

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Saturday, May 19, 2012 at 8:30 a.m.

PRESENT: MARY HYNES, Chair
*J. WALTER TEJADA, Vice Chairman
LIBBY GARVEY, member
JAY FISETTE, Member
CHRISTOPHER ZIMMERMAN, Member

ALSO PRESENT: BARBARA DONNELLAN, County Manager
STEPHEN MacISAAC, County Attorney
HOPE L. HALLECK, Clerk

*Arrived at 8:34 a.m.

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PUBLIC COMMENT

Robert Atkins expressed concerns about the sewage incident at Harris Teeter in Crystal City and the apparent lack of pumping capacity in that area.

John Barry voiced his support for the construction of an aquatic facility at Long Bridge Park.

Steve Offutt asked the County to halt all additional bollard installations on trails until a consistent and acceptable policy for their location and design ensures safety; he is concerned that bollards constitute a hazard to trail users.

Jim Hurysz commented that there are pump failure alarms regularly sounding off at the Crystal City lift station, and asked that the Columbia Pike and Crystal City streetcar plans to be halted and put forth to voters as a referendum.

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ANALYSIS OF CONTINGENT ACCOUNTS

The Board received a Summary of Fiscal Year 2012 Contingent Accounts showing balances of \$1,000,000 in General and \$6,446,916 in Affordable Housing Investment Fund as of May 1, 2012.

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CONSENT ITEMS (ITEMS 1-38) CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE CONSENT AGENDA MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY, MAY 19, 2012, MEETING BEFORE 9 A.M. PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, MAY 22, 2012, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).

A motion was made by CHRISTOPHER ZIMMERMAN, Member, seconded by J. WALTER TEJADA, Vice Chairman to approve the County Manager's recommendation for all consent items except items #27 and #37, which will be subject to full hearing at the May 22, 2012 County Board recessed meeting. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye.

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SITE PLANS/AMENDMENTS/REVIEW

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1. SP#25 SITE PLAN AMENDMENT FOR MODIFICATION TO CONDITION #41 TO PERMIT A CHANGE IN TEXT FOR AN APPROVED ROOFTOP SIGN; LOCATED AT 1919 N. LYNN STREET (RPC# 16-018-004).

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the ordinance to approve an amendment to SP #25 for an amendment to Condition #41 permitting changes in text for approved rooftop signs. [Clerk’s note: as set forth in the document entitled “Addendum-5-19-12-A- SP#25” attached for the public record to these minutes.]

[Board Report #1](#)

[Addendum-5-19-12-A- SP#25](#)

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2. SP #106 SITE PLAN AMENDMENT REVIEW FOR RESTAURANT PROVIDING LIVE ENTERTAINMENT AND DANCING AT SAMUEL BECKETT’S IRISH GASTRO PUB; LOCATED AT 2800 SOUTH RANDOLPH STREET (RPC# 29-014-020).

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the ordinance to approve an amendment to SP #106 to renew live entertainment and dancing at Samuel Beckett’s Irish Gastro Pub, subject to all previously approved conditions and to one (1) new condition specifying that the use is temporary and will expire in 2015 unless renewed by the County Board.

WHEREAS, an application for a Site Plan Amendment dated February 18, 2011 for Site Plan #106, was filed with the Office of the Zoning Administrator: and

WHEREAS, as indicated in Staff Report[s] prepared for the May 19, 2012 County Board meeting, and through comments made at the public hearing before the County Board, the County Manager recommends that the County Board approve the Site Plan Amendment subject to numerous conditions as set forth in the Staff Report[s]; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan

Amendment on May 19, 2012 and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning Administrator, that the improvements and/or development proposed by the Site Plan as amended:

- Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance; and
- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

NOW THEREFORE, BE IT ORDAINED that, as originally requested by an application dated February 18, 2011 for Site Plan #106, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in the conditions below (which drawings, etc... are hereafter collectively referred to as “Revised Site Plan Application”), for a Site Plan Amendment for live entertainment and dancing, for the parcel of real property known as RPC# 29-014-020 and 2800 S.

Randolph Street, Suite 110, approval is granted and the parcel so described shall be used according to the Site plan as originally approved on September 16, 2006 and amended from time to time as shown in the records of the Office of Zoning administration, and as amended by the Revised Site Plan Application, subject to all previous conditions and the following new condition:

79. The applicant agrees that live entertainment and dancing use permitted at Samuel Beckett’s Irish Gastro Pub at 2800 S. Randolph Street, Suite 110 is a temporary use only that has been approved for a limited three (3) year period, and not longer. During the three year period, the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the use will terminate after a period of three (3) years, on May 19, 2015, without further action by the County Board, unless otherwise approved prior to that date. The applicant agrees that it will cease use of the space for the purposes of live entertainment and dancing, and shall convert the space to another approved use, or fully vacate the space, on or before May 19, 2015. The applicant acknowledges and agrees that after May 19, 2015, it shall have no right to use the space for live entertainment and dancing purposes unless specific approval for that use is obtained from the County Board. In addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing use shall be subject to the following additional conditions:

~~1-~~ A. Live entertainment is permitted from 8 p.m. to 11 p.m., Sunday through Thursday; 8 p.m. to 1 a.m. Friday, Saturday, and the eve of all Federal Holidays. For the purposes of this condition, Federal Holidays shall be defined as all legal federal holidays, as well as St. Patrick’s Day, Cinco de Mayo, and Halloween.

~~2-~~ B. The applicant shall comply with the Arlington County noise ordinance and the windows and doors shall remain closed during the times of live entertainment. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building.

~~3-~~ C. The applicant agrees to comply with all requirements of County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Alcohol Beverage Control Board.

~~4-~~ D. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.

~~5-~~ E. The applicant shall designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the live entertainment. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Fairlington Civic Association and the Fairlington-Shirlington Neighborhood Conservation Area Representative.

[Board Report #2](#)

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3. SP #194 SITE PLAN AMENDMENT REVIEW FOR RESTAURANT PROVIDING LIVE ENTERTAINMENT AND DANCING AND OUTDOOR CAFE IN A PUBLIC SIDEWALK EASEMENT AT MAD ROSE; LOCATED AT 3100 CLARENDON BOULEVARD (RPC# 19-002-007).

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the ordinance to approve an amendment to SP #194 to renew live entertainment and dancing, and outdoor café at Mad Rose, subject to all previously approved conditions, with a County Board review in one (1) year (May 2013), an administrative review in six (6) months (November 2012) and with one (1) additional condition specifying that the uses are temporary and will expire in 2013 unless renewed by the County Board.

WHEREAS, applications for Site Plan Amendments dated February 22, 2011 and September 12, 2011 for Site Plan #194, were filed with the Office of the Zoning Administrator: and

WHEREAS, as indicated in Staff Report[s] prepared for the May 19, 2012 County Board meetings and through comments made at the public hearing before the County Board, the County Manager

recommends that the County Board renew the Site Plan Amendments subject to numerous conditions as set forth in the Staff Report[s]; and

WHEREAS, the County Board held a duly-advertised public hearing on the Site Plan

Amendments on May 19, 2012 and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning Administrator, that the improvements and/or development proposed by the Site Plan as amended:

- Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance; and
- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

NOW THEREFORE, BE IT ORDAINED that, as originally requested by an applications dated February 22, 2011 and September 12, 2011 for amendments to Site Plan #194, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition 37 below (which drawings, etc... are hereafter collectively referred to as "Revised Site Plan Application"), for a Site Plan Amendment for live entertainment and dancing and outdoor café in a public sidewalk easement, for the parcel of real property known as RPC# 19-002-007, approval is granted and the parcel so described shall be used according to the Site plan as originally approved on March 23, 1982 and amended from time to time as shown in the records of the Office of Zoning administration, and as amended by the Revised Site Plan Application, subject to all previous conditions, and the following new condition:

