

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Saturday, November 19, 2011 at 8:34 a.m.

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

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

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PUBLIC COMMENT

Robert Atkins spoke about Arlington values.

Mark Blacknell of the Friends of Long Bridge Park spoke in support of the completion and connection of Long Bridge Park, especially for cyclists.

Martha Moore of the Arlington Civic Federation requested that Board members make their views known about the upcoming comprehensive sign ordinance revisions.

Matt Wavro spoke of the importance of having full Board membership in light of Ms. Favola's election to State Senate. He advocated that a special election be held in January as opposed to April.

Mike Nardolilli, President of Northern Virginia Conservation Trust (NVTC) informed the Board that conserved acreage increased in the NVTC Region by 323% from 2005-2010, exceeding the National and Statewide average. He urged the County to work on meeting two outstanding tasks from the 2005 Public Spaces Master Plan: addition of a land acquisition policy and a green infrastructure plan.

Nancy Swain of the Arlington Ridge Civic Association spoke about the Penn Place long-range planning process and the importance of a balanced procedure and inquired about the status of a response to the questions ARCA submitted about Penn Place.

Norma Palmatier of the Tree Stewards of Arlington and Alexandria thanked the Board for supporting the Fall Tree Distribution in October. The event was successful, with over 1,200 trees distributed along with educational materials. Ms. Palmatier also requested that a similar program be developed for trees in the public right-of-way.

Audrey Clement of the Green Party of Virginia raised concerns about enforcement of the sign ordinance and the removal of her candidate signs from permitted places.

Jim Huysz spoke about the need for a year-round shelter, affordable housing, and an updated living-wage ordinance in the County.

Tom Carter of the Arlington Egg Project presented a petition in support of modification of the zoning ordinance to allow residents to keep small numbers of hens in their backyards, prohibit roosters, and help ensure secure, proper and humane housing for hens.

Naomi Verdugo of the Community Services Board (CSB) thanked the Board for their support of the CSB in the past and urged support in the coming budget process.

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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 no funds in Affordable Housing Investment Fund as of November 4, 2011.

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CONSENT ITEMS (ITEMS 1-33) CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE CONSENT AGENDA MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY, NOVEMBER 19, 2011, MEETING BEFORE 9 A.M. PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, NOVEMBER 29, 2011, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).

A motion was made by MARY HYNES, Vice Chairman, seconded by BARBARA A. FAVOLA, Member to approve the County Manager's recommendation for all consent items except items #3, 4, 20, 22, 27, 29 and 32, which will be subject to full hearing at the November 29, 2011 County Board recessed meeting. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman – Aye, MARY HYNES, Vice Chairman - Aye, JAY FISETTE, Member - Aye, BARBARA A. FAVOLA, Member – Aye, J. WALTER TEJADA, Member – Aye.

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SITE PLANS/AMENDMENTS/REVIEW

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SITE PLANS/AMENDMENTS/REVIEW

- 1. SP#65 SITE PLAN AMENDMENT REVIEW FOR AN OUTDOOR CAFE IN THE PUBLIC RIGHT-OF-WAY FOR PIZZA AUTENTICA, LOCATED AT 2450 CRYSTAL DRIVE (RPC# 34-020-034).**

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

BE IT ORDAINED that, pursuant to application SP #65 on file in the Office of the Zoning Administrator for renewal of the subject use permit for an outdoor café in the public right-of-way for the parcel of real property known as 2450 Crystal Drive (RPC# 34-020-034), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions with a County Board review in three (3) years (November 2014).

[Board Report #1](#)

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- 2. SP #82 SITE PLAN AMENDMENT FOR A COMPREHENSIVE SIGN PLAN INCLUDING ROOFTOP SIGNS FOR THE DOUBLETREE HOTEL LOCATED AT 300 ARMY NAVY DRIVE, (RPC# 35-001-009, -010, -012, -023, -164, AND 35-002-002).**

On the consent agenda vote, after a duly advertised public hearing, the Board deferred the request for a site plan amendment to the January 2012 regular County Board meeting.

[Board Report #2](#)

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5. [SP #227 SITE PLAN AMENDMENT FOR A FACILITY OF HIGHER EDUCATION WITHIN EXISTING OFFICE SPACE LOCATED AT 1701 CLARENDON BOULEVARD. \(CALIFORNIA UNIVERSITY OF MANAGEMENT AND SCIENCES\) \(RPC# 17-010-035\)](#)

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinance to approve a site plan amendment to SP #227 for a facility of higher education within existing office space for California University of Management and Sciences (CalUMS), subject to the proposed conditions of the ordinance applicable only to this site plan amendment.

WHEREAS, an application for a Site Plan Amendment dated September 12, 2011, for Site Plan #227 was filed with the Office of the Zoning Administrator: and

WHEREAS, as indicated in Staff Report[s] provided to the County Board for its November 19, 2011 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 all previous conditions and new or revised conditions; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on November 19, 2011 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.
- 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 requested by an application dated September 12, 2011, for Site Plan #227, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements on file in the office of Zoning Administration (which drawings are hereafter collectively referred to as "Revised Site Plan Application"), for a Site Plan Amendment for a facility of higher education within existing office space for California University of Management and Sciences (CalUMS) known as RPC# 17-010-035, at 1701 Clarendon Blvd, approval is granted and the parcel so described shall be used according to the site plan on file as amended by the Revised Site Plan Application, subject to all previously approved conditions (numbers 1 through 25) with new condition numbers 1 through 4 (for CalUMS Educational Facility) as follows:

New Conditions (Site Plan Amendment – CalUMS Educational Facility):

1. The applicant agrees to comply with all requirements set forth in all applicable ordinances and regulations, including, by way of illustration and not limitation, those administered by the Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate building permit prior to the issuance of a certificate of occupancy.

2. The applicant agrees that classes shall be offered only Monday through Friday between 9 a.m. and 1 p.m. and between 6 p.m. and 10 p.m.
3. The applicant agrees that individual classes shall be limited to a maximum of 20 students per classroom (four (4) classrooms total) with at least 2-3 instructors and a staff administrator available on-site at any given time. The applicant shall submit a copy of their class schedule detailing how it will meet these requirements to the Zoning Administrator upon application for a certificate of occupancy.
4. The applicant shall encourage students and staff to walk, bike, and use public transportation by providing information at the educational facility and on its website regarding public transit and other alternatives to driving.

