

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Saturday, September 25, 2010 at 8:30 a.m.

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

ALSO PRESENT: MICHAEL B. BROWN, County Manager
STEPHEN MacISAAC, County Attorney
HOPE L. HALLECK, Clerk

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PUBLIC COMMENT

Shelley Wade expressed her concerns that changes to library hours were done without public input and asked for the restoration of hours.

Robert Atkins commented that area maps displayed at Metro stations are not accurate and asked why they could not be revised.

Michael Nardolli, President of the Northern Virginia Conservation Trust (NVCT), announced the release and provided a copy to Board Members of NVCT's new strategic plan.

Bill Shively asked the County Board to establish ethics standards and training for County employees, including criminal and financial background checks for employees in sensitive positions, specifically the Office of Code Enforcement and the Inspection Services Division.

T.D. Stanger brought to the Board's attention that his neighborhood of Ashton Heights is not properly receiving County services and that complaints go unheard by County staff.

Jim Hurysz remarked that the County's response to the August 6th storm that destroyed and damaged trees in Fairlington was inadequate, and that at least 80% of the tree damage could have been prevented through better tree maintenance and that young trees are suffering the effects of the current regional drought.

Mary Rouleau, Executive Director of the Alliance for Housing Solutions (AHS), expressed her appreciation for AHS' opportunity to fully participate in the plenary group that has been developed for the Columbia Pike Land Use & Housing Study. While the group agrees with the goals drafted by the plenary group they do not believe it is enough. To that end, the AHS Board adopted the following policy to guide its public education and advocacy efforts: A goal of the Columbia Pike redevelopment plan should be no net loss of committed and market rate affordable rental units.

Jim Shea introduced Carol Aereon as the new President of the Board of Directors of the Arlington Philharmonic. Mr. Shea invited the County Board to their first concert of the new season (10/3/2010) and offered their services for County functions and events.

Steven Slinker requested the appointment of a citizen's advisory group to the County's Library to hold public meetings and keep communications open with the Board.

Margaret Huang, member of the RIGHTS working group, informed the County Board about how the group has launched a campaign against racial profiling.

Chris Strunk spoke about his doctoral research on state and local immigration policies and their impact on communities.

Alejandro Guzman, member of Laborers' International Union of North America (LIUNA), shared that construction workers in Arlington are hesitant to voice concerns or report violations at their place of employment.

Esteban Garces, member of Tenant and Workers United, brought a petition signed by more than 450 individuals to the Board concerning the Secure Communities Program.

Constance Freeman thanked the County Board for making Arlington a welcoming community and a role-model for other localities.

Miriam Gennari asked the County Board to restore the library hours. She expressed her concern for Arlington students that have inadequate access to computers at home and are forced to go across neighborhoods in search of access.

Beatriz Torrez spoke about the concerns that Buckingham and Nauck community members have about the major changes in structure and personnel in the County's Department of Parks, Recreation, and Cultural Resources (PRCR). She presented the Board with a petition that community members from Buckingham and Nauck signed.

Susan Korfanty, Executive Director of BRAVO, emphasized the importance of preserving affordable housing along Columbia Pike as they are threatened by the redevelopment of this corridor.

William Gillen informed the County of the Aurora Hills "Passport to Summer" program and the success they had in working the County's Department of Parks, Recreation, and Cultural Resources (PRCR).

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CONSENT ITEMS (ITEMS 1-54) CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE CONSENT AGENDA MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY, SEPTEMBER 25, 2010, MEETING BEFORE 9 A.M. PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, SEPTEMBER 28, 2010, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).

Ms. Favola announced her declaration of personal interest pursuant to Section 2.2-3115.G in the use permit amendment requested by Marymount University (Item #12). Ms. Favola is employed by the University; however, under the State and Local Government Conflicts of Interest Act, because she is a member of a group who are all affected by the approval of the use permit, she was able to participate in the discussions and votes concerning the use permit, and can do so fairly, objectively, and in the public interest.

On a motion by CHRISTOPHER ZIMMERMAN, Vice Chairman, seconded by BARBARA A. FAVOLA, Member and carried by a vote of 5 to 0, the voting recorded as follows: JAY FISETTE, Chairman - Aye, CHRISTOPHER ZIMMERMAN, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, approved the County Manager's recommendation for all consent items #1, #3 through #14, #17 through #32, #35 through #46, #49 through #54. Requests for full hearing were submitted for items #2, #15, #16, #33, #34, #47, #48 and #50 and these items are scheduled for hearing at the September 28 County Board recessed meeting.

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SITE PLANS/AMENDMENTS/REVIEW

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1. **[SP #1 SITE PLAN AMENDMENT TO MODIFY ZONING ORDINANCE SIGN REQUIREMENTS AND FACADE MODIFICATIONS INCLUDING BANNERS AND ARCHITECTURAL LIGHTING, AT THE ARLINGTON TEMPLE UNITED METHODIST CHURCH; LOCATED AT 1830 N. FORT MYER DRIVE, \(RPC# 16-036-006\).](#)**

On the consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the subject site plan amendment request to the October 23, 2010 County Board meeting.

[Board Report #1](#)

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3. **[SP #56 SITE PLAN AMENDMENT TO RECONFIGURE THE SERVICE DRIVE; LOCATED AT 1199 JEFFERSON DAVIS HWY AND 1800, 1851 AND 1901 S. BELL STREET \(RPC #34-026-035 & -037\).](#)**

On the consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the subject site plan amendment request to the October 23, 2010 County Board meeting.

[Board Report #3](#)

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4. **[SP #72 SITE PLAN AMENDMENT, INTERIM PARKING LOT; 585 N. GLEBE RD. \(AMERICAN SERVICE CENTER\) \(RPC #14-061-069\)](#)**

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 #72 on file in the Office of the Zoning Administrator for renewal of the site plan amendment for the interim parking lot until December 2015 for the parcel of real property known as 585 N. Glebe Rd. (American Service Center, RPC #14-061-069) approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to Conditions #1 through 14 with administrative reviews at one (1) year (September 25, 2011) and three (3) years (September 25, 2013). [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-A-SP #72" attached for the public record to these minutes.]

