chapter 67 of the Arlington County Code.

ORDINANCE DESIGNATING A SPECIMEN TREE ON PRIVATE PROPERTY AT 4836 30th STREET NORTH (RPC# 02042013)

BE IT ORDAINED that the County Board of Arlington, Virginia, hereby designates the White Oak (*Quercus alba*) in the front yard of 4836 30th Street North (RPC# 02042013), a Specimen Tree, pursuant to its authority under Arlington County Code § 67-3-1 and upon recommendation of the urban forester, and that the tree shall be accorded all protections as provided in the applicable provisions of Chapter 67 of the Arlington County Code; and,

BE IT FURTHER ORDAINED that the County Manager shall take the steps necessary to place this ordinance in the appropriate land records of Arlington County so that the future owners of the property are aware of the protection provided the designated tree.

[Board Report #15](#)

[Board Report #15-Attachment 1](#)

[Board Report #15-Attachment 2](#)

[Board Report #15-Attachment 3](#)

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16. AMENDMENTS TO THE ORDINANCE ON PRECINCTS AND POLLING PLACES.

This item was removed from the consent agenda and will be heard at the March 18, 2008 Recessed Meeting.

[Board Report #16](#)

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CAPITAL PROJECTS

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17. APPROVAL OF NEIGHBORHOOD TRAFFIC CALMING PROJECTS.

This items was removed from the consent agenda and will be heard at the March 18, 2008 Recessed Meeting.

[Board Report #17](#)

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APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS

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18. SUBMISSION OF FUNDING APPLICATION TO CENTER FOR SUBSTANCE ABUSE TREATMENT.

On consent agenda vote, the Board approved the submission of a grant application to the U.S. Department of Health and Human Services' Center for Substance Abuse Treatment.

[Board Report #18](#)

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19. APPROVAL OF THE FY 2008 COMMUTER SERVICES PROGRAM PROJECT AGREEMENT BETWEEN THE COUNTY BOARD AND THE COMMONWEALTH OF VIRGINIA.

On consent agenda vote, the Board approved the project agreement (attached to the County Manager's February 22, 2008 report) between the County Board and Commonwealth of Virginia, Department of Rail and Public Transportation, and authorized the County Manager to execute the agreement and other required documents for use of Commonwealth Transportation Funds FY 2008, subject to approval of such agreement and documents as to form by the County Attorney; and appropriated \$442,374 in grant revenues to the FY 2008 Commuter Services Program, Transportation Planning.

[Board Report #19](#)

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REQUESTS TO ADVERTISE

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20. REQUEST TO ADVERTISE PUBLIC HEARINGS ON PROPOSED ZONING ORDINANCE AMENDMENTS TO SECTION 27. "C-3" GENERAL COMMERCIAL DISTRICTS TO MODIFY THE SPECIAL EXCEPTION SITE PLAN REGULATIONS FOR PROPERTIES DESIGNATED "MEDIUM DENSITY MIXED-USE" AND WITHIN THE "CLARENDON REVITALIZATION DISTRICT" ON THE GENERAL LAND USE PLAN TO CHANGE THE MAXIMUM DENSITY FROM 4.0 FAR TO 3.0 FAR; REMOVE THE 0.25 FAR DENSITY PROVISION FOR BUILDING PRESERVATION AND OTHER DENSITY ALLOWANCES; INTRODUCE USE MIX REQUIREMENTS INCLUDING A MINIMUM PERCENTAGE OF COMMERCIAL USES ON SOME BLOCKS; MODIFY THE MAXIMUM BUILDING HEIGHT REGULATIONS TO INCLUDE A MAXIMUM BUILDING HEIGHT (IN FEET) AND A MAXIMUM NUMBER OF FLOORS FOR ALL BLOCKS; MAINTAIN THE EXISTING TAPERING REGULATIONS; INTRODUCE NEW STEPBACK REQUIREMENTS FOR CERTAIN FRONTAGES WHEN BUILDING HEIGHTS EXCEED 60 FEET; MODIFY COVERAGE REQUIREMENTS; ESTABLISH A MINIMUM STRUCTURAL CLEAR HEIGHT FOR RETAIL USES OF 15 FEET; MODIFY THE STANDARDS FOR STREETSCAPES; MODIFY THE PARKING REQUIREMENTS WITH RELIEF FOR SMALL SITES AND FOR BUILDINGS IDENTIFIED FOR PRESERVATION; MODIFY URBAN DESIGN REQUIREMENTS; AND ENSURE CONSISTENCY WITH THE GOALS AND POLICIES SET FORTH IN THE ADOPTED 2006 CLARENDON SECTOR PLAN FOR THE CLARENDON METRO STATION AREA.