37. The applicant agrees that live entertainment and dancing, and outdoor café seating in the public sidewalk easement permitted at Mad Rose at 3100 Clarendon Boulevard are temporary uses only that have been approved for a limited one (1) year period, and not longer. During the one year period, the uses are permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the uses will terminate after a period of one (1) year, on May 19, 2013, without further action by the County Board. The applicant agrees that it will cease use of the space for the purposes of live entertainment and dancing and outdoor café seating in the public sidewalk easement, and shall convert the space to another approved use, or fully vacate the space, on or before May 19, 2013. The applicant acknowledges and agrees that after May 19, 2013, it shall have no right to use the space for live entertainment and dancing purposes or outdoor café seating in the public sidewalk easement unless specific approval for those uses are obtained from the County Board. In addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing and outdoor café seating uses shall be subject to the following additional conditions:

a. 1-The outdoor seating area is permitted on Clarendon Boulevard and Washington Boulevard as shown on the plans entitled "Outdoor Seating Plan (Mad Rose Restaurant)," dated April 17, 2011, revised through May 12, 2011, and attached to this report. The applicant agrees to maintain a minimum of eight (8) feet of clear sidewalk width along Clarendon Boulevard and a minimum of six (6) feet of clear sidewalk width along Washington Boulevard. Clear sidewalk width shall be measured from the outer surface of the removable barrier. The outdoor seating shall be limited to a maximum total seating capacity of 73 seats.

b. 2-The applicant agrees that any use of umbrellas in the outdoor seating area shall not contain any signs or interfere with pedestrian movement along the sidewalk. No outdoor fixtures shall display any sign messages unless a sign permit has been approved by the Zoning Office.

c. 3-The applicant agrees that all outdoor seating including tables, chairs, and removable barriers, shall be removed from the sidewalk annually during the winter months (December, January, and February). No outdoor seating equipment shall be stored on the sidewalk.

d. 4-The applicant agrees that the barrier, as depicted on the plan and as required by code, shall be installed so that it is not permanently affixed to the sidewalk and cannot easily be moved by patrons; however it shall be able to be removed by the applicant seasonally.

e. 5-The applicant agrees that the site plan amendment for an outdoor café shall be reviewed by the County Board upon any change of tenancy of the subject space currently occupied by Mad Rose.

f. ~~1-~~The applicant agrees that live entertainment is permitted only from 9 p.m. to 1:30 a.m., Thursday, Friday, and Saturday nights; and 9 p.m. to 12:30 a.m. Sundays through Wednesdays.

g. ~~2-~~The applicant agrees to comply, by way of illustration and not limitation, with all applicable requirements of County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Alcohol Beverage Control Board (ABC).

h. ~~3-~~The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights where bands or deejays are performing at the restaurant... The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.

i. ~~4-~~The applicant agrees to comply with the Arlington County noise ordinance and further agrees that the restaurant's windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.

j. ~~5-~~The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.

k. ~~6-~~The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.

l. ~~7-~~The applicant agrees to post signs in windows telling patrons to respect the peace of residential neighborhoods and to avoid parking in the residential neighborhood where possible.

m. ~~8-~~The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.

n. ~~9-~~The applicant agrees to make customers aware of proximity to Metro, available parking and any special parking arrangements through postings in the restaurant and on their website.

o. ~~10-~~The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

p. ~~11-~~The applicant agrees to participate in the established Clarendon Live Entertainment Neighborhood Advisory Group, consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Fire Marshal, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses. One (1) of the quarterly meetings will consist of an educational seminar to review requirements and regulations of various departments, codes, and policies. The applicant agrees to have a representative with management authority in the restaurant attend all such meetings.

q. ~~12-~~The applicant agrees to designate and make available a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the live entertainment. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association, and the Clarendon Alliance.

r. ~~13-~~The applicant agrees that the approval for live entertainment at 3100 Clarendon Boulevard is valid only for Mad Rose. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

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USE PERMITS REQUEST/REVIEWS/AMENDMENTS

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- 4. U-1860-71-5 USE PERMIT AMENDMENT TO ALLOW AN INCREASE IN GROSS FLOOR AREA (GFA) FOR LOCKER ROOMS AND BATHROOM FACILITIES TO A PREVIOUSLY APPROVED FITNESS FACILITY FOR THE WASHINGTON GOLF AND COUNTRY CLUB AND TO REDESIGN THE ROOF; LOCATED AT 4813, 4831 OLD DOMINION DRIVE (RPC# 03-061-002, 03-061-003, 03-061-004, 03-061-005, 03-061-007, 03-061-010, 03-061-011, 03-061-012, 03-061-016, 03-061-017, 03-061-024, 03-061-027, 03-061-028).**

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

BE IT ORDAINED that, pursuant to application U-1860-71-5 on file in the Office of the Zoning Administrator for a use permit amendment for the parcel of real property known as Washington Golf and Country Club and to redesign the roof; located at 4813, 4831 Old Dominion Drive (RPC# 03-061-002, 03-061-003, 03-061-004, 03-061-005, 03-061-007, 03-061-010, 03-061-011, 03-061-012, 03-061-016, 03-061-017, 03-061-024, 03-061-027, 03-061-028), 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 revised Condition #17 as set forth below, and with a County Board review in one (1) year (May 2013).

Revised Condition #17:

- 17. The WGCC agrees to provide final development plans, architectural drawings and landscape plans to the Rock Spring Civic Association prior to the request for a building permit. The intent herein shall be to provide the Rock Spring Civic Association the opportunity to review the final plans prior to the start of construction to assure that the final plans are in conformance with these conditions. The WGCC agrees to submit a letter signed by the President of the Rock Spring Civic Association which states that the Association has reviewed the final plans and that they are in conformance with the existing conditions of the Use Permit as amended by the County Board on ~~December 10, 2011~~ May 19, 2012. The applicant shall be permitted, however, to redesign the interior floor plans of the proposed new building subject to an administrative review by the Zoning Administrator. Revised plans shall be approved by the Zoning Administrator only if revisions do not increase the gross floor area from what is shown on, and are generally consistent with plans dated January 31, 2012, titled Floor Plan Sheet A1.1 and submitted to Arlington County on April 13, 2012, and as amended by the County Board on May 19, 2012, and in no event shall change the use mix and the gross floor area approved on May 19, 2012. [Clerk’s note: as set forth in the document entitled “Addendum-5-19-12-B- U-1860-71-5” attached for the public record to these minutes.]

[Board Report #4](#)

[Addendum-5-19-12-B- U-1860-71-5](#)

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5. U-2932-97-1 USE PERMIT REVIEW FOR A DENTAL OFFICE FOR NATALIE LAM; LOCATED AT 450 N. THOMAS STREET (RPC# 20-013-010).

On the consent agenda vote, after a duly advertised public hearing, the Board discontinued the subject use permit for a dental office.

[Board Report #5](#)

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6. U-2976-00-2 USE PERMIT REVIEW FOR A SUMMER DAY CAMP AT THE COLUMBUS CLUB, LOCATED AT 5115 LITTLE FALLS ROAD (RPC# 02-024-027).

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

BE IT ORDAINED that, pursuant to application U-2976-00-2 on file in the Office of the Zoning Administrator for a use permit renewal for a summer day camp for the parcel of real property located at 5115 Little Falls Road (RPC# 02-024-027), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to revised conditions #1-7 and with no further scheduled County Board review.

1. The applicant ~~shall~~ agrees to meet the requirements of the Community Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office, throughout the life of this use permit.
2. The applicant agrees to must have obtained a license for its summer camp program from the ~~Commonwealth~~ State of Virginia before operation of the Traditional Summer Day Camp begins.
3. The applicant agrees that its enrollment program capacity shall be limited to a maximum of 150 children.
4. The applicant agrees to direct pParents dropping off or picking up children to must utilize ~~the drive aisles and parking lot on the interior of the lot.~~
5. The applicant agrees that summer camp hours of operation will be limited to from 7:00 a.m. until 6:00 p.m., Mondays through Fridays, during the months of June, July and August.
6. The applicant agrees to Columbus Club will provide the name, address and phone number of an on-going community liaison to communicate with nearby residents and neighbors to address concerns which may be related to the use and an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the use to the Zoning Administrator and to the presidents of the Rock Spring and Yorktown Civic Associations, ~~prior to the issuance of an occupancy permit, in order to effectively address neighborhood concerns.~~
7. The applicant agrees to shall plant landscape screening along the property which abuts 5012, 5018 and 5024 North 33rd Street and shall provide additional plant screening along the remainder of the northern property boundary, as well as along the western property boundary (North 32nd Street). The plant material will be chosen in consultation with the impacted neighbors and County Arborist, and must be approved by the County Manager or his designee. All existing and new plant screening shall be maintained by the applicant and dead landscaping will be replaced as soon as practical.