[Board Report #4](#)

[Addendum 9-25-10-A-SP #72](#)

[Addendum 9-25-10-A-SP #72 Map A](#)

[Addendum 9-25-10-A-SP #72 Map B](#)

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5. SP #190 SITE PLAN AMENDMENT TO CONVERT APPROXIMATELY 10,710 SQUARE FEET OF OFFICE TO EDUCATIONAL USES, LOCATED AT 1010 NORTH GLEBE ROAD (RPC# 14-013-046).

On the consent agenda vote, after a duly advertised public hearing, the Board did not renew the site plan amendment due to lapse of use.

[Board Report #5](#)

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6. SP #193 SITE PLAN AMENDMENT TO RENEW LIVE ENTERTAINMENT AND DANCING FOR UNION JACK'S LOCATED AT 671 NORTH GLEBE ROAD (RPC # 14-059-035, -036).

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 #193 on file in the Office of the Zoning Administrator for renewal of the site plan amendment for live entertainment and dancing for Union Jack's for the parcel of real property known as 671 North Glebe Road (RPC # 14-059-035, -036) 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 one (1) year (September 2011).

[Board Report #6](#)

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7. SP #239 SITE PLAN AMENDMENT FOR AN OUTDOOR CAFE IN THE PUBLIC RIGHT-OF-WAY FOR PIZZA AUTENTICA; LOCATED AT 850 NORTH RANDOLPH ST. (RPC #14-047-020).

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 #239 on file in the Office of the Zoning Administrator for renewal of the site plan amendment for outdoor café seating in the public right-of-way for Pizza Autentica for the parcel of real property known as 850 North Randolph St. (RPC #14-047-020) 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 a County Board review in one (1) year (September 2011).

Conditions:

60. The applicant agrees that the outdoor café shall be in the same general location as shown on the attached drawing labeled "A-0.2" dated August 7, 2010, and as approved by the County Board on September 25, 2010. The applicant further agrees to maintain a minimum of seven (7) feet of clear, unobstructed sidewalk width at all times. [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-A1-SP #239" attached for the public record to these minutes.]

61. The applicant agrees that there shall be no speakers, radio, or live entertainment in any outdoor seating area.

62. The applicant shall designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the outdoor seating and an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the outdoor cafe. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Ballston-Virginia Square Civic Association before issuance of the certificate of occupancy.

[Board Report #7](#)

[Addendum 9-25-10-A1-SP #239](#)

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8. SP #387 SITE PLAN AMENDMENT TO AMEND THE TIMING OF IMPROVEMENTS IN CONDITIONS #13, 17, 18, AND 28 AT THE ALEXAN 24 LOCATED AT 2400 24TH ROAD SOUTH (RPC #32-024 003).

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 #387 on file in the Office of the Zoning Administrator for renewal of the site plan amendment to change the timing of conditions #13, 17, 18, and 28 at the Alexan for the parcel of real property known as 2400 24th Road South (RPC #32-024 003), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previous conditions and to the revised conditions in the staff report. [Clerk’s note: as set forth in the document entitled “Addendum 9-25-10-B-SP #387” attached for the public record to these minutes.]

[Board Report #8](#)

[Addendum 9-25-10-B-SP #387](#)

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9. SP #397 SITE PLAN AMENDMENT TO MODIFY THE CONDITIONS RELATED TO THE SPECIFICATIONS AND THE RECORDATION OF THE PUBLIC ACCESS EASEMENTS, LOCATED AT 1200 NORTH GARFIELD STREET (RPC: 18-013-011).

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 #397 on file in the Office of the Zoning Administrator for renewal of the site plan amendment to modify the conditions related to the specifications and the recordation of the public access easements for the parcel of real property known as 1200 North Garfield Street (RPC: 18-013-011), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to the revised development Conditions #65 and #71 and to all previously approved conditions (#1 through #84).

65. Outdoor cafés shall be permitted in the public right-of-way or within public easements along Clarendon Boulevard, Wilson Boulevard, North Highland Street, North Garfield Street, and 11th Street North and for the plaza area at the southwest corner of the intersection of Clarendon Boulevard and North Garfield Street (the “Plaza”) in accordance with the applicable provisions of the Zoning Ordinance, with a maximum seating area and all other applicable requirements as set forth

in the Zoning Ordinance and as determined by the Zoning Administrator. Unless otherwise specified by the Clarendon Sector Plan, in effect at the time of the issuance of the Clearing and Grading Permit, the following minimum sidewalk widths, which may not include a two foot shy zone adjacent to the buildings, shall be maintained even where outdoor cafes are established: A minimum of 8 feet of clear sidewalk width must be maintained along Wilson Boulevard, Clarendon Boulevard, and North Highland Street (with the exception of the sidewalks in front of the Underwood Building and the Old Dominion Building). A minimum of 6 feet of clear sidewalk width must be maintained along North Garfield Street and 11th Street North (with the exception of sidewalks in front of the Old Dominion Building). A minimum of 6 feet of clear sidewalk width must be maintained adjacent to the public art in the Plaza and a minimum of 6 feet of clear sidewalk width must be maintained between the building and the Plaza easement. With the exception of outdoor seating areas existing at the time of site plan approval, a minimum of 6 feet of clear sidewalk width must be maintained along the sidewalks fronting the Underwood Building and the Old Dominion Building. Plans for all outdoor cafes shall be subject to prior administrative approval by the Zoning Administrator for consistency with County ordinances, regulations and policies. Any outdoor café shall be administratively reviewed one year following its approval to evaluate it after a season of operation. At that time and at any time thereafter, the Zoning Administrator may review the approval, and the County Board may impose conditions on the operation of the outdoor café, or revoke the prior approval.

71. The developer agrees to grant permanent public use and access easements, in a form acceptable to the County Attorney and County Manager, to the County Board of Arlington County providing for the public use of and access to the plaza area at the southwest corner of the intersection of Clarendon Boulevard and North Garfield Street as shown on the plans ~~dated~~ dated June 10, 2006. ~~Such easement shall not preclude outdoor seating.~~ The final location of the easements may change with the preparation of the final building plans. The developer agrees to construct and landscape these areas, as shown on the plans ~~dated~~ dated June 10, 2006 and made part of the public record on June 13, 2006. Final landscape design and installation shall be approved by the County Manager as part of the final site development and landscape plan. Construction and landscaping of these areas (the "Plaza Improvements") shall be completed ~~prior to the granting of the easements prior to the issuance of the first Partial Certificate of Occupancy for tenant occupancy (excluding the garage) for the building.~~ Granting of the public use and access easements shall be completed prior to the issuance of the first certificate of occupancy for the building. The easements shall be granted by deed, in form and substance acceptable to the County Manager, and, in form acceptable to the County Attorney, and shall be recorded among the land records of the Clerk of the Circuit Court of Arlington County prior to the issuance of the first Partial Certificate of Occupancy for tenant occupancy (excluding the garage) for the building. The developer shall be responsible for maintaining these areas.

