

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of #1 Courthouse Plaza thereof on Saturday, May 17, 2008 at 8:32 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
MARIA VOULTSIDES, Clerk

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*** PUBLIC COMMENT**

William Lawson spoke about female youth sports injuries and preventive programs for these types of injuries.

Martin King spoke on behalf of a small group of Aurora Highlands citizens regarding noise from pile driving.

Michael Dowell spoke about the need for the installation of a water spray park in the Virginia Highlands Park.

Bob Monahan spoke about improving sidewalks and instituting a full sidewalk network in Arlington County.

Rory Cameron spoke about the importance of open space in parks.

Bruce Cameron spoke about the Crystal City BID and Rosslyn BID.

Rose Kehoe spoke about the lack of adequate swimming facilities.

Mary Humphries spoke about concerns with the Virginia Highlands Park volleyball installation.

Jim Hurysz spoke about the need for repairing streets, roads and paved trails.

Karin Lynn wanted to speak on accessory dwellings. The Chairman advised Ms. Lynn to speak on the scheduled agenda item on Tuesday.

Karina Claire president of Latinas Leading Tomorrow spoke about wanting to serve as a bridge for newly arriving Latino students and their families.

Bethany Potter spoke about Taylor Place Apartments.

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*** CONSENT ITEMS (ITEMS 1-31) CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE CONSENT AGENDA MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY, MAY 17, 2008. MEETING BEFORE 9 A.M. PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, MAY 20, 2008, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).**

On motion by BARBARA A. FAVOLA, Vice-Chairman, seconded by CHRISTOPHER ZIMMERMAN, Member 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 item #18 which was pulled from the consent agenda and scheduled for hearing at the May 20, 2008 County Board Recessed Meeting.

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SITE PLANS/AMENDMENTS/REVIEWS

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1. **SP #65 SITE PLAN AMENDMENT: LOWE ENTERPRISES REAL ESTATE GROUP, CONSTRUCT BASKETBALL COURT ON ROOF; 2351 JEFFERSON DAVIS HIGHWAY, 2450 CRYSTAL DRIVE, 2461 S. CLARK ST. (RPC #34-020-032, -034, -035).**

On consent agenda vote, after a duly advertised public hearing, the Board deferred the request for a site plan amendment to the June 17, 2008 County Board Meeting.

[Board Report #1](#)

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

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

BE IT ORDAINED that, pursuant to application SP #105 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan to add two (2) directional signs and one (1) building identification sign to the comprehensive sign plan for Metropolitan One for the parcel of real property known as 550 S. 14th Road (RPC #35-004-003, -004, -005), 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 one (1) revised condition:

46. The developer agrees to develop and submit a comprehensive sign plan and that all exterior signs shall be consistent with the guidelines contained in "Sign Guidelines for Site Plan Buildings," the *Metropolitan Park Design Guidelines (January 23, 2004)* and the *Metropolitan Park Project Booklet (November 12, 2003)* and with Section 34 of the Zoning Ordinance. The Zoning Administrator shall determine whether the signs meet the standards of the guidelines and the Ordinance. No sign permits will be issued until a comprehensive sign plan is approved. The comprehensive sign plan shall be approved before the issuance of the first Certificate of Occupancy and shall include both temporary and permanent wayfinding signs. All proposed rooftop signs, defined as all signs that are 35 feet or more above the ground, shall require a site plan approval or amendment.

The developer further agrees that the only types of retail signs that shall be permitted shall be consistent with types of signs permitted by Section 34 of the Zoning Ordinance and the *Metropolitan Park Design Guidelines (January 23, 2004)* and the *Metropolitan Park Project Booklet (November 12, 2003)* and shall include: building wall signs; blade signs; window signs; carved, painted or sculptural signs; canopy or awning signs; logo signs; and, permanent quotes on building walls and blade signs.

Individual tenants must apply for and obtain sign permits, including the design, colors, and materials of the signs, which shall be reviewed by the Zoning Administrator or his designee to ensure consistency with the comprehensive sign plan.

The developer further agrees that the signs shall be of the same materials, dimensions, text, and location as shown on the approved Comprehensive Sign Plan approved on May 21, 2007.

The developer further agrees that in addition to the signs allowed under the Comprehensive Sign Plan approved on May 21, 2007, three (3) additional signs may be included in the Comprehensive Sign Plan by amendment approved by the Zoning Administrator provided such signs are of the same materials, dimensions, text, and location as shown on the drawings dated January 15, 2008, by Art Display Company and presented to and approved by site plan amendment by the County Board on May 17, 2008. The total area for the three (3) additional signs, located as shown on the drawings dated January 15, 2008, by Art Display Company, and presented to and approved by site plan amendment by the County Board on May 17, 2008, shall be no more than 18.37 square feet for each of the two directional signs and the 10.11 square feet for the building identification sign, with a total

area for the three signs that shall not exceed 46.75 square feet. The developer agrees to update and submit 'Exhibit-Metropolitan Park Approved Signage' to demonstrate the location of all approved signs and all proposed signs with each subsequent comprehensive sign plan request.

[Board Report #2](#)

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3. SP #125 SITE PLAN AMENDMENT: NORTHROP GRUMMAN CORP., AMEND ROOFTOP SIGN; 1000, 1100 WILSON BLVD. (RPC # 12-001-010, -011).