[Board Report #5](#)

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6. SP#357 SITE PLAN AMENDMENT FOR PUBLIC UTILITY/TELECOMMUNICATIONS FACILITY LOCATED AT 1600 WILSON BOULEVARD (RPC# 17-010-037).

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the ordinance to approve a site plan amendment to SP #357 for a public utilities/telecommunications facility for the WRIT Rosslyn building, subject to the proposed conditions of the ordinance applicable only to this site plan amendment, and with no further scheduled County Board review.

WHEREAS, an application for a Site Plan Amendment dated August 25, 2011, for Site Plan #357 was filed with the Office of the Zoning Administrator: and

WHEREAS, as indicated in Staff Report[s] provided to the County Board for its November 19, 2011 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 all previous conditions and new or revised conditions; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on November 19, 2011, 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.
- 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 requested by an application dated August 25, 2011, for Site Plan #357, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements on file in the office of Zoning Administration (which drawings are hereafter collectively referred to as "Revised Site Plan Application"), for a Site Plan Amendment to allow a public utilities/telecommunications facility known as RPC# 17-010-037, at 1600 Wilson Boulevard, approval is granted and the parcel so described shall be used according to the Revised Site Plan Application, subject to the following conditions:

1. The applicant agrees that the telecommunications facility will be constructed as shown on plans dated October 19, 2011 and approved by the County Board on November 19, 2011. [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-A- SP#357" attached for the public record to these minutes.]
2. The applicant agrees to identify a community liaison who will be available to address any concerns regarding the facility operation. The name and telephone number of the liaison shall be provided to the Radnor/Ft. Myer Heights and North Rosslyn Civic Associations and the Zoning Administrator.
3. The applicant agrees that the proposed rooftop equipment shelter and related utility connection equipment shall match the exterior appearance and colors of the existing hotel building.
4. The applicant agrees that the antennas shall be removed within ninety (90) days after any cessation of use.

[Board Report #6](#)

[Addendum-11-19-11-A- SP#357](#)

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7. **SP #409 SITE PLAN AMENDMENT, TO ALLOW AN ADDITIONAL 6,500 SQUARE FEET FOR RETAIL MEZZANINE SPACE TO BE USED AMONG RETAIL BAYS AND AMEND CONDITION #64 TO ALLOW MEZZANINE HEIGHT WITHIN RETAIL CLEAR HEIGHT, LOCATED AT 1712, 1716, AND 1720 WILSON BOULEVARD AND 1711 CLARENDON BOULEVARD, AND AN UNADDRESSED PARCEL ON CLARENDON BOULEVARD (RPC# 17-010-008, -009, -022, -023 & -030).**

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the ordinance to allow an exclusion of 6,500 square feet of additional mezzanine retail space to be used among retail bays within the first floor clear height, subject to modified Condition #64 and to all previously approved conditions.

WHEREAS, an application for a Site Plan Amendment dated August 5, 2011 for Site Plan # 409, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in Staff Report[s] provided to the County Board for its November 19, 2011 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; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on November 19, 2011 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 modified as follows:

An exclusion of 6,500 square feet of retail mezzanine GFA within the first floor clear heights as shown on the 1776 Wilson Boulevard Ground Level Mezzanine Plan. [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-B- SP#409" attached for the public record to these minutes.]

- 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 August 5, 2011 for Site Plan # 409, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition #64 below (which drawings, etc... are hereafter collectively referred to as "Revised Site Plan Application"), for a Site Plan Amendment for mezzanine retail GFA within first floor clear heights, for the real property known as RPC # 17-010-008, -009, -004, -006, -022, -023, -030, and 1712, 1716, and 1720 Wilson Boulevard, and 1711 and unaddressed parcel Clarendon Boulevard, approval is granted and the parcel so described shall be used according to the October 13, 2007 approval, as amended by the Revised Site Plan Application, subject to all previously approved conditions (#1 through 84) with condition #64 revised as follows:

64. Retail Elements

- a. The developer agrees to develop and implement a retail attraction and marketing plan for ~~the 25,719~~ approximately 32,200 square feet of retail space located on the first floors of the office and residential buildings. The plan shall identify the types of retail desired, the marketing strategy to attract the retail, and strategies to retain the retail. The retail attraction and marketing plan shall be in accordance with the approved Retail Action Plan for the Rosslyn-Ballston Corridor, dated January 2001. The retail attraction and marketing plan shall be reviewed and approved by the Department of Economic Development before being submitted to the Zoning Administrator. The above-grade building permit shall not be issued until documentation has been provided to the Zoning Administrator assuring that the plan has been approved by the Department of Economic Development. Any change in the use of the retail space from retail to office or other non-retail use shall require a site plan amendment.
- b. The retail spaces shall be designed and constructed to include interior and exterior improvements necessary to ensure that they are functional and attractive to prospective retailers and that they animate the street frontage. These elements shall include, but are not limited to: approximately 17 foot floor to floor heights, as shown on the plans dated September 24, 2007; retail mezzanine space of varying heights within the 17 foot floor-to-floor heights; access to the service corridor/areas as shown on the architectural plans dated September 24, 2007; direct street frontage and access; rough-in of utilities, i.e., sprinkler heads, plumbing, electrical wiring, and stubs for extensions; provision for any venting systems required for any food preparation or restaurant use; and sufficient transparency of the building facade to achieve adequate street exposure.

[Addendum-11-19-11-B- SP#409](#)

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USE PERMITS REQUEST/REVIEWS/AMENDMENTS

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- 8. **THE REQUEST FOR THIS ITEM HAS BEEN WITHDRAWN. U-2586-88-1 ARLINGTON COUNTY DEPARTMENT OF HUMAN SERVICES TO AMEND AN EXISTING USE PERMIT FOR A ROOFTOP SIGN IN THE "C-2" ZONING DISTRICT UNDER AZCO SECTION 34.A.3. "**

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- 9. **U-2629-89-1 USE PERMIT REVIEW FOR LIVE ENTERTAINMENT AND DANCING AT 2039 WILSON BOULEVARD. (GUARAPO RESTAURANT) (RPC# 18-030-003)**

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

BE IT ORDAINED that, pursuant to application U-2629-89 on file in the Office of the Zoning Administrator for renewal of the subject use permit for live entertainment and dancing for the parcel of real property known as 2039 Wilson Boulevard (Guarapo Restaurant) (RPC# 18-030-003), 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 (November 2016).