[Board Report #9](#)

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- 10. SP #405 SITE PLAN AMENDMENT TO AMEND CONDITIONS #16 (PLANTING OF STREET TREES), 35 (RECORDATION OF PUBLIC EASEMENTS AND DEDICATIONS), 36 (PLAT OF EXCAVATED AREA), 45 (WALL CHECK SURVEY), AND 68 (LEED SUSTAINABLE DESIGN ELEMENTS); LOCATED AT 4349 NORTH PERSHING DRIVE (RPC #20-024-240, -241, -242, -243, AND -244).**

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 #405 on file in the Office of the Zoning Administrator for renewal of the site plan amendment to amend Conditions #16 (planting of street trees), 35 (recordation of public easements and dedications), 36 (plat of excavated area), 45 (wall check survey), and 68 (LEED sustainable design elements) for the parcel of real property known as 4349 North Pershing Drive (RPC #20-024-

240, -241, -242, -243, and -244), 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 amended Conditions #16, 35, 36, 45, and 68. [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-C-SP #405" attached for the public record to these minutes.]

[Board Report #10](#)

[Addendum 9-25-10-C-SP #405](#)

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USE PERMITS REQUEST/REVIEWS/AMENDMENTS

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11. U-1159-55-1 & U-2110-77-2 USE PERMIT AMENDMENT FOR THE INSTALLATION OF FIELD LIGHTS ON EXISTING FIELDS, LOCATED AT 6600 LITTLE FALLS ROAD. (RPC #01-037-001).

On the consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the use permit amendment request for the installation of field lights on existing fields to the October 23, 2010 County Board meeting.

[Board Report #11](#)

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12. U-1671-65-3 USE PERMIT AMENDMENT FOR COMPREHENSIVE SIGN PLAN; LOCATED AT 4763 OLD DOMINION DRIVE (RPC #03-065-001).

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-1671-65-3 on file in the Office of the Zoning Administrator for renewal of use permit amendment for a comprehensive sign plan for the parcel of real property known as 4763 Old Dominion Drive (RPC #03-065-001), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions and the new conditions of the staff report.

New Conditions (pertaining to the signs at 4763 Old Dominion Drive):

69. The applicant agrees to limit all signs to the size, design, location, color, materials, and text of the proposed signs for the new Marymount University classroom and dormitory project located at 4763 Old Dominion Drive and approved by the County Board in July 2007, shown on the drawings entitled "Marymount University," prepared by Davis, Carter, Scott, and dated June 21, 2010. [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-D- U-1671-65-3" attached for the public record to these minutes.]

70. The applicant agrees that the Zoning Administrator may approve a minor change to the Comprehensive Sign Plan consistent with the *Sign Guidelines for Site Plan Buildings*. For the purposes of the preceding sentence, minor changes shall include only the following: (i) a minor adjustment in the location of the sign to meet field conditions (less than 1 foot in any

direction); (ii) a minor change in the area of the sign (less than 5%), or (iii) a change in the text and/or color of the sign. All other changes to the approved Comprehensive Sign Plan will require site plan approval or amendment.

[Board Report #12](#)

[Addendum 9-25-10-D- U-1671-65-3](#)

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13. U-1671-65-3 USE PERMIT AMENDMENT FOR COMPREHENSIVE SIGN PLAN; LOCATED AT 4763 OLD DOMINION DRIVE (RPC #03-065-001).

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-2670-90-5 on file in the Office of the Zoning Administrator for renewal of use permit amendment vehicle service establishment for the parcel of real property known as 6720, 6730 Lee Hwy. (Exxon, RCP #11-005-001, -042), approval is granted for one (1) month, and the parcel so described shall be used according to the approval requested by the application, subject to all previous conditions, with a review at the October 23, 2010 County Board meeting.

[Board Report #13](#)

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14. U-2953-98-1 USE PERMIT REVIEW FOR LIVE ENTERTAINMENT AT THE PREMISES KNOWN AS 3007 COLUMBIA PIKE (RPC #25-014-001).

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-2953-98-1 on file in the Office of the Zoning Administrator for renewal of use permit amendment for live entertainment for the parcel of real property known as 3007 Columbia Pike (RPC #25-014-001), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previous conditions, and with no further scheduled County Board review.

[Board Report #14](#)

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17. U-3018-01-1 USE PERMIT RENEWAL FOR LIVE ENTERTAINMENT AND DANCING AT THE SPORTS HOUSE GRILL LOCATED AT 3249 COLUMBIA PIKE (RPC #25-012-001).

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-3018-01-1 on file in the Office of the Zoning Administrator for renewal of use permit amendment for live entertainment and dancing at the Sports House Grill for the parcel of real property known as 3249 Columbia Pike (RPC #25-012-001), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previous conditions and one (1)

revised condition, with an administrative review in three (3) months (December 2010) and a County Board review in six (6) months (March 2011).

Revised condition #8:

- 8. The applicant agrees to work with the Arlington County Police Department and ensure that all restaurant staff complete the State Training Intervention Procedures (TIPS) program. The applicant agrees to keep a record of TIPS training certification for all restaurant staff, including all new staff, and submit this information upon the County's request. The applicant further agrees that a representative from Sports House restaurant will meet with the Police Department as required to address potential issues associated with the live entertainment use.

Board Report #17

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18. U-3031-02-1 USE PERMIT REVIEW OF LIVE ENTERTAINMENT AND DANCING; PREMISES KNOWN AS 1345 NORTH COURTHOUSE ROAD. (RAGTIME, RPC #17-016-012).

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-3031-02-1 on file in the Office of the Zoning Administrator for use permit review for live entertainment and dancing for the parcel of real property known as 1345 North Courthouse Road (Ragtime, RPC #17-016-012), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previous conditions and with a County Board review in five (5) years (September 2015).