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

BE IT ORDAINED that, pursuant to application SP #125 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan to modify an existing rooftop sign for the Northrop Grumman Corporation as proposed at 515 square feet for the parcel of real property known as 1000, 1100 Wilson Boulevard (RPC #12-001-010, -011), 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 one (1) amended condition:

1. One rooftop level sign shall be permitted and located on the northeast corner of the building identified at 1000 Wilson Boulevard under SP #125. The sign shall be no larger than 515 square feet. The developer agrees to limit the rooftop signage for 1000 Wilson Boulevard, "Northrop Grumman" to one sign at the location shown on the revised drawings submitted to the County from Signs Unlimited Inc. and dated 02/14/08. The developer agrees that the sign shall be of the same materials, dimensions, text, and location as shown on the plans dated February 14, 2008, and presented to and approved by the County Board on May 17, 2008, and prepared by Signs Unlimited Inc. The sign shall be illuminated only as shown on the revised drawings dated 02/14/08.

The developer agrees to install a rheostat or other appropriate variable resistor that will allow the developer to adjust the rooftop sign's lighting intensity from a level of 0 LUX to 500 LUX. The developer further agrees that if the County Manager finds that the intensity of the rooftop sign's lighting has an adverse effect on the surrounding area, the developer will, within 24 hours notice from the County Manager, reduce the intensity of the lights to a level that, in the County Manager's reasonable judgment, will no longer have such an adverse effect.

The developer agrees that the rooftop sign hours of illumination will be from dusk to 2:00 AM, seven (7) days a week.

[Board Report #3](#)

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4. SP #357 SITE PLAN AMENDMENT: WRIT LIMITED PARTNERSHIP, AMENDMENT TO REMOVE ARCHITECTURAL ARCHWAY; 1600, 1650 WILSON BLVD. (RPC #17-010-037).

On consent agenda vote, after a duly advertised public hearing, the Board deferred the site plan amendment request to the County Board meeting of June 17, 2008

[Board Report #4](#)

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5. MONUMENT VIEW

- A. GP 316-08-1 General Land Use Plan Amendment to modify Note 20 to designate additional development density to Monument View Site Plan Application (SP #400) site area within "North Tract Special Planning District" which is an area generally bordered by Shirley Highway Interstate 395 on the west, the George Washington Memorial Parkway on the north and east, and the southern edge of 10th Street South.

- B. Z-2528-06-1 Rezoning: MR Boundary Channel, LLC/Monument Realty, LLC, rezoning from "M-2" Service Industrial Districts to "C-O-1.5" Commercial Office Building, Hotel and Apartment Districts; 320 S. 6th St., 608 S. Ball St., 901 S. Clark St., portions of South Clark Street, and Jefferson Davis Highway. (RPC # part 34-024-345, 34-025-001, -003, -004,-005).
- C. SP #400 Site Plan: MR Boundary Channel, LLC/Monument Realty, LLC, application to approve approximately 352 dwelling units, approximately 3,540 square feet retail, approximately 327,320 square feet office, with modification of use regulations for exclusion of density for mechanical closets, storage, garage entry, parking, loading; 320 S. 6th St., 608 S. Ball St., 901 S. Clark St., portions of South Clark Street, (RPC # part 34-024-345, 34-025-001, -003, -004, -005).
- D. An ordinance to vacate a portion of South Clark Street between 10th Street South and 6th Street South, adjacent to: Parcel 12, remainder from subdivision of Parcels 14 and 15, Potomac Yard (RPC # 34-024-345); Parcel 3-A, resubdivision of Lot 3, Cullinane Subdivision (RPC # 34-025-003); and Parcel 13, RF&P Railroad Property, Zone 123 (RPC # 34-025-004), which adjacent parcels are owned by the County Board of Arlington County, Virginia, with Conditions on vacation.
- E. An ordinance to vacate: 1) a 10' water main easement on Parcel 12, remainder from subdivision of Parcels 14 and 15, Potomac Yard, running from South Clark Street to Old Jefferson Davis Highway, parallel to 6th Street South, then running southwest along the southern boundary of Old Jefferson Davis Highway; and 2) a 15' sanitary sewer and force main easement on Parcel 12, remainder from subdivision of Parcels 14 and 15, Potomac Yard, running northwest from South Clark Street to Old Jefferson Davis Highway; both easements located in Arlington County, Virginia (RPC # 34-024-345), with conditions.

On consent agenda vote, after a duly advertised public hearing, the Board deferred Monument View to the June 17, 2008, County Board meeting.

[Board Report #5](#)

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6. Z-2372-89-1 PROFFER AMENDMENT: GWAY II, LLC, AMEND PROFFER #80 REGARDING EXTENSION OF DEVELOPMENT PERIOD; 2900 N. 10TH ST., (RPC #18-029-007).

On consent agenda vote, after a duly advertised public hearing, the Board deferred the proposed Proffer Agreement amendment to the June 17, 2008, County Board meeting.

[Board Report #6](#)

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USE PERMITS REQUEST/REVIEWS/AMENDMENTS

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7. U-1243-56-2 USE PERMIT AMENDMENT: ASEFAU RADI SULTAN, EXPAND CHILDCARE TO TOTAL 48 STUDENTS; 913 S. 23RD ST. (BUSY BEE CHILDCARE CENTER, RPC # 36-032-012).

On consent agenda vote, after a duly advertised public hearing, the Board deferred the use permit amendment to the July 19, 2008, County Board meeting.

[Board Report #7](#)

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8. U-2529-86-1 USE PERMIT REVIEW: TRANSITIONAL PARKING; 2040 N. KENMORE ST.

(CHERRYDALE MOTORS, RPC #06-033-010).