[Board Report #9](#)

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- 10. **U-2762-92-1 USE PERMIT REVIEW FOR PUBLIC UTILITY/TELECOMMUNICATIONS FACILITY, LOCATED AT N. GLEBE ROAD AND MILITARY ROAD.**

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

BE IT ORDAINED that, pursuant to application U-2762-92-1 on file in the Office of the Zoning Administrator for renewal of the subject use permit for public utility/telecommunications facility for the parcel of real property known as North Glebe Road and Military Road, 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 no further scheduled County Board review.

[Board Report #10](#)

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11. U-3134-05-2 USE PERMIT REVIEW FOR RESTAURANT PROVIDING LIVE ENTERTAINMENT; LOCATED AT 1041 N. HIGHLAND STREET (RPC# 18-026-004).

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

BE IT ORDAINED that, pursuant to application U-3134-05-2 on file in the Office of the Zoning Administrator for renewal of the subject use permit for restaurant providing live entertainment for the parcel of real property known as 1041 N. Highland Street (RPC# 18-026-004), 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 an administrative review in six (6) months (May 2012), and a County Board review in one (1) year (November 2012).

[Board Report #11](#)

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12. U-3137-05-1 USE PERMIT REVIEW FOR FOOD DELIVERY SERVICE AT 2626 N. PERSHING DR. (VOCELLI PIZZA) (RPC# 18-056-004).

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

BE IT ORDAINED that, pursuant to application U-3137-05-1 on file in the Office of the Zoning Administrator for renewal of the subject use permit for food delivery use for the parcel of real property known as 2626 N. Pershing Dr. (Vocelli Pizza) (RPC# 18-056-004), 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 an administrative review in one (1) year, and with a County Board review in five (5) years (November 2016).

[Board Report #12](#)

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13. U-3270-10-1 USE PERMIT REVIEW FOR A STUDIO FOR PRIVATE MUSIC LESSONS AND ANCILLARY RETAIL SALES, LOCATED AT 2499 N. HARRISON ST., SUITE 11LL IN THE LEE HARRISON SHOPPING CENTER 2425, 2433, 2435, 2447, 2491, 2499, 2503, AND 2509 N. HARRISON ST. (RPC# 02-073-084).

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

BE IT ORDAINED that, pursuant to application U-3170-10-1 on file in the Office of the Zoning Administrator for renewal of the subject use permit for the parcel of real property known as 2499 N. Harrison St., Suite 11LL in the Lee Harrison Shopping Center 2425, 2433, 2435, 2447, 2491, 2499, 2503, and 2509 N. Harrison St. (RPC# 02-073-084), 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 October 2013.

[Board Report #13](#)

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14. U-3309-11-1 USE PERMIT FOR LIVE ENTERTAINMENT AT EL RANCHO MIGUELEÑO RESTAURANT, LOCATED AT 3709 COLUMBIA PIKE (RPC# 23-039-031).

On the consent agenda vote, after a duly advertised public hearing, the Board deferred the request for live entertainment for a period of 6 months (until May 2012) to allow the applicant time to address the operational issues raised by the police.

[Board Report #14](#)

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15. U-3310-11-2 USE PERMIT FOR RESTAURANT PROVIDING LIVE ENTERTAINMENT; LOCATED AT 2933 WILSON BOULEVARD (RPC# 15-066-001).

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

BE IT ORDAINED that, pursuant to application U-3310-11-2 on file in the Office of the Zoning Administrator for renewal of the subject use permit for a restaurant providing live entertainment for the parcel of real property known as 2933 Wilson Boulevard (RPC# 15-066-001), 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, with an administrative review in three (3) months (February 2012), and a County Board review in one (1) year (November 2012).

Proposed Conditions:

1. The applicant agrees that acoustic live entertainment is permitted only from 5 p.m. to 7 p.m. seven days per week. Non-acoustic live entertainment (live bands, DJ, and karaoke) shall be permitted only from 10 p.m. to 12:30 a.m. Fridays and Saturdays.
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).
3. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only during the hours of live entertainment.
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) certification.

6. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
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.
8. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
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.
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.
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.
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.
13. The applicant agrees that the approval for live entertainment at 2933 Wilson Boulevard is valid only for Mexicali Blues. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

[Board Report #15](#)

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VACATIONS, EASEMENTS, RIGHTS OF WAY, ENCROACHMENTS & LEASES

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16. ENACTMENT OF AN ORDINANCE TO VACATE A FIVE (5) FOOT SANITARY SEWER EASEMENT LOCATED ON LOT 8, SECOND ADDITION TO ROSE PARK, 6287 15TH ROAD NORTH, (RPC #11040052), WITH CONDITIONS.

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

1. Enacted the Ordinance to Vacate a Five (5) foot Sanitary Sewer Easement Located on Lot 8, Second Addition to Rose Park, 6287 15th Road North, (RPC #11040052), with Conditions.
2. Authorized the Real Estate Bureau Chief, or his designee, to execute the Deed of Vacation and all related documents on behalf of the County Board, subject to approval of the Deed of Vacation, as to form, by the County Attorney.

ORDINANCE TO VACATE A FIVE (5) FOOT SANITARY SEWER EASEMENT LOCATED ON LOT 8, SECOND ADDITION TO ROSE PARK, 6287 15TH ROAD NORTH, (RPC #11040052), WITH CONDITIONS.

BE IT ORDAINED that, pursuant to a request by Michael Louis Jensen and Mary Taylor Jensen, husband and wife, ("Applicants"), on file in the offices of the Department of Environmental Services, the following described easement: a three hundred and three (303) square foot, five (5) foot wide public sanitary sewer easement created by a single-lot subdivision plat dated October 9, 1956 and recorded on October 29, 1956 in Deed Book 1271, at Page 386, among the land records of Arlington County, Virginia, which easement is shown on the plat entitled "Plat Showing The Vacation of a 5' Sanitary Sewer Easement Lot 8 Second Addition to Rose Park (D.B. 1271, Pg. 383) Arlington County, Virginia", dated July 18, 2011, prepared by Scartz Surveys, attached to the County Manager's report dated October 18, 2011 as Exhibit "A", is hereby vacated, subject to the following conditions: [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-C- Vacation 15th Road North" attached for the public record to these minutes.]