Board Report #18

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19. U-3202-08-2 USE PERMIT AMENDMENT FOR CLEARWIRE ANTENNAS AND GROUND EQUIPMENT ON AN EXISTING TELECOMMUNICATIONS FACILITY 2305 S. WALTER REED DRIVE (RPC: 29-002-029).

On the consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the use permit amendment for a telecommunication facility for Clearwire at 2305 S. Walter Reed Drive to the October 23, 2010, County Board meeting.

Board Report #19

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20. U-3225-09-1 USE PERMIT RENEWAL FOR A DORMITORY LOCATED AT 3530 22ND ST. SOUTH (RPC # 31-021-021).

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-3225-09-1 on file in the Office of the Zoning Administrator for a use permit for a dormitory for the parcel of real property known as 3530 22nd St. South (RPC # 31-021-021)

approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previous conditions, and with a County Board review in three (3) years (September 2013).

[Board Report #20](#)

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21. U-3266-10-1 USE PERMIT FOR A FAMILY DAY CARE HOME FOR NINE (9) CHILDREN LOCATED AT 2411 2ND STREET SOUTH (RPC #24-005-027).

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-3266-10-1 on file in the Office of the Zoning Administrator for a use permit for a family day care home for nine (9) children for the parcel of real property known as 2411 2nd Street South (RPC #24-005-027), 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 (September 2011).

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 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 that pick-up and drop-off of the children shall occur off the street in the existing driveway.

[Board Report #21](#)

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22. THIS ITEM WAS WITHDRAWN. U-3267-10-1 NEW USE PERMIT CLEARWIRE WIRELESS BROADBAND FOR PUBLIC UTILITY/TELECOMMUNICATIONS FACILITY IN THE "R-10" ONE-FAMILY DWELLING DISTRICTS, UNDER ACZO SECTION 5.A.6.A. (8). PROPERTY IS APPROXIMATELY LOCATED AT 5115 LITTLE FALLS ROAD, AND IS IDENTIFIED AS RPC #02-024-027. APPLICABLE POLICIES INCLUDE GLUP "RESIDENTIAL" LOW 1-10 UNITS PER ACRE.

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VACATIONS, EASEMENTS, RIGHTS OF WAY, ENCROACHMENTS & LEASES

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23. SECOND 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# 14044018, 14044PCA, 14044021 AND 14044022).

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

1. Enacted an Ordinance for a Second 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# 14044018, 14044PCA, 14044021 and 14044022), with Conditions ("Second Amended Ordinance") [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-E- Liberty Center" 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 Second Amended Ordinance, subject to approval as to form by the County Attorney.

[Board Report #23](#)

[Addendum 9-25-10-E- Liberty Center](#)

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24. APPROVAL AND ACCEPTANCE OF DEED OF TEMPORARY EASEMENT FOR STAGING AND TEMPORARY EASEMENT FOR CONSTRUCTION ON PORTIONS OF PARCEL M, CENTRAL PLACE, LOCATED BETWEEN N. MOORE STREET AND N. LYNN STREET, FOR CONSTRUCTION OF THE ROSSLYN STATION ACCESS IMPROVEMENT PROJECT (RPC # 16038016).

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

1. Approved the attached Deed of Temporary Easement for Staging and Temporary Easement for Construction ("Deed") between McDonald's USA LLC ("McDonald's"), Grantor, and The County Board of Arlington County, Virginia ("County"), Grantee on portions of Parcel M, Central Place, located between N. Moore Street and N. Lynn Street, for use in the construction of the Rosslyn Station Access Improvements Project ("RSAIP") (RPC #16038016). [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-F- Central Place" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, or his designee, Engineering and Capital Projects Division, Department of Environmental Services, to accept, on behalf of the County Board, the Deed and all related documents, subject to approval as to form of such documents by the County Attorney.

[Addendum 9-25-10-F- Central Place](#)

[Board Report #24](#)

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25. APPROVAL AND ACCEPTANCE OF A CONFIRMATORY DEED OF DEDICATION FROM STEVE KOUMAS AND MARIA G. KOUMAS TO THE COUNTY FOR A PORTION OF THE PROPERTY LOCATED AT 1621 NORTH QUINCY STREET, ARLINGTON, VIRGINIA (RPC# 06024010).

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

1. Approved the attached Confirmatory Deed of Dedication from Steve Koumas and Maria G. Koumas, to the County Board of Arlington County, Virginia ("Deed"), confirming the dedication of a portion of the property located at 1621 North Quincy Street, Arlington, Virginia (RPC# 06024010) for public right of way purposes. [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-G-1621 N. Quincy St" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Engineer and Capital Projects Division, Department of Environmental Services, or his designee, to accept the Deed on behalf of the County Board, subject to approval as to form by the County Attorney.

[Board Report #25](#)

[Addendum 9-25-10-G- 1621 N. Quincy St](#)

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26. APPROVAL OF A DEED OF DEDICATION AND EASEMENTS BY AND AMONG AHC LIMITED PARTNERSHIP-20, AS GRANTOR, WITH APPROVAL AND CONSENT OF CAROL MCCOSKRIE, AS TRUSTEE; ARLINGTON COUNTY, VIRGINIA, AS LENDER; J. JUDSON MCKELLAR, JR. AND DONALD L. RITENOUR, AS TRUSTEES; VIRGINIA HOUSING DEVELOPMENT AUTHORITY, AS LENDER, AND THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA, AS GRANTEE, ON PROPERTY KNOWN AS PART LOT 2-A, 800/900 NORTH GLEBE ROAD, ARLINGTON, VIRGINIA (RPC #14053061).

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

1. Approved the attached Deed of Dedication and Easements ("Deed of Dedication") on property known as Part Lot 2-A, 800/900 North Glebe Road, Arlington, Virginia, RPC #14053061 ("Property") on which the County is a lienholder under an Affordable Housing Investment Fund Deed of Trust ("AHIF Deed of Trust"), subject to approval as to form by the County Attorney; [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-H- AHIF Deed" attached for the public record to these minutes.]
2. Authorized subordination of the lien of an Affordable Housing Investment Fund Deed of Trust ("AHIF Deed of Trust") to the Deed of Dedication ;
3. Authorize the County Manager, or his designee, to: a) execute the Deed of Dedication, subordinating the lien of the AHIF Deed of Trust and releasing the portion of the Property being dedicated to the County from the lien of the AHIF Deed of Trust; and b) accept the Deed of Dedication on behalf of the County, subject to approval of all such documents as to form by the County Attorney; and
4. Authorized Carol McCoskrie, Trustee, to execute the Deed of Dedication, subordinating the lien of the AHIF Deed of Trust on the Property to the Deed of Dedication and to release the portion of the property being dedicated to the County from the lien of the AHIF Deed of Trust, subject to approval as to form by the County Attorney.