[Board Report #6](#)

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7. U-3145-05-1 USE PERMIT REVIEW FOR A VEHICLE SERVICE ESTABLISHMENT; LOCATED AT 4060 LEE HIGHWAY (RPC# 06-018-002).

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

BE IT ORDAINED that, pursuant to application U-3145-05-1 on file in the Office of the Zoning Administrator for a use permit for a vehicle service establishment for the parcel of real property located at 4060 Lee Highway (RPC# 06-018-002), 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 and one (1) new condition, with an administrative review in four (4) months (September 2012) and with a County Board review in three (3) years (May 2015).

New Condition:

13. The applicant agrees to revise, resubmit, and obtain the County Manager or her designee’s approval of a landscape plan as required by Condition #12 of this use permit, prior to June 19, 2012. The revised plan shall be in conformance with the standards and specifications identified in Condition #12 of this use permit. The County Manager shall approve the plan if she finds that the plan demonstrates that all plants are properly selected, spaced, and planted to achieve a healthy landscape buffer that screens the parking area from the sidewalk, and that sufficient maintenance is provided to ensure that plant material is healthy and survives. The applicant further agrees to implement the approved landscape plan, including maintenance, throughout the life of the use permit and any renewals.

[Board Report #7](#)

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8. U-3196-08-3 USE PERMIT REVIEW FOR AN AFTER SCHOOL PROGRAM FOR THE YMCA, LOCATED AT ARLINGTON METHODIST CHURCH, 716 S. GLEBE RD. (RPC# 23-028-016)

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

BE IT ORDAINED that, pursuant to application U-3196-08-3 on file in the Office of the Zoning Administrator for a use permit renewal for an after school program for the parcel of real property located at 716 S. Glebe Rd. (RPC# 23-028-016), 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 with a County Board review in five (5) years (May 2017).

[Board Report #8](#)

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9. U-3199-08-2 USE PERMIT AMENDMENT TO MODIFY CONDITION #26 TO ELIMINATE THE REQUIREMENT THAT AFFORDABILITY CONTINUE AFTER FORECLOSURE AND BRING THIS USE PERMIT INTO COMPLIANCE WITH VHDA FINANCING REQUIREMENTS; LOCATED AT 901 SOUTH DINWIDDIE STREET (ARLINGTON MILL RESIDENCES) (RPC# 22-001-724).

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

BE IT ORDAINED that, pursuant to application U-3199-08-2 on file in the Office of the Zoning Administrator for a use permit amendment for the Arlington Mill Residences to modify Condition #26, to eliminate the requirement that affordability restrictions continue in the event of a foreclosure, for the parcel of real property located at 901 South Dinwiddie Street (Arlington Mill Residences) (RPC# 22-001-724) approval is granted and the parcel so described shall be used according to the approval requested by the application.

Affordable Housing

26. The developer agrees that the land underlying the Arlington Mill Residences is being made available to the housing developer through a Ground Lease for the purpose of providing affordable housing. Therefore, the developer agrees that no permits will be issued for this project until a lease for the subject property that is acceptable to the County Manager, has been executed by both the County and the developer. The developer agrees that the lease will provide, among other things, that 99% of the apartments will be affordable (121 of 122 units) to households earning 60% of the Area Median Income (AMI) and such lower amounts as the Developer and County may mutually agree in the terms of the lease for so long as such requirements are applicable under the Ground Lease. Rents for the 121 units will remain affordable for the life of the Ground Lease (at least 75 years)- The developer agrees to implement and comply with the affordability requirements described in the Deed of Ground Lease for Arlington Mill Residences, particularly in Article IV Section 4.04 and with Exhibit C Affordable Housing Program of the Ground Lease approved on October 31, 2011 and as may be amended from time to time by mutual agreement of the parties, for so long as such requirements are applicable under the Ground Lease.

[Board Report #9](#)

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10. U-3309-11-1 USE PERMIT FOR LIVE ENTERTAINMENT AT EL RANCHO MIGUELENO; LOCATED AT 3709 COLUMBIA PIKE (RPC# 23-039-031).

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

BE IT ORDAINED that, pursuant to application U-3309-11-1 on file in the Office of the Zoning Administrator for a use permit for live entertainment for the parcel of real property located at 3709 Columbia Pike (RPC# 23-039-031), approval is granted and the parcel so described shall be used according to the approval requested by the application subject to the conditions of the staff report, with an administrative review in six (6) months (November 2012) and a County Board review in one (1) year (May 2013).

Conditions:

1. The applicant agrees that live entertainment (karaoke) is permitted only from 9:30 p.m. to 12:30 a.m., Thursday through Saturday evenings.

2. The applicant agrees to comply, by way of illustration and not limitation, with all applicable requirements of County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Virginia Department of Alcohol Beverage Control (ABC).
3. The applicant agrees that on-site dedicated security shall be provided from 9:30 p.m. until closing on nights that have live entertainment. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only while they provide this security.
4. The applicant agrees to comply with the Arlington County noise ordinance and further agrees that the restaurant's windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
5. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures), RSVP (Responsible Sellers and Servers), or similar certification.
6. The applicant agrees that dancing is not permitted unless and until a further use permit approval is obtained from the County Board.
7. The applicant agrees to post sign signs in windows telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
8. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
9. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping and picking up cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
10. The applicant agrees to designate and make available a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the live entertainment. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Alcova Heights Civic Association.

[Board Report #10](#)

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11. U-3332-12-2 USE PERMIT FOR AN OUTDOOR CAFE ON AN EASEMENT OF PUBLIC USE FOR WILLIAM JEFFREY'S TAVERN; LOCATED AT 2301 COLUMBIA PIKE, SUITE 100 (RPC# 25-017-098).

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

BE IT ORDAINED that, pursuant to application U-3332-12-2 on file in the Office of the Zoning Administrator for a use permit for an outdoor café on the Columbia Pike frontage only, for the parcel of real property located at 2301 Columbia Pike, Suite 100 (RPC# 25-017-098), approval is granted and the parcel so described shall be used according to the approval requested by the application subject to the conditions of the staff report, with a County Board review in one (1) year (May, 2013).

New Conditions (outdoor café Columbia Pike frontage only):

1. The applicant agrees that outdoor café seating is permitted for nine months of the year along Columbia Pike, but not along S. Adams Street unless otherwise approved by the County Board. The

applicant further agrees that it shall not use the outdoor seating area until a Certificate of Occupancy has been obtained for that use. The applicant agrees that outdoor café seating is permitted as set forth on the plan dated 4/17/2012 revised 4/30/2012 and entitled "Patio Plan for Columbia Pike Seating." The applicant agrees that outdoor café seating and related equipment is permitted only in accordance with the plan approved for issuance of the Certificate of Occupancy. [Clerk's note: as set forth in the document entitled "Addendum-5-19-12-C- U-3332-12-2" attached for the public record to these minutes.]

2. The applicant agrees to submit a revised landscape plan for review and approval by the County Manager or her designee prior to the issuance of the Certificate of Occupancy for the outdoor café seating. This plan shall show the revised number and location of benches along the project frontage.
3. The applicant agrees to maintain a minimum of six (6) feet of clear sidewalk width at all times along the sidewalk on Columbia Pike. The applicant further agrees that the railing associated with the café seating along Columbia Pike shall be relocated during the hours in which the café is not in use so that it is flush with the seating.
4. The applicant agrees that the hours of operation for outdoor café seating shall be limited to no later than 11:30 pm Sunday through Thursday and no later than 12:30 am Thursdays, Fridays and Saturdays, and the eve before all Federal Holidays (for the purposes of this condition Federal Holidays are defined as all legal Federal Holidays as well as St. Patrick's Day, Cinco de Mayo, and Halloween).
5. The applicant agrees that any use of umbrellas in the outdoor seating area shall be done in a manner that does not interfere with pedestrian movement along the sidewalk.
6. The applicant agrees that there shall be no music or audio system sound piped outside to the outdoor seating area at any time.
7. The applicant agrees that all outdoor seating, including without limitation tables, chairs, and removable barriers, shall be removed from the sidewalk annually during the winter months (December, January, and February). No outdoor seating equipment shall be stored on the sidewalk. The applicant further agrees that no permanent furniture, including tables, chairs, railings or umbrellas, shall be installed as part of the outdoor seating.