1. This Ordinance of Vacation solely relates to the County's legal interest in the public sanitary sewer easement hereby vacated, and therefore excludes the rights, if any, of abutting property owners or others.
2. The Applicants shall prepare and submit to the County the Deed of Vacation, including all required plats, for review and approval as to substance by the County Manager, or her designee, and for approval as to form by the County Attorney.
3. The Applicant shall record the Deed of Vacation and all plats required by the conditions of this Ordinance of Vacation among the land records of the Circuit Court of Arlington County, Virginia.
4. The Applicant shall pay all fees, including the fees for review, approval, and recording of all required documents associated with the Ordinance of Vacation.
5. The Deed of Vacation shall not be executed on behalf of the County Board until all the requirements of this Ordinance are satisfied.
6. All conditions of the Ordinance of Vacation shall be met by noon on October 15, 2012, or this Ordinance of Vacation shall become null and void without the necessity of any further action by the County Board.

[Board Report #16](#)

[Addendum-11-19-11-C- Vacation 15th Road North](#)

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17. **ENACTMENT OF AN ORDINANCE TO VACATE: 1) ALL OF THAT PORTION OF A TEN (10) FOOT DRAINAGE EASEMENT LOCATED ON LOTS "M", "N" AND ON THE SOUTHERLY PART OF LOT "O"; 2) ALL OF THAT PORTION OF A FIVE (5) FOOT SANITARY SEWER EASEMENT LOCATED ON LOT "N" AND ON THE SOUTHERLY PART OF LOT "O"; AND 3) ALL OF THAT PORTION OF A TEN (10) FOOT STORM SEWER EASEMENT LOCATED ON LOT "N" AND ON THE SOUTHERLY PART OF LOT "O," SAID LOTS BEING PART OF A RESUBDIVISION OF LOTS 44-60 INCLUSIVE, TUCKAHOE VILLAGE, LOCATED AT THE NORTHEAST CORNER OF 22ND STREET NORTH AND NORTH KENTUCKY STREET, (RPC # 10-009-013 AND -014), WITH CONDITIONS.**

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

1. Enacted the Ordinance to Vacate: 1) all of that portion of a ten (10) foot drainage easement located on Lots "M", "N" and on the southerly part of Lot "O"; 2) all of that portion of a five (5) foot sanitary sewer easement located on Lot "N" and on the southerly part of Lot "O"; and 3) all of that portion of a ten (10) foot storm sewer easement located on Lot "N" and on the southerly part of Lot "O," said lots being part of a Resubdivision of Lots 44-60 Inclusive, Tuckahoe Village, located at the northeast corner of 22nd Street North and North Kentucky Street, (RPC # 10-009-013 and -014), with conditions (Attachment 1).
2. Authorized the Real Estate Bureau Chief, or his designee, to execute the Deed of Vacation and all related documents on behalf of the County Board, subject to approval of the Deed of Vacation, as to form, by the County Attorney.

ORDINANCE TO VACATE: 1) ALL OF THAT PORTION OF A TEN (10) FOOT DRAINAGE EASEMENT LOCATED ON LOTS "M", "N" AND ON THE SOUTHERLY PART OF LOT "O"; 2) ALL OF THAT PORTION OF A FIVE (5) FOOT SANITARY SEWER EASEMENT LOCATED ON LOT "N" AND ON THE SOUTHERLY PART OF LOT "O"; AND 3) ALL OF THAT PORTION OF A TEN (10) FOOT STORM SEWER EASEMENT LOCATED ON LOT "N" AND ON THE SOUTHERLY PART OF LOT "O," SAID LOTS BEING PART OF A RESUBDIVISION OF LOTS 44-60 INCLUSIVE, TUCKAHOE VILLAGE, LOCATED AT THE NORTHEAST CORNER OF 22ND STREET NORTH AND NORTH KENTUCKY STREET, (RPC # 10-009-013 AND -014), WITH CONDITIONS.

BE IT ORDAINED that, pursuant to a request by Nathan and Isa Glick, husband and wife, ("Applicant"), on file in the offices of the Department of Environmental Services, the following described portions of easements: 1) a one thousand four hundred and seventy (1,470) square foot portion of a ten (10) foot wide drainage easement located on Lots "M", "N" and on the southerly part of Lot "O", created by a Deed of Vacation and Resubdivision dated September 27, 1948, and recorded in Deed Book 853, at Page 209, among the land records of Arlington County, Virginia; 2) a four hundred and seventy-four (474) square foot portion of a five (5) foot wide sanitary sewer easement located on Lot "N" and on the southerly part of Lot "O", created by an Agreement dated January 14, 1941, and recorded in Deed Book 538, at Page 83, among the land records of Arlington County, Virginia; and 3) a one thousand and sixty-seven (1,067) square foot portion of a ten (10) foot wide storm sewer easement located on Lot "N" and on the southerly part of Lot "O", created by a Deed of Easement dated June 11, 1969, and recorded in Deed Book 1702, at Page 248, among the land records of Arlington County, Virginia, which portions of easements are shown on the plat entitled "Plat Showing Existing Sewer Conditions and Vacation of Various Easements Located On Lot "M", Lot "N" and Southerly Part of Lot "O" of A Resubdivision of Lots 44-60 Inclusive Tuckahoe Village Deed Book 863, Page 209 Arlington County, Virginia", dated September 22, 2011, prepared by Dominion Surveyors, Inc., attached to the County Manager's report dated October 31, 2011, as Exhibit "A", are hereby vacated, subject to the following conditions: [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-D- Vacation Tuckahoe Village" attached for the public record to these minutes.]

1. The Applicant shall prepare and submit, to the County, for review and approval, the Deed of Vacation, all plats and all required deed(s) of dedication, subject to the approval thereof as to substance by the County Manager, or her designee, and approval as to form by the County Attorney. The Deed of Vacation shall reserve, unto the County, title to all existing County pipes and facilities within the areas of the easements being vacated; such pipes and facilities shall remain the property of the County.
2. The Applicant shall dedicate to the County an easement for public utilities purposes. The easement for public utilities purposes shall be dedicated to replace and expand the area of the existing easements being vacated. The final physical location, width, and dimensions of such easement interest shall be determined by, and are subject to, the approval of the Director of DES, or his designee, provided however that the location, width, and dimensions shall include the area within which existing County pipes and facilities are located. Such deed of easement is subject to the approval as to form, by the County Attorney. The Real Estate Bureau Chief, Department of Environmental Services, or his designee, is authorized to accept the easement on behalf of the County Board. Applicant shall record at Applicant's expense, the deed of easement in the Land Records of Arlington County, Virginia.
3. The Applicant shall record the Deed of Vacation, all plats, and all required deed(s) of dedication required by the conditions of this Ordinance of Vacation among the land records of the Circuit Court of Arlington County, Virginia.
4. The Applicant shall pay all fees, including the fees for review, approval, and recording of all required documents associated with the Ordinance of Vacation.
5. The Deed of Vacation shall not be executed on behalf of the County Board until all the requirements of this Ordinance are satisfied.
6. All conditions of the Ordinance of Vacation shall be met by noon on November 19, 2013, or this Ordinance of Vacation shall become null and void without the necessity of any further action by the County Board.