[Board Report #26](#)

[Addendum 9-25-10-H- AHIF Deed](#)

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27. APPROVAL OF AN AGREEMENT OF SALE FOR THE COUNTY'S PURCHASE OF A PARCEL OF LAND OWNED BY MONUMENT ASSOCIATES, LOCATED ALONG U.S. ROUTE 50 IN ARLINGTON (RPC #17001013).

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

1. Approved the attached Agreement of Sale between Mounument Associates, a Virginia general partnership, and the County Board of Arlington County, Virginia, for the purchase by the County Board of a parcel of land, containing 15,855 square feet, along U.S. Route 50; [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-I- Monument Associates Route 50" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, to execute the attached Agreement of Sale and all related documents necessary for the acquisition, subject to approval as to form of all documents by the County Attorney.

[Board Report #27](#)

[Addendum 9-25-10-I- Monument Associates Route 50](#)

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28. APPROVAL OF AN AMENDMENT TO RIGHT-OF-WAY PERMIT RW-3300-05-001, ISSUED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARKS SERVICE, TO THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA, AS PART OF THE POTOMAC INTERCEPTOR SANITARY SEWER PROJECT.

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

1. Approved the attached Amendment Number 01 to Right-of-Way Permit RW-3300-05-001; [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-J- National Parks Service" attached for the public record to these minutes.]
2. Authorized the Engineering Bureau Chief, Engineering and Capital Projects Division, to accept and execute the attached Amendment Number 01 to Right-of-Way Permit RW-3300-05-001 and all related documents necessary for the permit, subject to approval as to form of all documents by the County Attorney.

[Board Report #28](#)

[Addendum 9-25-10-J- National Parks Service](#)

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29. APPROVAL OF A PARKING GARAGE LICENSE AGREEMENT BETWEEN THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA AND CONSORTIUM BALLSTON, LLC CONCERNING THE INSTALLATION OF EXHAUST PIPES AND APPURTENANT FACILITIES IN THE BALLSTON PARKING GARAGE, LOCATED ON PARCEL E-1-A BALLSTON COMMON (RPC NO. 14059041).

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

1. Approved the Parking Garage License Agreement ("License") between the County Board of Arlington County, Virginia ("County") and Consortium Ballston, LLC ("Ballston" or "Owner"), to provide a license to Consortium Ballston, LLC to install two exhaust pipes and appurtenant facilities in the Ballston Parking Garage, located on Parcel "E-1-A" Ballston Common (RPC No. 14059041). [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-K- Ballston Parking Garage" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, to execute on behalf of the County Board, the License and all related documents, subject to approval as to form of such documents by the County Attorney.

[Board Report #29](#)

[Addendum 9-25-10-K- Ballston Parking Garage](#)

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ORDINANCES, PLANS AND POLICIES

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30. ADOPTION OF NON-CODIFIED ORDINANCES DESIGNATING SIX TREES ON PRIVATE PROPERTY AS SPECIMEN TREES IN ACCORDANCE WITH ARTICLE III OF CHAPTER 67 OF THE ARLINGTON CODE, REGULATION OF HERITAGE TREES, MEMORIAL TREES, SPECIMEN TREES ON PUBLIC OR PRIVATE PROPERTY (HEREINAFTER TREE PRESERVATION ORDINANCE) SO THAT THEY ARE SUBJECT TO PROTECTION FROM REMOVAL OR INJURY.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the following ordinances designating six trees on private property as "Specimen Trees" in accordance with Arlington County's Tree Preservation Ordinance so that they are subject to protection from removal or injury.

ORDINANCE DESIGNATING A SPECIMEN TREE ON PRIVATE PROPERTY AT 3618 22nd STREET NORTH (RPC# 05053004)

BE IT ORDAINED that the County Board of Arlington, Virginia, hereby designates the White Oak (*Quercus alba*) behind the house of 3618 22nd Street North (RPC# 05053004), a Specimen Tree, pursuant to its authority under Arlington County Code § 67-3-1 and upon recommendation of the urban forester, and that the tree shall be accorded all protections as provided in the applicable provisions of Chapter 67 of the Arlington County Code; and,

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

**ORDINANCE DESIGNATING A SPECIMEN TREE ON PRIVATE PROPERTY AT 3826 8th STREET SOUTH
(RPC# 23032015)**

BE IT ORDAINED that the County Board of Arlington, Virginia, hereby designates the American Elm (*Ulmus americana*) located at 3826 8th Street South, in the right rear next to the house when the property is viewed from the street (RPC# 23032015), a Specimen Tree, pursuant to its authority under Arlington County Code § 67-3-1 and upon recommendation of the urban forester, and that the tree shall be accorded all protections as provided in the applicable provisions of Chapter 67 of the Arlington County Code; and,

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

**ORDINANCE DESIGNATING A SPECIMEN TREE ON PRIVATE PROPERTY AT 46 NORTH FENWICK STREET
(RPC# 18082014)**

BE IT ORDAINED that the County Board of Arlington, Virginia, hereby designates the White Oak (*Quercus alba*) in the front yard of the house at 46 North Fenwick Street (RPC# 18082014), a Specimen Tree, pursuant to its authority under Arlington County Code § 67-3-1 and upon recommendation of the urban forester, and that the tree shall be accorded all protections as provided in the applicable provisions of Chapter 67 of the Arlington County Code; and,

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

**ORDINANCE DESIGNATING A SPECIMEN TREE ON PRIVATE PROPERTY AT 46 NORTH FENWICK STREET
(RPC# 18082014)**

BE IT ORDAINED that the County Board of Arlington, Virginia, hereby designates the White Oak (*Quercus alba*) in the back yard of the house at 46 North Fenwick Street (RPC# 18082014), a Specimen Tree, pursuant to its authority under Arlington County Code § 67-3-1 and upon recommendation of the urban forester, and that the tree shall be accorded all protections as provided in the applicable provisions of Chapter 67 of the Arlington County Code; and,