On the consent agenda vote, after a duly advertised public hearing, the Board deferred the request for an outdoor café on the S. Adams Street frontage to the July 21, 2012 County Board meeting.

[Board Report #11](#)

[Addendum-5-19-12-C- U-3332-12-2](#)

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12. U-3335-12-2 USE PERMIT FOR A SCHOOL FOR THE SHIRE SCHOOL LOCATED AT 5700 LEE HIGHWAY, (RPC# 10-002-001, -007, -010).

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

BE IT ORDAINED that, pursuant to application U-3335-12-2 on file in the Office of the Zoning Administrator for a use permit for the parcel of real property located at 5700 Lee Highway, (RPC# 10-002-001, -007, -010) approval is granted and the parcel so described shall be used according to the approval requested by the application subject to the conditions of the staff report and with a County Board review in January 2014.

Proposed Conditions:

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 the hours of operation shall be August through June, Mondays 9 a.m. to 1 p.m. and Tuesdays through Fridays 9 a.m. to 3:15 p.m., with a maximum enrollment of 10 children and four (4) staff persons.
3. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns that may be related to this school. The name and telephone number of the liaison shall be submitted by the applicant to the Zoning Administrator, as well as to the Leeway Overlee Civic Association, prior to issuance of a Certificate of Occupancy.
4. The applicant agrees to inform parents in writing, at the beginning of every school year and as often as deemed necessary, to obey all traffic laws when picking up and dropping off children or visiting the school. The applicant further agrees to coordinate with Rivendell School the daily pick-up and drop-off of students to minimize the impact on the neighborhood.
5. The applicant agrees to meet annually, in conjunction with Rivendell School, with the Leeway Overlee Civic Association before the new school year begins. The applicant will also inform the Civic Association at that time of upcoming school-year events. The applicant also agrees to continue to inform neighbors of the school in writing of school special events at least once per year.
6. The applicant agrees to cooperate with all requirements of the Department of Parks and Recreation (DPR) for the use of Lee Center Park (including purchasing liability insurance), and if considered necessary by DPR, agrees to enter as a party to the January 2009 Memorandum of Understanding between the Rivendell School and DPR.

[Board Report #12](#)

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13. U-3336-12-1 USE PERMIT FOR LIVE ENTERTAINMENT AT SUMMERS RESTAURANT; LOCATED AT 1520 N. COURTHOUSE ROAD (RPC# 18-001-008).

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

BE IT ORDAINED that, pursuant to application U-3336-12-1 on file in the Office of the Zoning Administrator for a use permit for live entertainment for the parcel of real property located at 1520 N. Courthouse Road (RPC# 18-001-008) approval is granted and the parcel so described shall be used according to the approval requested by the application subject to the conditions in the staff report, with an administrative review in six (6) months (November 2012) and a County Board review in one (1) year (May 2013).

Conditions:

1. The applicant agrees that live entertainment is permitted only on Tuesdays (from 8:00 p.m. to 11:00 p.m.), Wednesdays (from 8:30 p.m. to 12:30 a.m.), Thursdays (from 8:00 p.m. to 11:00 p.m.), Fridays (from 8:30 p.m. to 1:30 a.m.), Saturdays (8:00 p.m. to 1:00 a.m.), and Sundays (Comedy from 8:00 p.m. to 11:00 p.m.).
2. The applicant agrees to comply at all times with the Arlington County noise ordinance. The applicant further agrees that the windows and doors at the premises shall remain closed at all times during the

- times of live entertainment. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building.
3. The applicant agrees to comply with all requirements of County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Alcohol Beverage Control Board.
 4. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
 5. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the live entertainment. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Clarendon-Courthouse Civic Association.

[Board Report #13](#)

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14. U-3337-12-1 USE PERMIT FOR MARTIAL ARTS STUDIO INSTRUCTION TO CHILDREN AT FIFTY/50 BRAZILIAN JIU-JITSU ACADEMY; LOCATED AT 3601 FAIRFAX DRIVE (RPC# 14-032-001).

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

BE IT ORDAINED that, pursuant to application U-3337-12-1 on file in the Office of the Zoning Administrator for a use permit for the operation of a private martial arts studio for children ages 4-17 for the parcel of real property located at 3601 Fairfax Drive (RPC# 14-032-001) approval is granted and the parcel so described shall be used according to the approval requested by the application subject to the conditions of the staff report and with a County Board review in one (1) year (May 2013).

Conditions:

1. The applicant agrees to meet the requirements of the Child Care Ordinance, the Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office, in opening and operating its business, including securing the required fire inspection assembly permit.
2. The applicant agrees that parents and guardians of children ages 4-14 taking classes shall escort their children both to and from the building at all times, and to engage in reasonable efforts to make sure this occurs.
3. The applicant agrees that the hours of operation for instruction to children ages 4-17 are daily from 3:00 p.m. to 6:00 p.m. Monday – Friday and from 9:00 a.m. to 11:00 a.m. on Saturday, with children aged 15-17 permitted to join adult classes offered at other times provided that the total number does not exceed 20% of the total class enrollment.

[Board Report #14](#)

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15. U-3338-12-1 USE PERMIT FOR FAMILY DAY CARE FOR UP TO NINE (9) CHILDREN AT MARTHA'S DAY CARE; LOCATED AT 4511 6TH STREET SOUTH (RPC# 23-013-031).

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

BE IT ORDAINED that, pursuant to application U-3338-12-1 on file in the Office of the Zoning Administrator for a use permit for a family day care for up to nine (9) children for the parcel of real property located at 4511 6th Street South (RPC# 23-013-031) approval is granted and the parcel so described shall be used according to the approval requested by the application subject to the conditions of the staff report, and with a County Board review in one (1) year (May 2013).

Conditions:

1. The applicant agrees to comply, throughout the life of the use permit, with all requirements of the Child Care Office, the Community Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office, including the installation of smoke detection devices.
2. The applicant agrees to limit the number of children in care to nine (9) children.
3. The applicant agrees that the ages of children in care shall be from infants to five (5) years of age.
4. The applicant agrees to not use the front yard as a play area.
5. The applicant agrees that the hours of operation of the family day care home shall occur only between 7:30 a.m. and 5:30 p.m., Mondays through Fridays.

[Board Report #15](#)

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16. U-3339-12-1 USE PERMIT TO ALLOW A FAMILY DAY CARE HOME FOR UP TO SEVEN (7) CHILDREN FOR INOKA OODUGAMA; LOCATED AT 903 S. OAK ST. (RPC# 25-028-007).

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

BE IT ORDAINED that, pursuant to application U-3339-12-1 on file in the Office of the Zoning Administrator for a use permit for the parcel of real property located at 903 S. Oak St. (RPC# 25-028-007) approval is granted and the parcel so described shall be used according to the approval requested by the application subject to the conditions of the staff report and with a County Board review in one (1) year (May 2013).

Conditions:

1. The applicant agrees to meet the requirements of the Child Care Ordinance, Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshall's Office.
2. The applicant agrees that the hours of operation are Monday through Friday between 7 a.m. and 6 p.m.
3. The applicant agrees that parents of children receiving care shall escort their children both to and from the home at all times.
4. The applicant agrees to make at least two (2) unobstructed off-street parking spaces available: one (1) for pick-up and drop-off purposes and the other for an employee parking space. All off-street parking shall at no time impede access to any neighboring property or driveway. The applicant agrees to store his/her personal vehicle(s) at on-street parking spaces to meet the above condition, during the hours of operation for the family day care home.

[Board Report #16](#)

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- 17. U-3340-12-1 USE PERMIT TO ALLOW A 60’ TALL STEALTH, TELECOMMUNICATIONS POLE WITH ACCOMPANYING EQUIPMENT FOR NEW CINGULAR WIRELESS D/B/A AT&T MOBILITY; LOCATED NEAR JEFFERSON DAVIS HIGHWAY AND WASHINGTON BOULEVARD (RPC# 34-036-001, PARCEL 3).**

On the consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the subject use permit request to the July 21, 2012, County Board meeting.