[Board Report #17](#)

[Addendum-11-19-11-D- Vacation Tuckahoe Village](#)

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18. APPROVAL OF A DEED OF EASEMENT FOR A DEPARTMENT OF ENVIRONMENTAL SERVICES SIDEWALK PROJECT LOCATED ALONG OLD DOMINION DRIVE IN ARLINGTON COUNTY, VIRGINIA (RPC# 02-042-070).

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

1. Approved the Deed of Easement, attached hereto as Exhibit 1, between Annette Lam and David Clemmer, Jr., wife and husband, and the County Board of Arlington County, Virginia, granting to the County a permanent easement for public sidewalk, utilities and storm drainage purposes on a portion of the property located on the service drive between 29th Street North and 30th Street North at 4806 Old Dominion Drive, in Arlington, Virginia (RPC# 02-042-070); [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-E- Easement Old Dominion Drive" attached for the public record to these minutes.]

- 2. Authorized the Real Estate Bureau Chief, or his designee, to accept, on behalf of the County Board, the attached Deed of Easement, subject to approval as to form of all documents by the County Attorney.

[Board Report #18](#)

[Addendum-11-19-11-E- Easement Old Dominion Drive](#)

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19. APPROVAL OF A DEED OF RESTRICTIVE COVENANT FOR FIRE SEPARATION ON A PORTION OF GLENCARLYN PARK ABUTTING THE EAST SIDE OF SOUTH ARLINGTON MILL DRIVE, RPC NO. 21-010-001.

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

- 1. Approved the attached Deed of Restrictive Covenant for Fire Separation on a portion of Glencarlyn Park abutting the east side of South Arlington Mill Drive, RPC No. 21-010-001, to permit construction of the Arlington Mill Community Center, on Parcel B, Arlington Mill, RPC No. 22-001-725 in accordance with approved plans for Columbia Pike Form Based Code Use Permit # U-3199-08-2, as amended. [Clerk’s note: as set forth in the document entitled “Addendum-11-19-11-F-Deed S. Arlington Mill Drive” attached for the public record to these minutes.]
- 2. Authorized the Real Estate Bureau Chief, or his designee, to execute on behalf of the County Board, the Deed of Restrictive Covenant for Fire Separation, and all related documents, subject to approval, as to form, by the County Attorney.

[Board Report #19](#)

[Addendum-11-19-11-F- Deed S. Arlington Mill Drive](#)

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ORDINANCES, PLANS AND POLICIES

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CAPITAL PROJECTS

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21. APPROVE THE AWARD OF A CONTRACT TO SPINIELLO COMPANIES FOR THE INSTALLATION OF THE 36" RESERVOIR WATER MAIN PROJECT ALONG NORTH GLEBE ROAD, WILLIAMSBURG BLVD., AND 35TH STREET NORTH, FROM OLD GLEBE ROAD TO LITTLE FALLS ROAD, INVITATION TO BID NO. 579-12.

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

- 1. Approved the award of Contract No. 579-12 to Spiniello Companies for the Installation of the 36” Reservoir Water Main Project, in the amount of \$3,821,000.00, and authorize an allocation of

\$382,100.00 as a contingency for change orders and increased quantities, and \$382,100.00 for stipulated price items, for a total project authorization of \$4,585,200.00.

2. Authorized the Purchasing Agent to execute the contract documents, subject to review by the County Attorney.

[Board Report #21](#)

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APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS

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23. AUTHORIZATION FOR ACCEPTANCE AND APPROPRIATION OF A FISCAL YEAR 2012 HIGHWAY SAFETY PROGRAM GRANT AWARD FROM THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV).

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

1. Authorized the County Manager to accept \$18,850 in grant funds related to the FY 2012 Virginia Highway Safety Program.
2. Appropriated \$18,850 in FY 2012 from the Virginia Highway Safety Grant Program (101.364900) to the Sheriff's Office (101.22101) for costs associated with the administration of the grant program.

[Board Report #23](#)

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24. AUTHORIZATION TO SUBMIT THREE APPLICATIONS TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION / COMMONWEALTH TRANSPORTATION BOARD FOR THE FY 2013 TRANSPORTATION ENHANCEMENTS PROGRAM.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the resolution authorizing application to the Virginia Transportation Enhancements Program, through the Virginia Department of Transportation (VDOT) / Commonwealth Transportation Board (CTB).

RESOLUTION AUTHORIZING APPLICATION TO THE TRANSPORTATION ENHANCEMENT PROGRAM

WHEREAS, the County Board of Arlington County, Virginia ("County Board"), desires to submit an application to the Virginia Department of Transportation / Commonwealth Transportation Board for an allocation of \$1,390,000 in Transportation Enhancement Program funds; and

WHEREAS, \$800,000 of these funds will be requested for the Safety Communications Program; and

WHEREAS, \$190,000 of these funds will be requested for the Potomac Yards Trail Connection; and

WHEREAS, \$400,000 of these funds will be requested for Bicycle/Pedestrian Wayfinding Program,

NOW, THEREFORE, BE IT RESOLVED THAT the County Board hereby supports the making of applications for such funds and authorizes and directs the County Manager or her designee to make applications to the Virginia Department of Transportation / Commonwealth Transportation Board for \$1,390,000 of Transportation Enhancement Program funds for the above-described projects, and further authorizes the County Manager or her designee to execute project administration agreements for any approved Transportation Enhancement projects, subject to the County Attorney's prior approval of such agreements as to form.

ADOPTED this 19th day of November 2011.

[Board Report #24](#)

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25. ADOPTION OF A RESOLUTION AUTHORIZING ARLINGTON COUNTY'S PARTICIPATION IN THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S FISCAL YEAR 2013 REVENUE SHARING PROGRAM.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the "Resolution Authorizing Application to the Virginia Department of Transportation for FY 2013 Revenue Sharing Program Funds" to be submitted to the Virginia Department of Transportation ("VDOT").

RESOLUTION AUTHORIZING APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FY2013 REVENUE SHARING PROGRAM FUNDS

WHEREAS, the County Board of Arlington County, Virginia ("County Board") desires to submit an application to the Virginia Department of Transportation for an allocation of \$175,000 in Fiscal Year 2013 Revenue Sharing Program funds for the Shirlington Road Bridge Rehabilitation Project.