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

**ORDINANCE DESIGNATING A SPECIMEN TREE ON PRIVATE PROPERTY AT 725 25th STREET SOUTH
(RPC# 36045015)**

BE IT ORDAINED that the County Board of Arlington, Virginia, hereby designates the Pin Oak (*Quercus palustris*) in the back yard of the house at 725 25th Street South (RPC# 36045015), a Specimen Tree, pursuant to its authority under Arlington County Code § 67-3-1 and upon recommendation of the urban forester, and that the tree shall be accorded all protections as provided in the applicable provisions of Chapter 67 of the Arlington County Code; and,

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

ORDINANCE DESIGNATING A SPECIMEN TREE ON PRIVATE PROPERTY AT 116 NORTH GARFIELD STREET (RPC# 18079009)

BE IT ORDAINED that the County Board of Arlington, Virginia, hereby designates the Black Oak (*Quercus velutina*) in the back yard of the house at 116 North Garfield Street (RPC# 18079009), a Specimen Tree, pursuant to its authority under Arlington County Code § 67-3-1 and upon recommendation of the urban forester, and that the tree shall be accorded all protections as provided in the applicable provisions of Chapter 67 of the Arlington County Code; and,

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

[Board Report #30](#)

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31. [COLUMBIA PIKE](#)

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

- A. Adopted the ordinance to amend Chapter 22 (Street Development And Construction), Section 22-8.1, of the Code of Arlington County, Virginia Concerning Permits Issued Before October 1, 2010 by the Commonwealth of Virginia, Department of Transportation (VDOT), for Activity, Work and Installation of Facilities in the Columbia Pike (State Route 244) Right of Way. [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-L- Chapter 22" attached for the public record to these minutes.]

[Board Report #31 A](#)

[Addendum 9-25-10-L- Chapter 22](#)

- B. Approved the Memorandum of Agreement between the County Board of Arlington County and the Commonwealth of Virginia, Department of Transportation ("Exhibit A") for the transfer of portions of Columbia Pike (Route 244), and certain other streets ancillary to Columbia Pike, from the primary and secondary systems of state highways to the local road system of Arlington County [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-M-DOT " attached for the public record to these minutes.]; and,

Authorized the County Manager or his designee, to execute, on behalf of the County Board, the Memorandum of Agreement, the Quitclaim Deed, and all other documents necessary for the County Board to accept the transfer of such sections of public road, subject to approval as to form of all such documents by the County Attorney.

[Board Report #31 B](#)

[Addendum 9-25-10-M-DOT](#)

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CAPITAL PROJECTS

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32. THIS ITEM WAS REMOVED.

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35. APPROVAL OF AWARD OF AMENDMENT NO. 3 TO AGREEMENT NO. 457-08 BETWEEN THE ARLINGTON COUNTY BOARD AND PB AMERICAS, INC., AND AUTHORIZATION OF ADDITIONAL FUNDS TO CONDUCT PRELIMINARY ENGINEERING, PERFORM FINAL DESIGN, PREPARE CONSTRUCTION BID DOCUMENTS, AND CARRY OUT CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE CRYSTAL CITY POTOMAC YARD TRANSITWAY.

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

1. Approved the Award of Amendment No. 3 to Agreement No. 457-08 between the Arlington County Board and PB Americas, Inc., to incorporate preliminary engineering and final design of the Crystal City section to the design and engineering contract for the Crystal City Potomac Yard Transitway.
2. Authorized additional funds in an amount of \$586,120, plus a contingency of 10% of \$58,612 for a total increase of \$644,732, resulting in a total contract authorization not to exceed \$1,229,232 for design services and construction administrative services for the Crystal City Potomac Yard Transitway.
3. Authorized the Purchasing Agent to execute the contract documents for Amendment No. 3 to Agreement No. 457-08, subject to legal review by the County Attorney.
4. Appropriated \$777,422 to be received from a Federal Transit Administration Discretionary Grant (313.374900) to the Department of Environmental Services transit capital fund (313.43515).
5. Appropriated \$980,000 to be received from a Federal Transit Administration New Starts Grant (313.374900) to the Department of Environmental Services transit capital fund (313.43515).

[Board Report #35](#)

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36. AUTHORIZATION TO INCREASE THE APPROPRIATED CONTRACT AMOUNT CONCERNING AGREEMENT NO. 440-08 WITH A&M CONCRETE CORPORATION FOR THE CONSTRUCTION OF OLD DOMINION DRIVE (ROUTE 309) ROADWAY AND STORM DRAIN IMPROVEMENTS - PHASE I PROJECT.

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

1. Authorized an increase of \$36,658.00 in the Contract Amount of Agreement No. 440-08 for changes in materials and increased quantities related to the construction of Old Dominion Drive (Route 309) Roadway and Storm Drain Improvements – Phase 1 Project.

- 2. Appropriated the sum of \$36,658.00 to fund the increased Contract Amount.

[Board Report #36](#)

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APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS

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37. FY 2011 REGIONAL AND FEDERAL GRANTS FOR THE DEPARTMENT OF HUMAN SERVICES.

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

- 1) Appropriated \$213,794 from Fairfax County acting as fiscal agent for the Virginia Department of Behavioral Health and Developmental Services (DBHDS) (101.364528) to the Department of Human Services (101.52134) for the Regional Discharge Assistance Project.
- 2) Appropriated \$24,000 from Fairfax County acting as fiscal agent for the Virginia Department of Behavioral Health and Developmental Services (DBHDS) (101.364501) to the Department of Human Services (101.52139) for the Client Services Entry Client Medication Fund.
- 3) Appropriated \$4,881 from the Virginia Department of Behavioral Health and Developmental Services (DBHDS) acting as fiscal agent for the Department of Health and Human Services (101.374515) to the Department of Human Services (101.52135) for the federal Projects in Assistance for Transition from Homelessness (PATH) Incentive and Travel Grant.

[Board Report #37](#)

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38. FUNDING TO IMPLEMENT COMMUNITY CLINICS OFFERING SEASONAL INFLUENZA VACCINE IN ARLINGTON.