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

BE IT ORDAINED that, pursuant to application U-2529-86-1 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for a transitional parking lot for the parcel of real property known as 2040 N. Kenmore Street (Cherrydale Motors) (RPC #06-033-010), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to all previously approved conditions, with a County Board review in five (5) years (May 2013).

[Board Report #8](#)

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9. U-2827-94-1 USE PERMIT REVIEW: LIVE ENTERTAINMENT; 5104 WILSON BLVD. (EL SABROSO, RPC #13-028-043).

On consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the subject use permit review to the June 17, 2008, County Board meeting.

[Board Report #9](#)

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10. A. SP #194 SITE PLAN REVIEW: LIVE ENTERTAINMENT AND DANCING; 3100 CLARENDON BLVD. (SOBE SEAFOOD CO., RPC #19-002-007).

B. SP #362 Site Plan Review: live entertainment; outdoor menu box; 2900 Wilson Blvd. (La Tasca, RPC #18-011-001).

C. U-2873-95-2 Use Permit Review: live entertainment; 1101 N. Highland St. (Clarendon Grill, RPC #18-013-010).

D. U-2886-96-3 and U-2861-95-1 Use Permit Review: WOW Enterprises, Inc., review live entertainment, outdoor seating; 2854 Wilson Blvd. (Whitlow's on Wilson, RPC #18-010-008).

E. U-2984-00-1 Use Permit Review: live entertainment; 3185 Wilson Blvd. (Clarendon Ballroom, RPC #15-075-003).

F. U-3046-02-1 Use Permit Review: live entertainment and dancing; 2901 Wilson Blvd. (Boulevard Woodgrill, RPC #15-066-019).

G. U-3050-02-1 Use Permit Review: live entertainment; 2933 Wilson Blvd. (Mexicali Blues, RPC #15-006-001).

H. U-3114-04-1 Use Permit Review: live entertainment; 3207 Washington Blvd. (Molly Malone's, RPC #15-078-001).

I. U-3125-05-1 Use Permit Review: live entertainment; 2915 Wilson Blvd. (Rira Clarendon, RPC #15-006-002).

J. U-3134-05-2 Use Permit Review: RTM Investment Group LP, live entertainment; 1041 N. Highland St. (RPC#18-026-004).

On consent agenda vote, after a duly advertised public hearing, the Board deferred the subject site plan amendment and use permit reviews to the September 13, 2008, County Board meeting.

[Board Report #10](#)

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11. U-2961-99-1 USE PERMIT REVIEW: FAMILY DAY CARE FOR NINE CHILDREN; 2345 N. DICKERSON ST. (MABEL ESPINOZA, RPC #08-001-110).

On consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the subject use permit review to the July 19, 2008, County Board meeting.

[Board Report #11](#)

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12. U-3080-04-6 USE PERMIT REVIEW: SUMMER DAY CAMP; 935 S. 23RD ST. (MT. VERNON BAPTIST CHURCH, RPC #36-032-001, -023).

On consent agenda vote, after a duly advertised public hearing, the Board discontinued the subject use permit for a summer day camp.

[Board Report #12](#)

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13. FELLOWSHIP FOUNDATION

- A. U-3081-04-1 Use Permit Review: residence for (12) twelve unrelated individuals; 2224 N. 24th St. (Fellowship Foundation, RPC #04-028-077).

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

BE IT ORDAINED that, pursuant to application U-3081-04-1 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for a residence for twelve (12) unrelated individuals for the parcel of real property known as 2224 24th Street North (Fellowship Foundation) (RPC #04-028-077), 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, and a review by the County Board in three (3) years (May 2011).

- B. U-3083-04-1 Use Permit Review: residence for twelve (12) unrelated individuals; 2200 N. 24th St. (Fellowship Foundation, RPC #04-028-089).

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

BE IT ORDAINED that, pursuant to application U-3083-04-1 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for a residence for twelve (12) unrelated individuals for the parcel of real property known as 2200 24th Street North (Fellowship Foundation) (RPC #04-028-077), 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, and a review by the County Board in three (3) years (May 2011).

[Board Report #13](#)

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14. U-3171-07-4 USE PERMIT REVIEW: PERFECT POINTE DANCE STUDIO, DANCE STUDIO; 2425, 2433, 2435, 2499, 2503, 2509 N. HARRISON ST. (RPC #02-073-084).

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

BE IT ORDAINED that, pursuant to application U-3171-07-4 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for a dance school for the parcel of real property known as 2499 N. Harrison Street, Suite 1LL in the Lee Harrison Shopping Center 2425, 2433, 2435, 2499, 2503, and 2509 N. Harrison Street (Perfect Pointe Dance Studio) (RPC #02-073-084), 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, and the following new condition #7 to mitigate demand surface parking, and with a with County Board review in three (3) years (May 2011):

7. The applicant agrees to provide information to patrons that encourages parking in the underground parking garage and describes the location of the garage entrance and hours of operation.

[Board Report #14](#)

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15. U-3177-07-1 USE PERMIT: DISCONTINUE USE PERMIT FOR FAMILY DAYCARE; 3208 S. 12TH ST. (ABENTETE BOGALE, RPC #32-008-008).

On consent agenda vote, after a duly advertised public hearing, the Board discontinued the use permit for the family day care.

[Board Report #15](#)

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16. U-3195-08-1 USE PERMIT: FORT GEORGETOWN ASSOCIATES LTD., COMPREHENSIVE SIGN PLAN; 2100 N. PIERCE ST. (RPC #16-006-001).