NOW, THEREFORE, BE IT RESOLVED THAT the County Board hereby supports the making of applications and authorizes and directs the County Manager to make applications to the Virginia Department of Transportation for \$175,000 of Fiscal Year 2013 Revenue Sharing Program funds for the above described projects, and further authorizes the County Manager to execute a project administration agreement for the approved revenue sharing project subject to approval of such agreement as to form by the County Attorney.

[Board Report #25](#)

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26. APPROVAL OF THE THIRD AMENDMENT TO THE 2009 MASTER AGREEMENT BETWEEN THE COUNTY BOARD AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT).

On the consent agenda vote, after a duly advertised public hearing, the Board approved the Third Amendment dated July 1, 2011 to the Master Agreement, dated July 1, 2009, for use of Commonwealth Transportation Funds between the Department of Rail and Public Transportation (DRPT) and the County

Board, in the form attached hereto, and authorize the County Manager to execute the Amendment, subject to approval of the document as to form by the County Attorney. [Clerk’s note: as set forth in the document entitled “Addendum-11-19-11-G- VDOT Third Amendment” attached for the public record to these minutes.]

[Board Report #26](#)

[Addendum-11-19-11-G- VDOT Third Amendment](#)

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REQUESTS TO ADVERTISE

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- 28. **REQUEST TO ADVERTISE AMENDMENT, RE-ENACTMENT AND RE-CODIFICATION 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 authorized advertisement of a public hearing on December 10, 2011, to adopt the re-codification of Chapter 14.2 of the County Code 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-11-19-11-H- Chapter 14.2” attached for the public record to these minutes.]

[Board Report #28](#)

[Addendum-11-19-11-H- Chapter 14.2](#)

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OTHER

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- 30. **CONSIDERATION OF A REGIONAL WATER SUPPLY PLAN DEVELOPED COLLABORATIVELY WITH OTHER JURISDICTIONS THROUGH THE NORTHERN VIRGINIA REGIONAL COMMISSION.**

On the consent agenda vote, after a duly advertised public hearing, the Board adopted by resolution the Northern Virginia Regional Water Supply Plan which was developed collaboratively with other jurisdictions through the Northern Virginia Regional Commission.

A RESOLUTION APPROVING THE NORTHERN VIRGINIA REGIONAL WATER SUPPLY PLAN.

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and

WHEREAS, in March of 2007, the County Board authorized the County Manager to work with the Northern Virginia Regional Commission (NVRC) to develop a regional plan in conjunction with the other jurisdictions in northern Virginia; and

WHEREAS, this work is now complete and is the Northern Virginia Regional Water Plan as updated through November, 2011; and

WHEREAS, the adopted Regional Water Supply Plan will be submitted to the Virginia Department of Environmental Quality when adopted by all regional jurisdictions,

WHEREAS, on November 19, 2011, the Arlington County Board held a public hearing to accept public comment on the Regional Water Supply Plan; and

NOW, THEREFORE BE IT RESOLVED that the County Board of Arlington County hereby adopts the Northern Virginia Regional Water Supply Plan as it pertains to the Arlington County. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. Arlington County reserves the right to comment on specific water supply alternatives in the future even though such alternatives may or may not be recommended in this adopted plan. Arlington County will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

BE IT FURTHER RESOLVED that Arlington County intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

[Board Report #30](#)

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31. [PRIORITIES FOR FISCAL YEAR 2018 CONGESTION MITIGATION AND AIR QUALITY \(CMAQ\) AND REGIONAL SURFACE TRANSPORTATION PROGRAM \(RSTP\) FUNDING.](#)

On the consent agenda vote, after a duly advertised public hearing, the Board endorsed the priorities for Fiscal Year 2018 Congestion Mitigation and Air Quality and Regional Surface Transportation Program funding as shown in Table 1. [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-I- CMAQ and RSTP" attached for the public record to these minutes.]

[Board Report #31](#)

[Addendum-11-19-11-I- CMAQ and RSTP](#)

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33. [MINUTES](#)

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

October 15, 2011 Regular Meeting
October 18, 2011 Recessed Meeting

[Board Report #33](#)

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REGULAR HEARING ITEMS

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34. GLENCARLYN NEIGHBORHOOD CONSERVATION PLAN UPDATE.

Following a duly advertised public hearing at which there were speakers, a motion was made by JAY FISETTE, Member, seconded by J. WALTER TEJADA, Member, to adopt the resolution to accept the Glencarlyn Neighborhood Conservation Plan Update, with County staff comments attached to the Plan as Appendix D, with direction to the manager that the included maps should accurately reflect the neighborhood conservation district and the boundary should be determined. If it is determined to be different than that which is shown then the maps be amended appropriately. The motion was adopted by a vote of 5 to 0 as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISETTE, Member - Aye, J. WALTER TEJADA, Member – Aye.

**Resolution to Accept the Glencarlyn
Neighborhood Conservation Plan**

Whereas, the County Board created the Neighborhood Conservation Program in 1964 to encourage neighborhoods to carry out neighborhood-improvement plans and provide dedicated funding to implement those plans; and

Whereas, the Neighborhood Conservation Program is a mechanism for improvement and maintenance of areas where residents indicate a desire to achieve an improved neighborhood and fulfill a broader vision of the modern “urban village” through coordination of public and private efforts; and

Whereas, these plans are initiated and prepared by the neighborhoods, who work with the Neighborhood Conservation Advisory Committee and County staff; and

Whereas, Neighborhood Conservation Plans have three purposes:

- 1) To build a neighborhood vision and consensus on issues affecting the neighborhood, to evaluate County service delivery and the state of the neighborhood, and to suggest policies and projects that will improve the neighborhood,
- 2) To establish eligibility for Neighborhood Conservation funding, and
- 3) To provide guidance to the County Board, Commissions, Departments and staff concerning issues in neighborhoods; and

Whereas, the County Board created the Neighborhood Conservation Advisory Committee (NCAC) to guide the Neighborhood Conservation Program, and the NCAC reviewed this Glencarlyn Plan Update and recommends its acceptance; and

Whereas, the Planning Commission also recommended acceptance of the Glencarlyn Neighborhood Conservation Plan, as updated through November 2011,

NOW, THEREFORE, be it resolved by the County Board of Arlington County, Virginia, that after careful consideration of the recommendations of the Neighborhood Conservation Advisory Committee, the County Board hereby accepts the Glencarlyn Conservation Plan, as updated as of the date of this Resolution in

November 2011, as a statement of the Glencarlyn neighborhood, and directs the County Manager to ensure that the recommendations of that Plan are considered in decision-making and actions that affect the Glencarlyn neighborhood. [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-I.A.- Glencarlyn NC Plan" attached for the public record to these minutes.]