This item was removed from the consent agenda and will be heard at the March 18, 2008 Recessed Meeting.

[Board Report #20](#)

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- 21. REQUEST TO ADVERTISE PUBLIC HEARINGS ON THE PROPOSED ZONING ORDINANCE AMENDMENTS TO SECTION 20 (APPENDIX A) "CP-FBC," COLUMBIA PIKE - FORM BASED CODE DISTRICTS OF THE ARLINGTON COUNTY ZONING ORDINANCE TO MOVE THE PROVISIONS FOR PUBLICLY OWNED "CIVIC BUILDINGS" IN SECTION II. DEFINITIONS, TO A NEW PROVISION, WITH MODIFICATIONS, IN SECTION III. REGULATING PLANS, IN ORDER TO PROVIDE GREATER CLARITY ON THE WAY IN WHICH CIVIC BUILDINGS WITH PUBLIC CIVIC USES MAY HAVE RELIEF FROM THE PRESCRIPTIONS OF THE FORM BASED CODE AS THESE BUILDINGS ARE NOT, NOR INTENDED TO BE, REGULATED BY FORM BASED CODE IN THE SAME MANNER AS PRIVATE REDEVELOPMENT PROJECTS.**

On consent agenda vote, the Board adopted the resolution (attached to the County Manager's March 5, 2008 report) to advertise public hearings by the Planning Commission on April 7, 2008, and the County Board on April 19, 2008, on the ordinance to amend, reenact, and recodify Section 20 (Appendix A) "CP-FBC," Columbia Pike - Form Based Code Districts, Section II. Definitions and Section III. Regulating Plans, of the Arlington County Zoning Ordinance to provide greater clarity on the way in which "Civic Buildings" with public civic uses may have relief from the prescriptions of the Form Based Code as these buildings are not, nor intended to be, regulated by Form Based Code in the same manner as private redevelopment projects in order to facilitate the creation of a convenient, attractive and harmonious community; to facilitate the provision of adequate recreational facilities and other public requirements; and for other reasons required by the public necessity, convenience and general welfare and good zoning practice.

[Board Report #21](#)

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OTHER

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- 22. AUTHORIZE THE COUNTY MANAGER TO EXECUTE A NEW MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) AND THE COUNTY BOARD TO FUEL AND CLEAN ARLINGTON TRANSIT (ART) COMPRESSED NATURAL GAS (CNG)-POWERED PASSENGER VEHICLES.**

On consent agenda vote, the Board approved the MOU (attached to the County Manager's March 11, 2008 report) and authorized the County Manager or his designee to execute the MOU on behalf of the County Board, subject to approval of the MOU as to form by the County Attorney

[Board Report #22](#)

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23. MINUTES.

On consent agenda vote, the Board approved the minutes from the February 23, 2008 Regular Meeting; and the February 26, 2008 Recessed Meeting.

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CLOSED MEETING; CERTIFICATION OF CLOSED MEETING DISCUSSIONS.

On motion by J. WALTER TEJADA, Chairman, seconded by BARBARA A. FAVOLA, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board met in a closed meeting from 9:06 a.m. to 10:55 a.m., as authorized by §§2.2-3711.A.7 of the Virginia Code, for the purposes of discussing the following matters requiring consultation with the County Attorney and staff: an effective competition petition filed by Comcast with the FCC; the implications for the County of the Virginia Supreme Court decision in Marshall v. Northern Virginia Transportation Authority; and the powers of a housing authority under Virginia law.

On motion by Mr. Tejada, seconded by Ms. Favola and carried by a vote of 5 to 0 by roll call, the voting recorded as follows:

Member & Vote

- Mr. Tejada - Aye
- Ms. Favola - Aye
- Mr. Fisetete - Aye
- Ms. Hynes - Aye
- Mr. Zimmerman - Aye

the Board certified that to the best of each member's knowledge that only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered by the Board.

J. WALTER TEJADA, Chairman

ATTEST:

AUBRYN BEDNAR, Acting Clerk
Approved: April 19, 2008