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

BE IT ORDAINED that, pursuant to application U-3195-08-1 on file in the Office of the Zoning Administrator for a special exception for a use permit for a comprehensive sign plan for the parcel of real property known as 2100 N. Pierce Street (RPC #16-006-001), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to the following conditions:

1. The applicant agrees to limit the total freestanding signs to a maximum of two (2) project identification signs at the locations as shown on the drawings submitted to Arlington County from Lewis Scully Gionet Landscape Architects and dated March 2, 2007. The total area for each sign shall not exceed 19.74 square feet as shown on abovementioned drawings, and shall not exceed 5.12 feet in height.
2. The applicant agrees that the area at the base of the freestanding signs shall be landscaped with perennial ground cover or seasonal flowers planted in an area not less than two (2) feet in width at the base of each sign.

[Board Report #16](#)

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17. U-3196-08-3 USE PERMIT: YMCA OF METROPOLITAN WASHINGTON-ARLINGTON BRANCH, AFTER SCHOOL PROGRAM; 716 S. GLEBE ROAD (RPC #23-028-016).

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

BE IT ORDAINED that, pursuant to application U-3169-08-3 on file in the Office of the Zoning Administrator for a special exception for a use permit to for an after school program for the parcel of real property known as 716 S. Glebe Road (Arlington United Methodist Church) (RPC #23-028-016), approval is granted and the parcel so

described shall be used according to the use permit approval requested by the application, subject to the following conditions, and with a County Board review in one (1) year (May 2009):

1. The applicant agrees to meet the requirements of the Child Care Ordinance, Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a Certificate of Occupancy.
2. The applicant agrees that parents of students attending the program shall escort their students from the building at all times.
3. The applicant agrees that the hours of operation would be Mondays, Tuesdays, Thursdays, and Fridays from 3 p.m. to 6:30 p.m., and on Wednesdays from 12:30 p.m. to 6:30 p.m., with a maximum capacity of 70 children, or such number as determined by the Department of Human Services Child Care Office. However, the Department of Human Services Child Care Office may determine the final number of children that can be served in the program following any proposed or required renovations and improvements to the site. This number may be modified based on appropriate space ratios. The applicant agrees not to provide care for more than 70 children at any one time, or such other number as the Child Care Office has determined can be accommodated and as evidenced by the certificate of occupancy.
4. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns that may be related to this child care center. The name and telephone number of the liaison shall be submitted by the applicant to the Zoning Administrator, as well as to the Alcovia Heights Civic Association, prior to issuance of any building permit.

[Board Report #17](#)

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18. U-3197-08-4 USE PERMIT: FGW, INC., LIVE ENTERTAINMENT AND DANCING; 5169, 5171, 5173 LEE HIGHWAY (YORKTOWN BISTRO, RPC #02-082-026).

This item was removed from the consent agenda and will be heard at the May 20, 2008 County Board Recessed Meeting.

[Board Report #18](#)

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VACATIONS, EASEMENTS, RIGHTS OF WAY, ENCROACHMENTS & LEASES

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19. BMW OF ARLINGTON

- A. Enactment of an ordinance to vacate portions of two five (5) feet wide sanitary sewer easements located within parcel of real property owned by CARS-DB1, LLC, located at 2631 Shirlington Road (RPC No. 31034001), with conditions.

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

1. Enacted an Ordinance of Vacation to Vacate portions of two Five (5)-Foot- Wide Sanitary Sewer Easements Located Within a Parcel of Real Property Owned by CARS-DB1, LLC, Located at 2631 Shirlington Road (RPC No. 31034001), with Conditions, as set forth in the document entitled "Addendum 5-17-08-A – Vacation CARS-DB1, LLC" attached for the public record to these minutes.
2. Authorized the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of

Environmental Services, to execute, on behalf of the County Board, all documents necessary to effectuate the Ordinance of Vacation, subject to approval as to form by the County Attorney.

[Addendum 5-17-08-A - Vacation CARS-DB1, LLC](#)

[Board Report #19 A](#)

- B. Approval of a resolution approving the grant of a density credit to the property of Rowe Family Partners RLLLP, known as 2633 Shirlington Road, RPC No. 31034002 ("Rowe Parcel"), in exchange for the 592 square foot portion of said Rowe Parcel to be dedicated to the County Board of Arlington County, Virginia, for public street and utilities purposes by deed and plat of subdivision and consolidation.

On consent agenda vote, the Board approve the resolution as set forth in the document entitled "Addendum 5-17-08-B – Rowe Parcel Density Credit" attached for the public record to these minutes, to grant a density credit to the Rowe Parcel in exchange for the fee simple dedication to the County Board of Arlington County, Virginia, of a 592-square-foot portion of said Rowe Parcel for public street and utilities purposes.

[Addendum 5-17-08-B – Rowe Parcel Density Credit](#)

[Board Report #19 B.](#)

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20. APPROVAL OF AN EASEMENT FOR PUBLIC SIDEWALK AND UTILITIES PURPOSES GRANTED BY THE COUNTY AND ARLINGTON HOTEL ASSOCIATES, LLC TO THE COUNTY FOR AN AREA LOCATED ON THE PERIPHERY OF LOT 6, COURTHOUSE PLAZA, AND ADJACENT TO CLARENDON BOULEVARD, NORTH ADAMS STREET AND 14TH STREET NORTH, RPC NO. 18005042.