[Board Report #34](#)

[Addendum-11-19-11-I.A.- Glencarlyn NC Plan](#)

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35. ENACTMENT OF AN ORDINANCE TO AMEND, REENACT AND RECODIFY § 25.1-12 (RATE SCHEDULE, TOLLS, PAYMENT) OF CHAPTER 25.1 (TAXICABS) OF THE ARLINGTON COUNTY CODE BY (1) AMENDING SUBSECTIONS 25.1-12(A) AND (D) RELATING TO THE INITIAL DROP AND EXTRA PASSENGER CHARGES, TO BECOME EFFECTIVE JANUARY 1, 2012, AND (2) ADDING NEW SUBSECTION 25.1-12(L) RELATING TO PAYMENT OF FARES BY CREDIT CARD, TO BECOME EFFECTIVE DECEMBER 1, 2012.

Following a duly advertised public hearing at which there were speakers, a motion was made by JAY FISETTE, Member, seconded by BARBARA A. FAVOLA, Member, to adopt the attached ordinance to amend, reenact and recodify § 25.1-12 of the Arlington County Code by:

- a. Amending subsections 25.1-12(A) and (D) relating to the initial drop and extra passenger charges, respectively, to become effective January 1, 2012, and
- b. Adding new subsection 25.1-12(L) relating to payment of fares by credit card, to become effective December 1, 2012.

An amended motion was made by MARY HYNES, Vice Chairman, seconded by CHRISTOPHER ZIMMERMAN, Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Member - Aye, JAY FISETTE, Member - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Vice Chairman - Aye, CHRISTOPHER ZIMMERMAN, Chairman - Aye, to adopt the attached Ordinance to amend, reenact and recodify § 25.1-12 of the Arlington County Code by deleting item b: adding new subsection 25.1-12(L) relating to payment of fares by credit card.

A motion was made by J. WALTER TEJADA, Member, seconded by CHRISTOPHER ZIMMERMAN, Chairman and carried by a vote of 3 to 2 as follows: J. WALTER TEJADA, Member - Aye, MARY HYNES, Vice Chairman - Aye, CHRISTOPHER ZIMMERMAN, Chairman - Aye, JAY FISETTE, Member - No, BARBARA A. FAVOLA, Member - No, to amend the ordinance as follows. [Clerk's note: text to be deleted is shown in ~~striketrough~~, text to be added in shown in underline.]

§ 25.1-12 Rate schedule, tolls, payment.

The rate schedule for fares and service charges is as follows:

- A. For the first ~~one-fifth (1/5)~~ one-sixth (1/6) mile (initial drop charge): two dollars and seventy-five cents (\$2.75).
- B. For each succeeding ~~one-fifth (1/5)~~ one-sixth (1/6) mile or fraction thereof (mileage charge): ~~forty cents (\$0.40)~~ thirty-five cents (\$0.35).
- C. For each ~~sixty-four (64)~~ fifty-six (56) seconds of wait time: ~~forty cents (\$0.40)~~ thirty-five cents (\$0.35).

A motion was made by CHRISTOPHER ZIMMERMAN, Chairman, seconded by MARY HYNES, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Member - Aye, JAY FISETTE, Member - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Vice Chairman - Aye, CHRISTOPHER ZIMMERMAN, Chairman - Aye, to adopt the attached Ordinance to amend, reenact and recodify § 25.1-12 of the Arlington County Code as follows. [Clerk's note: text to be deleted is shown in ~~strikethrough~~, text to be added in shown in underline.]

- D. For each additional Passenger ~~over six (6) years of age~~ twelve (12) years of age and older, when more than one (1) Passenger is transported: ~~one dollar (\$1.00)~~ one dollar (\$1.00).

* * *

AN ORDINANCE TO AMEND, REENACT, AND RECODIFY § 25.1-12 (RATES OF FARE) OF CHAPTER 25.1 (TAXICABS) OF THE ARLINGTON COUNTY CODE, BY AMENDING SUBSECTIONS 25.1-12(A), (B), (C) AND (D) RELATING TO THE INITIAL DROP, MILEAGE, WAIT TIME AND EXTRA PASSENGER CHARGES, RESPECTIVELY, EACH TO BECOME EFFECTIVE ON JANUARY 1, 2012, AND TO ADD A NEW SUBSECTION 25.1-12(L) REQUIRING ALL TAXICABS TO BE EQUIPPED TO ACCEPT, AND TO ACCEPT, PAYMENT OF FARES BY CREDIT CARDS, TO BE EFFECTIVE ON APRIL 1, 2012.

- 1. **BE IT ORDAINED that § 25.1-12, subsections (A) and (D) of the Arlington County Code are amended, reenacted and recodified to read in pertinent part as follows, effective on January 1, 2012:**

§ 25.1-12. Rate schedule, tolls, payment.

The rate schedule for fares and service charges is as follows:

- A. For the first ~~one-fifth (1/5)~~ one-sixth (1/6) mile (initial drop charge): two dollars and seventy-five cents (\$2.75).

* * *

- B. For each succeeding ~~one-fifth (1/5)~~ one-sixth (1/6) mile or fraction thereof (mileage charge): ~~forty cents (\$0.40)~~ thirty-five cents (\$0.35).

* * *

- C. For each ~~sixty-four (64)~~ fifty-six (56) seconds of wait time: ~~forty cents (\$0.40)~~ thirty-five cents (\$0.35).

- D. For each additional Passenger ~~over six (6) years of age~~ twelve (12) years of age and older, when more than one (1) Passenger is transported: ~~one dollar (\$1.00)~~ one dollar (\$1.00).

- 2. ~~**BE IT FURTHER ORDAINED that new subsection (L) is added to § 25.1-12 of the Arlington County Code as follows, effective on December 1, 2012:**~~

* * *

~~L. As of December 1, 2012, each taxicab shall be equipped to accept, and shall accept, payment of fares by credit cards.~~

* * *

- 3. **BE IT FURTHER ORDAINED that the subsections of § 25.1-12 that are not amended by this ordinance shall remain in full force and effect as previously enacted.**

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[Board Report #35](#)

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- 36. **U-3306-11-1 USE PERMIT OF ARLINGTON DESIGNER HOMES, INC TO MODIFY SETBACK AND YARDS ON A PIPE STEM LOT LOCATED ADJACENT TO 2615 N. NOTTINGHAM STREET (RPC# 01-075-020).**

Following a duly advertised public hearing at which there were speakers, a motion was made by J. WALTER TEJADA, Member, seconded by MARY HYNES, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Member - Aye, JAY FISETTE, Member - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Vice Chairman - Aye, CHRISTOPHER ZIMMERMAN, Chairman - Aye, to defer the subject use permit request to the December 10, 2011, County Board meeting.