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

- 1. Accepted a \$5,000 private grant from the deBeaumont Foundation to cover start up costs for a community-based seasonable influenza vaccine clinic.
- 2. Appropriated \$5,000 in private grant funds (101.350900) to the Department of Human Services (101.55001).

[Board Report #38](#)

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39. VIRGINIA DEPARTMENT OF HEALTH CITIES READINESS INITIATIVE FUNDS FOR MEDICATION DISPENSING IN AN EMERGENCY.

On the consent agenda vote, after a duly advertised public hearing, the Board appropriated \$26,398 from the Virginia Department of Health (101.364100) to the Department of Human Services (101.55001) in FY 2011 to support medication dispensing planning.

[Board Report #39](#)

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40. FAMILY UNIFICATION PROGRAM FUNDS THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) HOUSING CHOICE VOUCHER PROGRAM.

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

1. Appropriated \$540,534 in HUD Housing Choice Voucher funds (208.372715) and up to \$60,354 in HUD Administrative Fees (208.372714) to the Department of Human Services (DHS) (208.51181).
2. Authorized the County Manager or his designee to execute the Family Unification Program Amendment to the Annual Contributions Contract.

[Board Report #40](#)

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41. GRANT AWARD - NATIONAL ENDOWMENT FOR THE ARTS.

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

1. Authorized the County Manager to accept \$35,000 in federal funds from the National Endowment for the Arts (NEA) to conduct folklore research, do photographic documentation, and present exhibitions and performances, all representing the arts and culture of Arlington's Mongolian community.
2. Appropriated \$35,000 in grant fund revenue from the NEA to the Department of Parks, Recreation and Cultural Resources (PRCR) (101.424000.86024) for personal services fees and supplies associated with conducting the above-mentioned activities and programs.

[Board Report #41](#)

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42. REIMBURSEMENT AWARD TO THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL RESOURCES (PRCR) SUMMER CAMP PROGRAM FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) SUMMER FOOD SERVICE PROGRAM.

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

1. Authorized the County Manager to accept and appropriate, in FY 2011, \$34,000 in federal grant funds from the USDA (101.374900) to PRCR (101.85102) for reimbursement of costs incurred in providing nutritious meals for qualified summer camp participants.
2. Ratified the endorsement by PRCR's Recreation Supervisor of the Agreement between the County and USDA regarding the County's receipt of reimbursement monies from USDA. [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-N-USDA " attached for the public record to these minutes.]

[Board Report #42](#)

[Addendum 9-25-10-N-USDA](#)

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43. AUTHORIZE ACCEPTANCE OF AND APPROPRIATE NORTHERN VIRGINIA REGIONAL GANG TASK FORCE (NVRGTF) FUNDS TO PURCHASE SERVICES FROM A CONTRACTOR TO CONTINUE THE ADULT REENTRY PROGRAM BEYOND THE PILOT PROJECT STAGE.

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

1. Authorized the County Manager to accept \$54,653 in non-competitive grant funds from the NVRGTF.
2. Appropriated \$54,653 in grant funds received from NVRGTF (101.374964) to the Juvenile & Domestic Relations District Court (JDR) (101.20601) for costs associated with the Adult Reentry Program.

[Board Report #43](#)

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44. AUTHORIZATION FOR ACCEPTANCE AND APPROPRIATION OF AN FY 2011 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 took the following actions:

1. Authorize the County Manager to accept \$52,100 in grant funds related to the FY 2011 Virginia Highway Safety Program.
2. Appropriate \$52,100 in FY 2011 from the Virginia Highway Safety Grant Program (101.364900) to the Police Department (101.31202) for costs associated with the administration of the grant program.

[Board Report #44](#)

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45. HISTORIC PRESERVATION

- A. Authorization to accept a \$4,287 matching grant from the Virginia Dept. of Historic Resources' CLG Program to prepare a National Register nomination for a proposed Dominion Hill Historic District.

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

1. Accept a \$4,287 matching grant from the Virginia Department of Historic Resources' (VDHR) Certified Local Government (CLG) Program to research and prepare a nomination to the National Register of Historic Places for a proposed Dominion Hills Historic District listing.
2. Authorize the County Manager to sign the attached VDHR Certified Local Government (CLG) Grant Agreement (Attachment A). [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-O-Dominion Hill " attached for the public record to these minutes.]

[Board Report #45 A](#)

[Addendum 9-25-10-O- Dominion Hill](#)

- B. Authorization to accept a \$9,643 matching grant from the Virginia Department of Historic Resources' CLG Program to prepare a National Register nomination for a proposed Apartment Bungalow Multiple Property Document listing.

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

1. Accept a \$9,643 matching grant from the Virginia Department of Historic Resources' (VDHR) Certified Local Government (CLG) Program to research and prepare a nomination to the National Register of Historic Places for a proposed Apartment Bungalow Multiple Property Document listing.
2. Authorize the County Manager to sign the attached VDHR Certified Local Government (CLG) Grant Agreement (Attachment A). [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-P-Apt Bungalow " attached for the public record to these minutes.]

[Board Report #45 B](#)

[Addendum 9-25-10-P-Apt Bungalow](#)

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46. APPROPRIATE AND ALLOCATE THE 2010 GENERAL OBLIGATION PUBLIC IMPROVEMENT & REFUNDING BOND PROCEEDS.

On the consent agenda vote, after a duly advertised public hearing, the Board appropriated and allocated proceeds of \$139.285 million from the August 2010 General Obligation Public Improvement & Refunding Bond issue as follows:

- \$7,150,000 to the Street and Highway Bond Fund (314)
- \$8,170,000 to the Community Conservation Bond Fund (316)
- \$1,500,000 to the Parks and Recreation Bond Fund (324)
- \$7,542,000 to the Metro Bond Fund (333)
- \$4,000,000 to the Utility Water Bond Fund (525)

- \$14,350,000 to the Utility Water Pollution Control Plant Bond Fund (530)
- \$30,703,000 to the Schools Bond Fund (887)
- \$65,870,000 placed in escrow for the refunding of previous bond issues

[Board Report #46](#)