[Board Report #17](#)

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VACATIONS, EASEMENTS, RIGHTS OF WAY, ENCROACHMENTS & LEASES

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- 18. FOURTH AMENDMENT TO AN ORDINANCE TO VACATE CERTAIN EASEMENTS AT LIBERTY CENTER, 875 NORTH RANDOLPH STREET, 888 NORTH QUINCY STREET, 818 NORTH QUINCY STREET, AND 4075 WILSON BOULEVARD (RPC # 14-044-018, 14-044-PCA, 14-044-021 AND 14-044-022).**

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

1. Enacted an Ordinance for a Fourth Amendment to an Ordinance to Vacate Easements for Public Street and Utilities Purposes, and Easements for Public Sidewalk and Utilities Purposes on Parcels 1, 2A, 3, and 4, Liberty Center, 875 North Randolph Street, 888 North Quincy Street, 818 North Quincy Street, and 4075 Wilson Boulevard, such parcels bounded on the North by 9th Street North, on the East by North Quincy Street, on the South by Wilson Boulevard and on the West by North Randolph Street, (RPC# 14-044-018, 14-044-PCA, 14-044-021 and 14-044-022), with Conditions (“Fourth Amended Ordinance”) (Attachment 1). [Clerk’s note: as set forth in the document entitled “Addendum-5-19-12-D- Liberty Center Vacation” attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, or his designee, to execute, and to accept, on behalf of the County Board, all documents necessary to effectuate the Fourth Amended Ordinance, subject to approval as to form by the County Attorney.

[Board Report #18](#)

[Addendum-5-19-12-D- Liberty Center Vacation](#)

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- 19. APPROVAL OF A DEED OF EASEMENT FOR PUBLIC SIDEWALK, UTILITIES AND DRAINAGE PURPOSES FOR A DEPARTMENT OF ENVIRONMENTAL SERVICES STREET IMPROVEMENT PROJECT ON PROPERTY LOCATED AT 2222 S. ARLINGTON RIDGE ROAD, ARLINGTON, VIRGINIA (RPC # 37-038-001).**

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

1. Approved the Deed of Easement for Public Sidewalk, Utilities and Drainage Purposes on the property located at 2222 S. Arlington Ridge Road, Arlington, Virginia (RPC # 37-038-001); [Clerk's note: as set forth in the document entitled "Addendum-5-19-12-E- Arlington Ridge Road Easement" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept, on behalf of the County Board, the attached Deed of Easement, subject to approval as to form by the County Attorney.

[Board Report #19](#)

[Addendum-5-19-12-E- Arlington Ridge Road Easement](#)

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- 20. APPROVAL AND AUTHORIZATION TO ACCEPT: 1) DEED OF EASEMENT FOR PUBLIC SIDEWALK, UTILITIES AND DRAINAGE PURPOSES ON LOT 37, SECTION 1, F.D. PAXTON'S SUBDIVISION, LOCATED AT 2244 NORTH NOTTINGHAM STREET, RPC #11-001-057; 2) DEED OF EASEMENT FOR PUBLIC SIDEWALK, UTILITIES AND DRAINAGE PURPOSES ON PART LOT 4-A, SECTION 1, F.D. PAXTON'S SUBDIVISION, LOCATED AT 2334 NORTH NOTTINGHAM STREET, RPC #11-001-030; AND 3) DEED OF DEDICATION FOR PUBLIC STREET AND UTILITIES PURPOSES ON PART LOT 4-A, SECTION 1, F.D. PAXTON'S SUBDIVISION, LOCATED AT 2334 NORTH NOTTINGHAM STREET, RPC #11-001-030.**

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

1. Approved the Deed of Easement from Anne E. Murphy and Patrick J. Murphy, husband and wife, to the County Board of Arlington County, Virginia ("Exhibit 1"), granting to the County a permanent easement for public sidewalk, utilities, and drainage purposes on a portion of the property located at 2244 North Nottingham Street, RPC #11-001-057;
2. Approve the Deed of Easement from Gloria Sanchez to the County Board of Arlington County, Virginia ("Exhibit 2"), granting to the County a permanent easement for public sidewalk, utilities, and drainage purposes on a portion of the property located at 2334 North Nottingham Street, RPC #11-001-030;
3. Approved the Deed of Dedication from Gloria Sanchez, Grantor, Mortgage Electronic Registration Systems, Inc., Lender, and Michael Milchak, Trustee, to the County Board of Arlington County, Virginia ("Exhibit 3"), dedicating in fee simple an area for public street and utilities purposes on a portion of the property located at 2334 North Nottingham Street, RPC #11-001-030; and
4. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee to accept, on behalf of the County Board, the Deeds of Easements and the Deed of Dedication attached hereto as Exhibits "1-3" and all associated documents, subject to approval of all documents by the County Attorney.

[Clerk's note: as set forth in the document entitled "Addendum-5-19-12-F- North Nottingham Street" attached for the public record to these minutes.]

[Board Report #20](#)

[Addendum-5-19-12-F- North Nottingham Street](#)

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21. ENACTMENT OF AN ORDINANCE TO PERMIT THE ENCROACHMENTS OF: 1) PORTIONS OF AN EXISTING BUILDING, EXISTING BUILDING FAÇADE AND EXISTING BUILDING COLUMNS; AND 2) PORTIONS OF BUILDING COLUMN PROPOSED ADDITIONS AND BUILDING FAÇADE PROPOSED ADDITIONS, EITHER OVER, UPON, OR WITHIN A SURFACE EASEMENT FOR SIDEWALK PURPOSES, LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WILSON BOULEVARD AND CLARENDON BOULEVARD, AND RUNNING ALONG THE WILSON BOULEVARD AND CLARENDON BOULEVARD RIGHTS OF WAY, ON LOTS 26, 28 AND 29, BLOCK 2, WHARTON’S ADDITION TO FORT MYER HEIGHTS, RPC #17-004-020, ALL WITH CONDITIONS.

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

1. Enact the attached Ordinance to Permit the Encroachments of: 1) Portions of an Existing Building, Existing Building Façade and Existing Building Columns; and 2) Portions of Building Column Proposed Additions and Building Façade Proposed Additions, either over, upon, or within a Surface Easement for Sidewalk Purposes, located at the Southwest Corner of the Intersection of Wilson Boulevard and Clarendon Boulevard, and Running Along the Wilson Boulevard and Clarendon Boulevard rights of way, on Lots 26, 28 and 29, Block 2, Wharton’s Addition to Fort Myer Heights, RPC #17004020, all with Conditions. [Clerk’s note: as set forth in the document entitled “Addendum-5-19-12-G- Wilson Boulevard Encroachments” attached for the public record to these minutes.]
2. Authorize the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute, on behalf of the County Board, all documents necessary to effectuate the Ordinance, subject to approval as to form by the County Attorney.

[Board Report #21](#)

[Addendum-5-19-12-G- Wilson Boulevard Encroachments](#)

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ORDINANCES, PLANS AND POLICIES

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22. ADOPT AMENDMENT, REENACTMENT AND RE-CODIFICATION OF CHAPTER 14.2 OF THE ARLINGTON COUNTY CODE TO UPDATE AND STANDARDIZE FORMATTING AND STYLING, AND TO CONFORM THE CHAPTER TO PREVIOUSLY APPROVED COUNTY BOARD ACTIONS.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the re-codification of Chapter 14.2 of the County Code, in the form attached hereto, to standardize formatting, correct errors and bring the Chapter into conformance with approved County Board actions. [Clerk’s note: as set forth in the document entitled “Addendum-5-19-12-H- Chapter 14.2” attached for the public record to these minutes.]

[Board Report #22](#)

[Addendum-5-19-12-H- Chapter 14.2](#)

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23. ADOPT AN ORDINANCE TO AMEND, REENACT, AND RECODIFY CHAPTER 40 (TRANSIENT OCCUPANCY TAX) OF THE CODE OF ARLINGTON COUNTY, VIRGINIA RELATING TO THE

TRANSIENT OCCUPANCY TAX LEVY RATE.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the amendment to Chapter 40 (Transient Occupancy Tax) of the Code of Arlington County to conform with current State legislation regarding the expiration of the additional transient occupancy tax levy for the purpose of promotion of tourism and business travel in Arlington County.

* * *

AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 40 (TRANSIENT OCCUPANCY TAX) OF THE CODE OF ARLINGTON COUNTY, VIRGINIA CONCERNING THE EXPIRATION OF ADDITIONAL LEVY AMOUNT.

I. BE IT ORDAINED by the County Board of Arlington County, Virginia that Chapter 40 of the Code of Arlington County, Virginia is hereby amended, reenacted, and reordained, to read, in pertinent part, as follows:

* * *

§ 40-2. Levy and Rate.