[Board Report #36](#)

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- 37. **SP #350 SITE PLAN AMENDMENT REVIEW FOR RESTAURANT PROVIDING LIVE ENTERTAINMENT; LOCATED AT 1900 CLARENDON BLVD. (RPC# 17-012-023).**

Following a duly advertised public hearing at which there were speakers, a motion was made by JAY FISETTE, Member, seconded by MARY HYNES, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Member - Aye, JAY FISETTE, Member - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Vice Chairman - Aye, CHRISTOPHER ZIMMERMAN, Chairman - Aye to adopt the following ordinance:

BE IT ORDAINED that, pursuant to application SP #350 on file in the Office of the Zoning Administrator for renewal of the site plan amendment for a restaurant providing live entertainment for the parcel of real property known as 1900 Clarendon Boulevard (RPC# 17-012-023), approval is granted and the parcel so described shall be used according to the approval requested by the application, for two (2) months to the January 21, 2012 County Board meeting.

[Board Report #37](#)

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- 38. **REQUEST FOR RATIFICATION AND AUTHORIZATION OF ADVERTISEMENT OF PUBLIC HEARINGS BY THE PLANNING COMMISSION ON NOVEMBER 28, 2011 AND BY THE COUNTY BOARD ON DECEMBER 10, 2011 TO CONSIDER A PROPOSED AMENDMENT TO SECTION 34 AND SECTION 20 (APPENDIX A) OF THE ARLINGTON COUNTY ZONING ORDINANCE TO PERMIT TEMPORARY SIDEWALK SIGNS, TO PERMIT UP TO FOUR SQUARE FEET OF COMMERCIAL MESSAGES ON UMBRELLAS WITHIN PERMITTED OUTDOOR CAFES, AND TO PERMIT COORDINATED PARKING SIGNS ON FACILITIES THAT PROVIDE PUBLIC PARKING DURING DEFINED HOURS.**

Following a duly advertised public hearing at which there were speakers, a motion was made by CHRISTOPHER ZIMMERMAN, Chairman, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Member - Aye, JAY FISETTE, Member - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Vice Chairman - Aye, CHRISTOPHER ZIMMERMAN, Chairman - Aye, to adopt the resolution to ratify the advertisement placed on November 15, 2011, and to authorize further advertisement to be placed on November 22, 2011, as notification of public hearings by the Planning Commission on November 28, 2011 and by the County Board on December 10, 2011 to consider a proposed amendment to Section 34 of the Arlington County Zoning Ordinance to permit temporary sidewalk signs, to permit up to four square feet of commercial messages on umbrellas within permitted outdoor cafes, and to permit coordinated parking signs on facilities that provide public parking during defined hours. [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-J- RTA Signs" attached for the public record to these minutes.]

[Board Report #38](#)

[Addendum-11-19-11-J- RTA Signs](#)

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39. RATIFICATION AND AUTHORIZATION OF ADVERTISEMENT OF PUBLIC HEARINGS ON THE FOLLOWING ZONING ORDINANCE AMENDMENTS FOR THE CRYSTAL CITY METRO STATION AREA:

- A. Adopt a new Section 25C. "C-O Crystal City" Commercial Office Building, Retail, Hotel, and Multiple-Family Dwelling Districts to codify permitted uses, use limitations, special exceptions, and other regulations governing land use for properties located in the Crystal City Coordinated Redevelopment District identified on the General Land Use Plan.
- B. Amend Sections 1, 2, 25B., and 36 to include new definitions related to Section 25C., update the list of districts in the County, and to clarify that provisions of Section 36.H.7 shall not apply to the "C-O Rosslyn" and "C-O Crystal City" Districts.

Following a duly advertised public hearing at which there were speakers, a motion was made by JAY FISETTE, Member, seconded by BARBARA A. FAVOLA, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Member - Aye, JAY FISETTE, Member - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Vice Chairman - Aye, CHRISTOPHER ZIMMERMAN, Chairman - Aye, to adopt the attached resolution to ratify the advertisement placed on November 15, 2011, and to authorize the advertisement placed on November 22, 2011, as notification of public hearings by the Planning Commission on November 28, 2011, and by the County Board on December 10, 2011, on the following Zoning Ordinance Amendments for the Crystal City Metro Station Area: [Clerk's note: as set forth in the document entitled "Addendum-11-19-11-K- Zoning Ordinance" attached for the public record to these minutes.]

- 1. Adopt a new Section 25C. "C-O Crystal City" Commercial Office Building, Retail, Hotel, and Multiple-Family Dwelling Districts to codify permitted uses, use limitations, special exceptions, and other regulations governing land use for properties located in the Crystal City Coordinated Redevelopment District identified on the General Land Use Plan.

2. Amend Sections 1, 2, 25B., and 36 to include new definitions related to Section 25C., update the list of districts in the County, and to clarify that provisions of Section 36.H.7 shall not apply to the "C-O Rosslyn" and "C-O Crystal City" Districts.

[Board Report #39](#)

[Addendum-11-19-11-K- Zoning Ordinance](#)

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40. [2012 GENERAL ASSEMBLY LEGISLATIVE ITEMS](#)

Following a duly advertised public hearing at which there were speakers, a motion was made by MARY HYNES, Vice Chairman, seconded by J. WALTER TEJADA, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Member - Aye, JAY FISETTE, Member - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Vice Chairman - Aye, CHRISTOPHER ZIMMERMAN, Chairman - Aye, that after receiving public comment on the Arlington County Board 2012 General Assembly Legislative Items at the November meeting, the Board closed the public hearing and will finalize the legislative items at the December 10, 2011 meeting.

[Board Report #40](#)

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ADDITIONAL ITEMS

ADJOURNMENT

Without objection, at 2:48 p.m., the Board recessed until the November 29, 2011 Recessed Meeting.

CHRISTOPHER ZIMMERMAN, Chairman

ATTEST:

HOPE L. HALLECK, CLERK
Approved: December 10, 2011