On consent agenda vote, after a duly advertised public hearing, the Board took the following actions:

- 1. Approved the Deed of Easement for Public Sidewalk and Utilities Purposes granted by the County and Arlington Hotel Associates, LLC to the County for an area located on the periphery of Lot 6, Courthouse Plaza, and adjacent to Clarendon Boulevard, North Adams Street and 14th Street North, RPC No. 18005042, as set forth in the document entitled "Addendum 5-17-08-C – Deed of Easement Arlington Hotel Associates" attached for the public record to these minutes.
- 2. Authorized the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, to execute, on behalf of the County Board, the Deed of Easement, subject to approval as to form by the County Attorney.

[Addendum 5-17-08-C – Deed of Easement Arlington Hotel Associates](#)

[Board Report #20](#)

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21. APPROVAL OF A DEED OF LEASE BETWEEN ARLINGTON SCHOOL BOARD, AS LANDLORD, AND THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA, AS TENANT, ON SCHOOL BOARD- OWNED REAL PROPERTY KNOWN AS REED SCHOOL AT 1644 MCKINLEY ROAD, ARLINGTON, VA, RPC NO. 10022030.

On consent agenda vote, the Board took the following actions:

- 1. Approved the Deed of Lease between Arlington School Board, as Landlord, and The County Board of Arlington County, Virginia, as Tenant, on School Board owned real property known as Reed School at 1644 McKinley Road, Arlington, VA, RPC No. 10022030, as set forth in the document entitled "Addendum 5-17-08-D – Deed of Lease Reed School" attached for the public record to these minutes.
- 2. Authorized the County Manager, or his designee, to execute on behalf of the County Board, the Deed

of Lease subject to approval as to form by the County Attorney.

[Addendum 5-17-08-D – Deed of Lease Reed School](#)

[Board Report #21](#)

[Board Report #21-Attachment](#)

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22. ADOPTION OF AN ORDINANCE PURSUANT TO SECTION 31A. OF ARLINGTON COUNTY ZONING ORDINANCE ESTABLISHING HISTORIC DISTRICT ENCOMPASSING THE PROPERTY OF SWANSON MIDDLE SCHOOL LOCATED AT 5800 WASHINGTON BLVD., WHICH DISTRICT SHALL BE COMPRISED OF 6.7 ACRES MORE OR LESS AND INCLUDE FOLLOWING PARCELS: RPC #10-037-054.

On consent agenda vote, the Board took the following actions:

1. Adopted the ordinance approving the proposed local historic district designation of the Swanson Middle School, in accordance with the procedures outlined in Arlington County’s Zoning Ordinance, Section 31A, Part C, Establishment of Historic Districts, as set forth in the document entitled “Addendum 5-17-08-E – Swanson Middle School” attached for the public record to these minutes.
2. Approved the Guidelines for a Certificate of Appropriateness for an Administrative Certificate of Appropriateness for the Swanson Middle School Historic District (Attachment 2 of the County Manager’s April 24, 2008 report).

[Addendum 5-17-08-E – Swanson Middle School](#)

[Board Report #22](#)

[Board Report #22-Attachment 1](#)

[Board Report #22-Attachment 2](#)

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APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS

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23. APPROVAL OF THE ALLOCATION OF UP TO \$750,000 FROM THE COMMUNITY HOUSING FINANCE CORPORATION AS A GRANT TO DOORWAYS FOR WOMEN AND CHILDREN TO ENABLE THE PURCHASE OF FIVE APARTMENT UNITS IN THE CAMERON COMMONS APARTMENT COMPLEX TO BE USED AS SUPPORTIVE HOUSING FOR VERY LOW-INCOME FAMILIES.

On consent agenda vote, the Board took the following actions:

1. Approved the allocation of up to \$750,000 of CHFC bond savings funds as a grant to the nonprofit corporation Doorways for Women and Families to help fund the purchase of five apartment units in the Cameron Commons complex at 2036 & 2040 N. Cameron Street, Arlington Virginia 22207. The units will provide decent, safe, and sanitary supportive housing to very low income families who are leaving Doorways’ emergency shelter facilities. The exact amount of the grant will be equal to the balance of CHFC funds being held in the Trust and Agency Account number 72402-7092 at the time of closing.
2. Authorized the County Manager to execute the required documents for a grant of up to \$750,000 to Doorways or its County-approved affiliate, subject to approval by the County Attorney.

[Board Report #23](#)

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REQUESTS TO ADVERTISE

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24. REQUEST TO ADVERTISE PUBLIC HEARINGS ON PROPOSED ZONING ORDINANCE AMENDMENT TO SECTION 34. "NAMEPLATES, SIGNS, AND OTHER DISPLAYS OR DEVICES TO DIRECT, IDENTIFY, AND INFORM," SUBSECTION J. SIGNS PERMITTED IN SPECIFIED AREAS WITH PERMITS TO PERMIT CERTAIN SIGNS IDENTIFYING PUBLIC PARKING WITHIN THE ROSSLYN METRO STATION AREA.

On consent agenda vote, the Board authorized advertisement of public hearings by the Planning Commission on June 2, 2008 and the County Board on June 17, 2008, on the ordinance attached to the County Manager's April 28, 2008 report to amend, reenact, and recodify the Zoning Ordinance provisions in Section 34 of the Arlington County Zoning Ordinance to permit the placement of certain signs for public parking within the Rosslyn Metro Station Area.

[Board Report #24](#)

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25. KIOSKS

- A. Request to advertise public hearings on proposed Zoning Ordinance amendments to Sections 1., 3., 18A., 19., 22., and 31. of the Arlington County Zoning Ordinance to amend, reenact, and recodify the Zoning Ordinance to define the term kiosk and allow for the operation of such kiosks in certain commercial zoning districts within Arlington.