In addition to all other taxes of every kind now or hereafter imposed by law, there is hereby imposed and levied on each and every transient a tax equivalent to five ~~and one quarter percent (5.25%)~~ (5.00%) of the total amount paid for room rental by or for any such transient to any hotel.

~~The difference between the receipts from a tax of five and one quarter percent (5.25%) and five percent (5%) of the total amount paid for room rentals taxed under the previous paragraph shall be designated and spent for the purpose of promotion of tourism and business travel in Arlington County in addition to the amount budgeted by the County in fiscal year 1990 for the promotion of tourism and business travel.~~

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[Board Report #23](#)

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CAPITAL PROJECTS

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24. AWARD OF CONTRACT TO AVON CORPORATION FOR THE CONSTRUCTION OF JAMES HUNTER PARK.

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

1. Approved the Award of Contract Number 670-12 in the amount of \$1,463,914.18 to Avon Corporation and approve an allocation of \$219,587.11 as a contingency for change orders, for a total contract authorization of \$1,683,501.20.
2. Authorized the Purchasing Agent to execute the contract documents and all other documents to implement the above actions, subject to review of such documents by the County Attorney.

[Board Report #24](#)

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25. AWARD OF CONTRACT TO CHESAPEAKE ELECTRICAL SYSTEMS, INC. FOR CONSTRUCTION OF THE PHASE TWO FIBER OPTIC NETWORK PROJECT.

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

1. Approved award of Contract Number 676-12 to Chesapeake Electrical Systems, Inc. in the amount of \$7,441,393.10
2. Approved an additional allocation of \$558,974.02 for contingencies, engineering and inspection, for a total contract amount authorization of \$8,000,367.12
3. Authorized the Purchasing Agent to execute the contract documents, subject to approval by the County Attorney.

[Board Report #25](#)

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26. AWARD OF CONTRACT TO SAGRES CONSTRUCTION CORPORATION FOR THE CONSTRUCTION OF VARIOUS UNDERGROUND UTILITIES AND STREET IMPROVEMENTS ALONG COLUMBIA PIKE FROM S. WAKEFIELD STREET TO SOUTH FOUR MILE RUN DRIVE, INVITATION TO BID NUMBER 681-12.

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

1. Approve the award of Contract No. 681-12 to Sagres Construction Corporation for the construction of various underground utilities and street improvements along Columbia Pike, in the amount of \$4,989,097.00, and authorize an allocation of \$500,000.00 as a contingency for change orders and increased quantities, and \$250,000.00 for stipulated price items, for a total contract authorization of \$5,739,097.00.
2. Authorize the Purchasing Agent to execute the contract documents, subject to review by the County Attorney.

[Board Report #26](#)

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APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS

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28. APPROVAL OF MASTER AGREEMENT FOR USE OF COMMONWEALTH TRANSPORTATION FUNDS BETWEEN THE GRANTEE (ARLINGTON COUNTY) AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT)

On the consent agenda vote, after a duly advertised public hearing, the Board approved a Master Agreement for Use of Commonwealth Transportation Funds between the Department of Rail and Public Transportation (DRPT) and the Grantee (Arlington County), in the form attached hereto, and authorize the County Manager to execute the Agreement, subject to approval of the Agreement as to form by the County Attorney. [Clerk's note: as set forth in the document entitled "Addendum-5-19-12-I- DRPT Agreement" attached for the public record to these minutes.]

[Board Report #28](#)

[Addendum-5-19-12-I- DRPT Agreement](#)

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REQUESTS TO ADVERTISE

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29. REQUEST TO ADVERTISE A PUBLIC HEARING FOR AMENDMENTS TO THE ZONING FEE SCHEDULE TO INCLUDE NEW FEES FOR "CRYSTAL CITY BLOCK PLAN" APPLICATIONS.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the resolution to authorize advertisement of a public hearing by the County Board on June 16, 2012 to amend the zoning fee schedule to include new fees for "Crystal City Block Plan" applications.

RESOLUTION TO AUTHORIZE THE ADVERTISEMENT OF A PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE ZONING FEE SCHEDULE FOR THE JUNE 16, 2012, COUNTY BOARD MEETING, TO ADD A FEE FOR CRYSTAL CITY BLOCK PLAN APPLICATIONS IN ORDER TO PROVIDE FOR EFFICIENT ADMINISTRATION OF THE COUNTY'S ZONING ORDINANCE; TO ENCOURAGE ECONOMIC DEVELOPMENT; AND TO PROMOTE THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC

The County Board of Arlington County hereby resolves to authorize advertisement of a public hearing at the June 16, 2012, County Board meeting to consider amending the adopted schedule of zoning fees as follows:

**ARLINGTON COUNTY, VIRGINIA
DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND
DEVELOPMENT
ZONING ADMINISTRATION**

**CONSOLIDATED FEE SCHEDULE FOR
APPLICATIONS, VARIOUS PERMITS,
BUILDING PERMITS AND SUBDIVISION
PLATS**

APPLICATION FEES

OCTOBER 15, 2011-JUNE 16, 2012

SITE PLAN APPROVALS & AMENDMENT

Phased Development Site Plan - \$20,057, plus \$122 per acre, plus DES fee of \$20,057 plus \$122 per acre.

Crystal City Block Plan - \$10,028, plus DES fee of \$10,028.

Crystal City Block Plan Amendments- \$5,014, plus DES fee of \$5,014.

Final Site Plans - For Site Plans in "R" & "RA" districts of fewer than 25 units, "C-2" & "Voluntary Coordinated Housing Preservation and Development District (VCHPDD)" - \$2,973 plus \$26 per 100 sq. ft. of office & commercial space, plus \$111 per dwelling unit, plus DES fee of \$1,093 plus \$11 per 100 sq. ft. office/commercial plus \$56 per unit.

[Board Report #29](#)

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- 30. REQUEST TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SITE PLANS #13 (CRYSTAL HOUSES LOFTS, RPC #35-011-007 AND -008, AND 36-018-014), 297 (PENTAGON CENTER PHASE ONE, RPC #35-004-001), 331 (ARLINGTON GATEWAY/FAIRMONT, RPC #14-051-019), 335 (ROSSLYN CENTRAL PLACE, RPC#16-038-001, -002, -003, -004, -014, -015 AND -016), 346 (POTOMAC YARD BAY C, RPC #34-027-071 AND -072; BAY D-EAST, RPC #34-027-062; AND BAY D-WEST AND CENTER PARK, RPC #34-027-052 AND -065), 382 (NATIONAL SCIENCE TEACHERS ASSOCIATION, RPC #17-011-019, -021 AND -023), 413 (FOUNDERS SQUARE, RPC #14-060-036, -068, -069, -070, -074, -077), AND 417 (WAKEFIELD MANOR, RPC#: 17-017-001, 002, 003, AND -004), AND USE PERMIT U-3148-05-1 (2525 LEE HIGHWAY UCMUD, RPC #15-007-006) TO MODIFY CONDITION LANGUAGE AND THE TIMING REQUIRED FOR COMPLIANCE WITH CERTAIN CONDITIONS, RELATED TO THE FINAL LANDSCAPE PLAN, CIVIL ENGINEERING PLANS, STREET LIGHTING, AND CONTRIBUTIONS TO THE COUNTY’S TREE CANOPY FUND.**

On the consent agenda vote, after a duly advertised public hearing, the Board authorized advertisement of a public hearing by the County Board on its own motion on June 16, 2012, to consider amending Site Plans #13 (Crystal Houses Lofts, RPC #35-011-007 and -008, and 36-018-014), 297 (Pentagon Center Phase One, RPC #35-004-001), 331 (Arlington Gateway/Fairmont, RPC #14-051-019), 335 (Rosslyn Central Place, RPC#16-038-001, -002, -003, -004, -014, -015 and -016), 346 (Potomac Yard Bay C, RPC #34-027-071 and -072; Bay D-East, RPC #34-027-062; and Bay D-West and Center Park, RPC #34-027-052 and -065), 382 (National Science Teachers Association, RPC #17-011-019, -021 and -023), 413 (Founders Square, RPC #14-060-036, -068, -069, -070, -074, -077), and 417 (Wakefield Manor, RPC#: 17-017-001, 002, 003, and -004), and Use Permit U-3148-05-1 (2525 Lee Highway UCMUD, RPC #15-007-006) to modify condition language and the timing required for compliance with certain conditions related, to the final landscape plan, civil engineering plans, street lighting, and contributions to the County’s Tree Canopy Fund.

[Board Report #30](#)

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- 31. REQUEST TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SITE PLANS #13 (CRYSTAL HOUSES LOFTS), 18 (1812 N. MOORE STREET), 51 (JEFFERSON**

PLAZA), 105 (METROPOLITAN PARK 3), 297 (PENTAGON CENTER PHASE ONE), 331 (ARLINGTON GATEWAY FAIRMONT), 335 (ROSSLYN CENTRAL PLACE), 346 (POTOMAC YARD BAYS C, D-EAST AND D-WEST), 382 (NSTA), 386 (3901 FAIRFAX), 389 (2000 WILSON BOULEVARD), 392 (1200 N. IRVING STREET), 395 (DOMINION HEIGHTS), 400 (MONUMENT VIEW/BOEING), 401 (PECK/STAPLES/JORDAN MANOR), 403 (2009 14TH STREET), 405 (BUCKINGHAM VILLAGE 1), 406 (2201 PERSHING DRIVE), 409 (1716 WILSON BOULEVARD), 411 (1900 WILSON BOULEVARD), 412 (ROSSLYN COMMONS), 413 (FOUNDERS SQUARE), 416 (VIRGINIA SQUARE TOWERS), 417 (WAKEFIELD MANOR), AND 418 (3001 WASHINGTON BOULEVARD), AND USE PERMITS U-1671-65-3 (MARYMOUNT UNIVERSITY), U-2443-85-1 (ARMY NAVY COUNTRY CLUB), U-3041-02-1 (YORKTOWN HIGH SCHOOL), U-3148-05-1 (2525 LEE HIGHWAY UCMUD), U-3155-06-1 (4250 N. GLEBE/BARRETT URD), U-3241-09-2 (WAKEFIELD HIGH SCHOOL), AND U-3242-09-1 (BUCKINGHAM VILLAGE 3), TO AMEND THE CONDITIONS WHICH STIPULATE MINIMUM TREE CALIPER SIZE REQUIREMENTS FROM 4 TO 4 ½ INCHES TO 3 ½ INCHES.

On the consent agenda vote, after a duly advertised public hearing, the Board authorized advertisement of a public hearing by the County Board on its own motion on June 16, 2012, to consider the subject amendments to Site Plans #13, 18, 51, 105, 297, 331, 335, 346 (Potomac Yard Bays C, D-East and D-West), 382, 386, 389, 392, 395, 400, 401, 403, 405, 406, 409, 411, 412, 413, 416, 417, and 418, and Use Permits U-1671-65-3, U-2443-85-1, U-3155-06-1, U-3148-05-1, U-3242-09-1, U-3241-09-2, and U-3041-02-1, to amend the conditions which stipulate minimum tree caliper size requirements from 4 to 4 ½ inches to 3 ½ inches.

[Board Report #31](#)

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32. REQUEST TO ADVERTISE AN AMENDMENT TO CHAPTER 10 (GARBAGE, REFUSE, AND WEEDS) ARTICLE II, SECTION 10-12 OF THE CODE OF ARLINGTON COUNTY, CONCERNING CONDITION OF PRIVATE PROPERTY, TO UPDATE THE DEFINITION OF "INOPERATIVE MOTOR VEHICLE" TO CONFORM WITH THE DEFINITION OF THE SAME TERM IN THE CODE OF VIRGINIA.

On the consent agenda vote, after a duly advertised public hearing, the Board authorized the advertisement of a June 16, 2012, public hearing to enact the attached Ordinance to Amend, Reenact and Recodify Chapter 10 (Garbage, Refuse and Weeds) Article II, Section 10-12 of the Code of Arlington County, concerning Condition of Private Property, to update the definition of "inoperative motor vehicle" to conform with the definition of the same term in the Code of Virginia.

Text denoted with underline or ~~strikethrough~~ is text proposed to be added or deleted, respectfully AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 10 (GARBAGE, REFUSE AND WEEDS), SECTION 10-12 OF THE CODE OF ARLINGTON COUNTY, VIRGINIA CONCERNING CONDITION OF PRIVATE PROPERTY TO UPDATE THE DEFINITION OF INOPERATIVE MOTOR VEHICLE TO CONFORM WITH THE DEFINITION OF THE SAME TERM IN THE CODE OF VIRGINIA.

I. BE IT ORDAINED that Chapter 10, Section 10-12 of the Code of Arlington County, Virginia is hereby amended, reenacted and recodified to read, in pertinent part, as follows:

§ 10-12. Definitions.

The following words and terms, when used in this article, shall have the following meanings unless the context clearly indicates otherwise:

"Danger or hazard to public health or safety" means a condition, as determined by the County Manager or his designee, in which it is reasonably certain or foreseeable that the healthful or sanitary condition or safety of the general body of people in the County is being or will be reduced or

that the healthful or sanitary conditions or safety of persons whom it is in the general County interest to protect is being reduced. Dangers to health or safety may include, by way of illustration and not limitation, trees or parts thereof in danger of falling on the County right-of-way or other public lands, and conditions which may cause disease (including allergic reactions), harbor vermin and other animals, provide shelter or cover for unlawful activities, or be a source for the spread of litter or weeds to the property of others.

“Infestation” means the presence within or around property of any rats.

~~“Inoperative motor vehicle, trailer or semitrailer” means any motor vehicle, trailer or semitrailer which is not in operating condition; or does not display valid license plates; or does not display an inspection decal that is valid or does display an inspection decal that has been expired for more than 60 days, or which, for a period of ninety (90) days or longer, has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle. An inoperative vehicle shall also be considered a vehicle with an observable condition which indicates a state such that it is economically impractical to make such vehicle operative within a reasonable period of time, or which constitutes a health, fire or safety hazard.~~

“Occupant” means any person who has possessory rights or exercises the right to possession of any dwelling unit or rooming unit and who has the right to control or exercises control over the physical conditions of such dwelling unit or rooming unit.

“Owner” means any person who, alone or jointly, or severally with others:

- (1) Shall hold legal title to the property provided that each title may be less than a fee simple; or
- (2) Shall have charge, care, or control of property, dwelling or dwelling unit, as owner, lessee, agent executor, administrator, trustee, or guardian.

“Property” means any land, whether unimproved or improved with buildings or other structures and whether unoccupied or occupied by any person.

“Rodent proofing” means a form of construction which will prevent the ingress or egress of rodents to or from a given building and their access to food, water, or harborage. It consists of the closing and keeping closed every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, attics, roofs, sidewalk gratings, sidewalk openings, and other places that may be reached and entered by rodents by climbing, burrowing or other methods, and by the use of materials impervious to rodent gnawing and other methods approved by the County Manager.

“Vacant property” means property, whether or not improved, which is not occupied by any person.

(2-21-81; 4-24-82; Ord. No. 85-43, 2-1-86; Ord. No. 96-7, 5-11-96)

II. The remainder of Chapter 10 not hereby amended shall remain as previously enacted.

[Board Report #32](#)

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33. **REQUEST TO ADVERTISE AN ORDINANCE TO AMEND, REENACT, AND RECODIFY CHAPTER 27 (MISCELLANEOUS ORDINANCES), SECTION 18 (ESTABLISHMENT OF COURTHOUSE MAINTENANCE FUND) OF THE CODE OF ARLINGTON, VIRGINIA TO INCLUDE A**

COURTHOUSE MAINTENANCE FEE ON ALL CIVIL ACTIONS FILED IN THE ARLINGTON CIRCUIT AND DISTRICT COURTS.

On the consent agenda vote, after a duly advertised public hearing, the Board authorized the advertisement of a public hearing to be held on June 16, 2012, to consider a proposed ordinance, as shown on Attachment A, to amend, reenact, and recodify Section 27-18, of the Code of Arlington County, Virginia, to permit the clerks of the Circuit and District courts of Arlington County to collect a courthouse maintenance fee of two dollars (\$2.00), as part of the fees assessed as costs in each civil action filed.

AMENDMENT TO CHAPTER 27 (MISCELLANEOUS ORDINANCES) OF THE CODE OF ARLINGTON COUNTY, VIRGINIA, RELATING TO COURTHOUSE MAINTENANCE FEE FOR CIVIL ACTIONS FILED IN CIRCUIT AND DISTRICTS COURTS EFFECTIVE JULY 1, 2012.