On consent agenda vote, the Board authorized advertisement of public hearings by the Planning Commission on July 7, 2008 and the County Board on July 19, 2008, on the ordinances attached to the County Managers May 7, 2008 report to amend, reenact, and recodify the Zoning Ordinance provisions in Sections 1., 3, 18A., 19., 22., and 31. of the Arlington County Zoning Ordinance to define the term kiosk and allow for the operation of such kiosks in certain commercial zoning districts within Arlington.

- B. Request to advertise public hearings on proposed amendments to Chapter 30. Peddlers, Vendors and Canvassers of the Arlington County Code to amend, reenact, and recodify Chapter 30 to define the term kiosk and allow for the operation of such kiosks in certain commercial zoning districts within Arlington; to extend the permitted time for on-street vending; to limit vending operations, unless specifically from a kiosk, in certain locales; and to allow the County Manager greater flexibility in establishing on-street vending zones.

On consent agenda vote, the Board authorized advertisement of public hearings by the County Board on July 19, 2008, on proposed amendments to Chapter 30. Peddlers, Vendors and Canvassers of the Arlington County Code attached to the County Managers May 7, 2008 report to amend, reenact, and recodify Chapter 30 to define the term kiosk and allow for the operation of such kiosks in certain commercial zoning districts within Arlington; to extend the permitted time for on-street vending; to limit vending operations, unless specifically from a kiosk, in certain locales; and to allow the County Manager greater flexibility in establishing on-street vending zones.

[Board Report #25 A., B.](#)

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26. REQUEST TO ADVERTISE "ON THE COUNTY BOARD'S OWN MOTION" PUBLIC HEARINGS ON THE

SPECIAL EXCEPTION USE PERMIT FORM BASED CODE APPLICATION FOR THE PROPOSED ARLINGTON MILL COMMUNITY CENTER AT 4975 COLUMBIA PIKE (RPC #22-001-004).

On consent agenda vote, the Board authorized advertisement of public hearings by the Planning Commission on June 2, 2008, and the County Board on June 17, 2008, on the Special Exception Use Permit Form Based Code application for the proposed Arlington Mill Community Center at 4975 Columbia Pike attached to the County Managers May 2, 2008 report.

[Board Report #26](#)

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27. REQUEST TO ADVERTISE AN AMENDMENT TO THE UTILITIES ORDINANCE RELATED TO PRETREATMENT

On consent agenda vote, the Board authorized advertisement of a public hearing to be held on June 17, 2008, concerning the amendments to Chapter 26 of the Arlington County Code (Utilities) attached to the County Managers May 7, 2008 report.

[Board Report #27](#)

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OTHER

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28. APPROVE THE REIMBURSEMENT RESOLUTION (ATTACHED TO THE STAFF REPORT) DECLARING THE COUNTY BOARD'S INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF FINANCING FOR EXPENDITURES TO BE MADE IN CONNECTION WITH THE ACQUISITION AND INSTALLATION OF CERTAIN EQUIPMENT AND SYSTEMS.

On consent agenda vote, the Board took the following actions:

1. Approved the Reimbursement Resolution, as set for in the document entitled "Addendum 5-17-08-F – Reimbursement Resolution" attached for the public record to these minutes.
2. Authorized the County Manager to negotiate up to \$5,132,435 in lease financing for the equipment and systems as presented in Attachment 2 of the County Manager's May 6, 2008 report.
3. Appropriated County's funds from Lease proceeds to account 101.91103.380800

[Addendum 5-17-08-F –Reimbursement Resolution](#)

[Board Report #28](#)

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29. AMENDMENTS TO THE BUDGET AND APPROPRIATION RESOLUTIONS FOR FY 2009.

On consent agenda vote, the Board approved the following amended FY 2009 Budget and Appropriation Resolutions to reflect final changes approved by the School Board for FY 2009:

FISCAL YEAR 2009 COUNTY BUDGET RESOLUTION

Be it resolved by the County Board of Arlington County, Virginia, that the following Budget is hereby adopted for the Fiscal Year 2009 and that any surplus for general County purposes remaining at the end of the Fiscal Year shall return to the General Fund of the County.

GENERAL FUND:

County Board	\$1,101,821
County Manager	4,386,558
Management and Finance	5,762,237
Technology Services	14,275,152
Human Resources	7,475,331
County Attorney	2,235,177
Circuit Court	3,309,808
General District Court	358,092
Juvenile and Domestic Relations Court	5,527,336
Commonwealth's Attorney	3,882,368
Sheriff	34,982,446
Commissioner of the Revenue	5,045,177
Treasurer	6,020,055
Electoral Board	921,863
Office of Emergency Management	8,114,045
Police	55,957,352
Fire	47,788,770
Environmental Services	67,420,739
Human Services	106,621,338
Libraries	13,712,255
Economic Development	3,361,168
Community Planning, Housing & Development	9,340,565
Parks, Recreation & Cultural Resources	34,376,489
Non-Departmental	50,755,154
Debt Service	52,858,996
Regionals / Contributions	8,054,810
METRO	20,000,000
TOTAL GENERAL FUND BUDGET:	\$573,645,102

OTHER OPERATING FUNDS:

Travel & Tourism Promotion	\$1,379,987
Utilities	69,488,747
Rosslyn Business Improvement District	3,000,000
Crystal City Business Improvement District	2,173,657
Community Development	1,753,876
Section 8 Housing Assistance	16,018,100
Automotive Equipment	500,456

CPHD Development Fund		12,273,386
Stormwater Fund		5,853,183
Transportation Fund		20,837,641
Printing		240,699
Jail Industries		-
Ballston Parking Garage		4,618,859
Ballston Parking Garage - 8th Level		40,000
TOTAL OTHER OPERATING FUNDS BUDGET:		\$138,178,591