1. **BE IT ORDAINED** by the County Board of Arlington County, Virginia, that Chapter 27, Section 27-18, of the Code of Arlington County, Virginia, is amended, reenacted, and recodified to read in pertinent part as follows:

* * *

§ 27-18. Establishment of courthouse maintenance fund.

A. The clerks of the Circuit and District Courts of Arlington County shall collect, as part of the fees taxed as costs in each civil action filed, criminal or traffic case and in addition to any other costs, a sum of two dollars (\$2.00).

B. The collected fees shall be transferred to the Treasurer who shall place them into a courthouse maintenance fund kept by the Treasurer.

C. The County Board or its designee may use money from the fund for any purpose allowed by State law relating to the County Courthouse, including, but not limited to, the construction, renovation or maintenance of the Courthouse, Jail or any Courthouse-related facility and the payment of increases in the cost of heating, cooling and electricity.

* * *

2. BE IT FURTHER ORDAINED that all provisions of Chapter 27 of the Code of Arlington County, Virginia, shall remain as previously enacted.

3. BE IT FURTHER ORDAINED that this Ordinance shall be effective on July 1, 2012 at 12:01 am.

[Board Report #33](#)

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34. REQUEST TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ORDINANCE ON PRECINCTS AND POLLING PLACES.

On the consent agenda vote, after a duly advertised public hearing, the Board authorized the advertisement of a public hearing on June 16, 2012 to consider the attached proposed amendments to the ordinance on precincts and polling places, specifically, to adjust the precinct boundaries between the Barcroft 005 and Jefferson 027 Precincts (see Attachment 1). [Clerk's note: as set forth in the document entitled "Addendum-5-19-12-J- Precincts and Polling Places" attached for the public record to these minutes.]

[Board Report #34](#)

[Addendum-5-19-12-J- Precincts and Polling Places](#)

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OTHER

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35. LICENSING AGREEMENTS FOR THE ARLINGTON PREPARES MOBILE APP.

On the consent agenda vote, after a duly advertised public hearing, the Board approved the two licenses attached to the staff report. [Clerk's note: as set forth in the document entitled "Addendum-5-19-12-K- Arlington Prepares Mobile App" attached for the public record to these minutes.]

[Board Report #35](#)

[Addendum-5-19-12-K- Arlington Prepares Mobile App](#)

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36. AWARD OF CONTRACT TO EIGHT (8) FIRMS FOR MULTIMODAL TRANSPORTATION PLANNING, DESIGN, AND PROJECT MANAGEMENT SERVICES FOR ROADS, STREETS, AND ARLINGTON COUNTY FACILITIES ON AN AS-NECESSARY BASIS FOR UP TO FIVE (5) YEAR PERIOD.

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

1. Approve the award of eight (8) separate contracts under RFP Number 241-10 to Kimley-Horn & Associates, Inc., Rummel Klepper & Kahl, (RK&K) LLP, Toole Design Group, Kittelson & Associates, Inc., AECOM Technical Services Inc., Vanasse Hangen Brustlin, (VHB) Inc., Parsons Transportation Group Inc., and STV Incorporated, for Multimodal Transportation Planning, Design, and Project Management Services for Roads, Streets and Arlington County Facilities on an as- necessary basis renewable annually for up to five-year period.
2. Authorize the Purchasing Agent to execute the Contract Documents, subject to review by the County Attorney.

[Board Report #36](#)

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38. MINUTES

On the consent agenda vote, after a duly advertised public hearing, the Board approved the minutes from the following meetings:

March 15, 2012 Budget Work Session

March 20, 2012 Public Hearing on Proposed Fiscal Year 2013 Budget
March 22, 2012 Public Hearing on Proposed Calendar Year 2012 Tax Rate
March 26, 2012 Closed Meeting
March 27, 2012 Budget Work Session
March 27, 2012 Budget Work Session
March 29, 2012 Joint Budget Work Session with the School Board
April 4, 2012 Closed Meeting
April 10, 2012 Budget Work Session
April 17, 2012 Budget Work Session
April 21, 2012 Regular Meeting
April 24, 2012 Recessed Meeting

[Item #38 - Minutes](#)

[Item #38-Minutes \(Supplemental\)](#)

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REGULAR HEARING ITEMS

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39. SITE PLAN 72-GOOD YEAR SITE PLAN PROPOSAL

- A. [Amendment to the Comprehensive Plan - Master Transportation Plan - Map to add a new section of North Tazewell Street extending approximately 210 feet to the South from its current terminus at North Carlin Springs Road into the Block Bounded by North Glebe Road, Henderson Road, North Thomas Street and North Carlin Springs Road.](#)

Following a duly advertised public hearing at which there were speakers, a motion was made by JAY FISETTE, Member, seconded by CHRISTOPHER ZIMMERMAN, Member to adopt the attached Resolution approving and adopting the Amendments to Comprehensive Plan - Master Transportation Plan - Map. [Clerk's note: as set forth in the document entitled "Addendum-5-19-12-L- MTP Map" attached for the public record to these minutes.] The motion was adopted by a vote of 5 to 0, the voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, LIBBY GARVEY, Member - Aye, JAY FISETTE, Member - Aye, CHRISTOPHER ZIMMERMAN, Member – Aye.

[Board Report #39.A.](#)

[Addendum-5-19-12-L- MTP Map](#)

- B. [SP #72 Site Plan Amendment to construct an approximately 139,100 square foot building with up to 163 units \(approximately 136,868 square feet residential\) and up to 2,203 square feet of commercial, including retail, office, education and personal services, and a comprehensive sign plan and modifications of zoning ordinance requirements for the parking ratio, tandem parking spaces, sign area and placement, landscaped open space, bonus density for LEED Silver certification and relationship to adjacent existing or permitted uses and buildings, exclusion of at-grade bicycle parking and service areas and below-grade fitness facility and other modifications necessary to achieve the proposed development plan; located at 650 N. Glebe Road \(RPC# 20-12-359\).](#)

Following a duly advertised public hearing at which there were speakers, a motion was made by JAY FISETTE, Member, seconded by LIBBY GARVEY, Member to adopt the ordinance to approve a site plan amendment to SP #72 to permit development of an approximately 139,100 sq. ft. building with up to 163 units (approximately 136,868 square feet residential) and up to 2,203 square feet of commercial space with modifications of zoning ordinance requirements for the parking ratio, tandem parking spaces, sign area and placement, landscaped open space, bonus density for LEED Silver certification and relationship to adjacent existing or permitted uses and buildings, exclusion of at-grade bicycle parking and service areas and below-grade fitness facility, subject to the conditions of the ordinance. [Clerk’s note: as set forth in the document entitled “Addendum-5-19-12-M- SP#72” attached for the public record to these minutes.] The motion was adopted by a vote of 5 to 0, the voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, LIBBY GARVEY, Member - Aye, JAY FISETTE, Member - Aye, CHRISTOPHER ZIMMERMAN, Member – Aye.

[Board Report #39.B.](#)

[Board Report #39 B-Supplemental](#)

[Addendum-5-19-12-M- SP#72](#)

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40. [CLAIM OF STEVE KLINTBERG \(THERE IS NO REPORT FOR THIS ITEM.\)](#)

Action on this item will be carried over to the May 21, 2012 Recessed Meeting.

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ADDITIONAL ITEMS

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41. COUNTY MANAGER’S CAPITAL IMPROVEMENT PLAN PRESENTATION (THERE IS NO REPORT FOR THIS ITEM. PUBLIC TESTIMONY ON THIS ITEM WILL NOT BE TAKEN AT THIS TIME. THE PUBLIC HEARING WILL TAKE PLACE TUESDAY, JUNE 26, 2012, 7-9 P.M., IN THE COUNTY BOARD ROOM AT COURTHOUSE PLAZA, 2100 CLARENDON BLVD.) 18

The County Manager made a presentation on the Capital Improvement Plan. The public hearing on this item will take place Tuesday, June 26, 2012 from 7:00 p.m. to 9:00 p.m.

ADJOURNMENT

Without objection, at 12:02 p.m., the Board recessed until the May 22, 2012 Recessed Meeting.

MARY HYNES, Chair

ATTEST:

HOPE L. HALLECK, Clerk
Approved: June 16, 2012