Utilities Capital Outlay		\$14,781,000
General Capital Outlay		17,790,259
Subtotal		\$32,571,259

TOTAL COUNTY GOVERNMENT BUDGET: \$744,394,952

For the operation and maintenance of Public Schools and Community Activities
Facilities to be expended on order of the School Board

School Operating Fund	350,561,423	\$348,791,293
School Comprehensive Services Act Fund	3,650,000	3,650,000
School Capital Projects Fund	10,341,262	12,111,392
School Debt Service Fund	33,374,607	33,374,607
School Food Services Fund	6,038,793	6,038,793
School Grants & Restricted Programs Fund	14,970,163	15,029,243
Total School and other funds appropriations	418,936,248	\$418,995,328
Total Community Activities Fund	13,639,837	\$13,639,837
TOTAL BUDGET FOR COUNTY	1,176,971,037	\$1,177,030,117

GENERAL FUND REVENUES:

Real Estate Tax		\$486,170,344
Personal Property Tax		97,206,000
Business License Tax		55,384,500
Other Local Taxes		124,505,000
Licenses, Permits and Fees		7,827,940
Fines		9,614,100
Interest, Rents		15,276,443
Charges for Services		40,715,990
Miscellaneous		961,998
State Revenue		64,184,370

Federal Revenue		19,946,582
Other Transfers In		3,450,660
Prior Year Balance		16,827,839
TOTAL GENERAL FUND REVENUES:		\$942,071,766
Total Other Operating Fund Revenues	234,899,271	\$234,958,351
TOTAL REVENUES FOR COUNTY	1,176,971,037	\$1,177,030,117

FISCAL YEAR 2009 COUNTY APPROPRIATIONS RESOLUTION

Be it resolved by the County Board of Arlington County, Virginia, that the following appropriations are hereby made for the Fiscal Year 2009, and that any surplus for general County purposes remaining at the end of the Fiscal Year shall return to the General Fund of the County.

GENERAL FUND:

County Board	\$1,101,821
County Manager	4,386,558
Management and Finance	5,762,237
Technology Services	14,275,152
Human Resources	7,475,331
County Attorney	2,235,177
Circuit Court	3,309,808
General District Court	358,092
Juvenile and Domestic Relations Court	5,527,336
Commonwealth's Attorney	3,882,368
Sheriff	34,982,446
Commissioner of the Revenue	5,045,177
Treasurer	6,020,055
Electoral Board	921,863
Office of Emergency Management	8,114,045
Police	55,957,352
Fire	47,788,770
Environmental Services	67,420,739
Human Services	106,621,338
Libraries	13,712,255
Economic Development	3,361,168
Community Planning, Housing & Development	9,340,565
Parks, Recreation & Cultural Resources	34,376,489

Non-Departmental	50,755,154
Debt Service	52,858,996
Regionals / Contributions	8,054,810
METRO	20,000,000
TOTAL GENERAL FUND APPROPRIATIONS:	\$573,645,102

OTHER OPERATING FUNDS:

Travel & Tourism Promotion	\$1,379,987
Utilities	69,488,747
Rosslyn Business Improvement District	3,000,000
Crystal City Business Improvement District	2,173,657
Community Development	1,753,876
Section 8 Housing Assistance	16,018,100
CPHD Development Fund	12,273,386
Stormwater Fund	5,853,183
Transportation Fund	20,837,641
Automotive Equipment	500,456
Printing	240,699
Jail Industries	0
Ballston Parking Garage	4,618,859
Ballston Parking Garage - 8th Level	40,000
TOTAL OTHER OPERATING FUNDS APPROPRIATIONS:	\$138,178,591

Utilities Capital Outlay	\$14,781,000
General Capital Outlay	17,790,259
Subtotal	\$32,571,259

TOTAL COUNTY GOVERNMENT APPROPRIATIONS: \$744,394,952

For the operation and maintenance of Public Schools and Community Activities
Facilities to be expended on order of the School Board

School Operating Fund	350,561,423	\$348,791,293
School Comprehensive Services Act Fund	3,650,000	3,650,000
School Capital Projects Fund	10,341,262	12,111,392
School Debt Service Fund	33,374,607	33,374,607
School Food Services Fund	6,038,793	6,038,793
School Grants & Restricted Programs Fund	14,970,163	15,029,243
Total School and other funds appropriations	418,936,248	\$418,995,328

Total Community Activities Fund	13,639,837	\$13,639,837
TOTAL APPROPRIATIONS FOR COUNTY	1,176,971,037	\$1,177,030,117

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- 30. AUTHORIZATION OF LOAN AGREEMENT WITH THE MUSEUM OF MODERN ART (MOMA) IN NEW YORK CITY FOR TEMPORARY LOAN OF THE DISASSEMBLED COMPONENTS OF THE COUNTY'S HISTORIC CLIFFORD M. KROWNE LUSTRON HOUSE, DONATED TO THE COUNTY IN APRIL 2006, AND AUTHORIZATION FOR COUNTY MANAGER TO PROCEED WITH NECESSARY ACTIONS TO LOAN THE HOUSE COMPONENTS FOR THEIR USE IN AN EXHIBITION ABOUT PREFABRICATED ARCHITECTURE SCHEDULED FROM JUNE TO NOVEMBER 2008.**

On consent agenda vote, the Board approved the agreement (Attachment 1 of the County Manager's April 21, 2008 report) with Museum of Modern Art in a final form approved by the County Attorney for the temporary loan of the disassembled components of the County's historic Clifford M. Krowne Lustron House, at no cost to the County, in order for it to be featured in an exhibition from June to November 2008, and authorized the Chairman to execute the agreement on behalf of the County Board.

[Board Report #30](#)

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- 31. MINUTES.**

On consent agenda vote, the Board approved the minutes from the April 14, 2008 Budget Work Session; April 19, 2008 Regular Meeting; and April 22, 2008 Recessed Meeting.

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REGULAR HEARING ITEMS

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- [32. ORDINANCE TO AMEND, REENACT, AND RECODIFY CHAPTER 2 \(ANIMALS & FOWL\) OF THE CODE OF ARLINGTON COUNTY, VIRGINIA, TO AMEND ARTICLE V., SECTIONS 2-18. DEFINITIONS; 2-19. KEEPING OF REPTILES; AND 2-20. HANDLING OR USING REPTILES SO AS TO ENDANGER HUMAN LIFE OR HEALTH, TO INCLUDE PROHIBITING THE POSSESSION, KEEPING AND PERMITTING OF POISONOUS REPTILES; TO PROHIBIT POISONOUS REPTILES FROM BEING AT LARGE; AND TO CLARIFY PENALTIES FOR VIOLATING THE ARTICLE, EFFECTIVE 30 DAYS AFTER ADOPTION OF THE PROPOSED ORDINANCE.](#)**

On motion by J. WALTER TEJADA, Chairman, seconded by CHRISTOPHER ZIMMERMAN, Member 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, after a duly advertised public hearing, at which the public spoke, the Board adopted amendments to Chapter 2 of the Arlington County Code, as set forth in the document entitled "Addendum 4-17-08-G – Chapter 2" attached for the public record to these minutes, regulating poisonous reptiles effective 30 days after adoption.

[Addendum 4-17-08-G – Chapter 2](#)

[Board Report #32](#)

[Board Report #32-Attachment](#)

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33. **U-3185-07-1 USE PERMIT (CARRY-OVER): MACEDONIA BAPTIST CHURCH, UNIFIED MIXED USE DEVELOPMENT TO CONSTRUCT 36 DWELLING UNITS, APPROXIMATELY 2,300 SQUARE FEET OFFICE; 2219, 2229, 2237 SHIRLINGTON ROAD (RPC #31-025-047, -048, -049).**

On motion by BARBARA A. FAVOLA, Vice-Chairman, seconded by CHRISTOPHER ZIMMERMAN, Member 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, after a duly advertised public hearing, the Board deferred the request for a Unified Commercial/Mixed Use Development to the June 17, 2008 County Board Meeting.

[Board Report #33](#)

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

On motion by J. WALTER TEJADA, Chairman, seconded by JAY FISETTE, Member 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, after a duly advertised public hearing, the Board deferred the use permit review for a service station and public garage to the June 17, 2008 County Board meeting.

[Board Report #34](#)

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35. **REQUEST TO ADVERTISE POLICY FOR CONSIDERATION OF GENERAL LAND USE PLAN AMENDMENTS UNANTICIPATED BY PREVIOUS PLANNING EFFORTS.**

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by MARY HUGHES HYNES, Member 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 authorized the advertisement of public hearings on the subject General Land Use Plan Amendment by the Planning Commission on June 2, 2008, and County Board on June 17, 2008, and directed staff to incorporate into General Land Use Plan document an appendix with a list of the adopted resolutions that are cited on page 13 of the resolution.

[Board Report #35](#)

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36. **REQUEST TO ADVERTISE PUBLIC HEARINGS BY THE PLANNING COMMISSION AND THE COUNTY BOARD ON A GENERAL LAND USE PLAN AMENDMENT FROM "SERVICE INDUSTRY" (WHOLESALE, STORAGE, AND LIGHT MANUFACTURING USES, INCLUDING THOSE RELATING TO BUILDING CONSTRUCTION ACTIVITY) TO "MEDIUM" OFFICE-APARTMENT-HOTEL (UP TO 2.5 F.A.R. OFFICE DENSITY, UP TO 115 UNITS/ACRE APARTMENT DENSITY, UP TO 180 UNITS/ACRE HOTEL DENSITY) FOR A PROPERTY KNOWN AS 1201 SOUTH HAYES STREET AND 1200 SOUTH FERN STREET [RPC #35004001], GENERALLY LOCATED IN THE AREA BOUNDED BY 12TH STREET SOUTH, SOUTH FERN STREET, 15TH STREET SOUTH, AND SOUTH HAYES STREET.**

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member 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 authorized the advertisement of public hearings by the Planning Commission and County Board on dates concurrent with future public hearings for the associated phased development site plan, final site plan and rezoning applications, to consider amending the General Land Use Plan for the property known as 1201 South Hayes Street and 1200 South Fern Street [RPC #35004001], generally located in the area bounded by 12th Street South, South Fern Street, 15th Street South, and South Hayes Street from "Service Industry" (Wholesale, storage, and light manufacturing uses, including those relating to building construction activity) to "Medium" Office-Apartment-Hotel (up to 2.5 F.A.R. Office Density, up to 115 units/acre Apartment Density, up to 180 units/acre Hotel Density).

[Board Report #36](#)

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ADJOURNMENT

Without objection, at 11:38 a.m., the Board recessed until the May 20, 2008 Recessed Meeting.

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J. WALTER TEJADA, Chairman

ATTEST:

MARIA VOULTSIDES, Clerk
Approved: June 17, 2008