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REQUESTS TO ADVERTISE

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- 49. REQUEST TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SITE PLANS #13, 18, 105 (METROPOLITAN PARK 2), 297, 331, 335, 346 (POTOMAC YARD BAYS C, D-EAST AND D-WEST), 382, 384, 386, 387, 389, 392, 395, 396, 397, 400, 401, 402, 403, 405, 406, 408, 409, 411, 412 AND 413, AND USE PERMITS U-1671-65-3, U-3155-06-1, U-3228-09-1, U-3242-09-1, AND U-3148-05-1, TO ADD A NEW CONDITION THAT WOULD GRANT THE ZONING ADMINISTRATOR THE AUTHORITY TO MODIFY THE TIMING REQUIRED FOR COMPLIANCE WITH CERTAIN CONDITIONS, AND TO MODIFY THE CONDITIONS FOR THE EXCAVATION PLAT AND WALL CHECK SURVEY TO BRING THEM UP TO DATE WITH CURRENT REQUIREMENTS.**

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 October 23, 2010, to consider amending Site Plans #13, 18, 105 (Metropolitan Park 2), 297, 331, 335, 346 (Potomac Yard Bays C, D-East and D-West), 382, 384, 386, 387, 389, 392, 395, 396, 397, 400, 401, 402, 403, 405, 406, 408, 409, 411, 412 and 413, and Use Permits U-1671-65-3, U-3155-06-1, U-3228-09-1, U-3242-09-1, and U-3148-05-1, to add a new condition that would grant the Zoning Administrator the authority to modify the timing required for compliance with certain conditions, and to modify the conditions for the excavation plat and wall check survey to bring them up to date with current requirements.

[Board Report #49](#)

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OTHER

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- 51. ARLINGTON COMMUNITY SERVICES BOARD FY 2011 PERFORMANCE CONTRACT WITH VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES.**

On the consent agenda vote, after a duly advertised public hearing, the Board approved the FY 2011 Performance Contract between the Arlington Community Services Board and the Virginia Department of Behavioral Health and Developmental Services (DBHDS). [Clerk's note: as set forth in the document entitled "Addendum 9-25-10-Q-ACSB " attached for the public record to these minutes.]

[Board Report #51](#)

[Addendum 9-25-10-Q-ACSB](#)

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52. PRIORITIES FOR FISCAL YEAR 2012 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 2012 Congestion Mitigation and Air Quality and Regional Surface Transportation Program funding as follows:

Priority For 2012	Project Title	Funding Source	FY 2011 Request	FY 2011 Award	FY 2012 Request
1	Arlington County Commuter Services	CMAQ	\$4,000,000	\$3,700,000	\$4,200,000
2	Transportation System Management & Operations	RSTP	\$1,000,000	\$300,000	\$160,000
3	Bikesharing Capital & Operations	CMAQ	N/A	N/A	\$350,000
4	Crystal City VRE Platform Extension	CMAQ	N/A	N/A	\$250,000
5	Washington Boulevard Trail Ph. II	CMAQ	N/A	N/A	\$250,000
N/A	Traffic Signal Optimization	RSTP	\$400,000	\$0	No request
N/A	Bus Shelter and Safety Enhancements	CMAQ	\$250,000	\$0	No request
N/A	Arlington Boulevard Trail Improvements	RSTP	\$400,000	\$0	No request
Total			\$6,050,000	\$4,000,000	\$5,210,000

[Board Report #52](#)

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53. APPROVAL OF A DONOR-ADVISED FUND AGREEMENT WITH THE ARLINGTON COMMUNITY FOUNDATION TO ESTABLISH THE ARLINGTON ARTISPHERE FUND.

On the consent agenda vote, after a duly advertised public hearing, the Board approved a Donor-Advised Fund Agreement ("Agreement") with the Arlington Community Foundation ("Foundation") to establish the Arlington Artisphere Fund. [Clerk's note: as set forth in the document entitled "Addendum 9-25-10- R-Artisphere " attached for the public record to these minutes.]

[Board Report #53](#)

[Addendum 9-25-10- R-Artisphere](#)

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54. MINUTES

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

December 30, 2009	Closed Meeting
January 26, 2010	Recessed Meeting (amended minutes)
January 29, 2010	Closed Meeting
January 29, 2010	Work Session with the County Manager
February 2, 2010	Special Meeting for a Briefing by the Acting County Manager
February 2, 2010	Special Meeting to Attend Civic Federation Meeting
February 4, 2010	Closed Meeting
March 2, 2010	Work Session with Congressman Jim Moran, Followed by a Closed Meeting
March 4, 2010	Closed Meeting
March 12, 2010	Closed Meeting
March 16, 2010	Work Session with the County Manager
April 1, 2010	Closed Meeting
April 8, 2010	Budget Work Session with the School Board
April 17, 2010	Special Meeting to Attend the Community Energy Town Hall Meeting
April 24, 2010	Regular Meeting
April 27, 2010	Recessed Meeting
May 4, 2010	Closed Meeting
May 18, 2010	Closed Meeting
May 25, 2010	Recessed Meeting
June 12, 2010	Regular Meeting
June 15, 2010	Recessed Meeting
July 10, 2010	Regular Meeting
July 13, 2010	Recessed Meeting

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REGULAR HEARING ITEMS

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- 55. U-3199-08-2 USE PERMIT AMENDMENT FOR PLAN MODIFICATIONS TO THE ARLINGTON MILL COMMUNITY CENTER TO CONSTRUCT AN APPROXIMATELY 65,700 SQ FT COMMUNITY CENTER FACILITY WITH GYMNASIUM AND RETAIL, LOCATED AT 4975 COLUMBIA PIKE (RPC: 22-001-004). MODIFICATIONS OF ZONING ORDINANCE REQUIREMENTS INCLUDE: PROVISIONS FOR ARCHITECTURAL DETAILS UNDER THE FORM BASED CODE, AND OTHER MODIFICATIONS AS NECESSARY TO ACHIEVE THE PROPOSED DEVELOPMENT PLAN.**

After a duly advertised public hearing at which there were speakers, on a motion by CHRISTOPHER ZIMMERMAN, Vice Chairman, seconded by J. WALTER TEJADA, Member, and carried by a vote of 5 to 0, the voting recorded as follows: JAY FISETTE, Chairman - Aye, CHRISTOPHER ZIMMERMAN, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board adopted the following ordinance to include the updated LEED scorecard dated September 21, 2010:

BE IT ORDAINED that, pursuant to application U-3199-08-2 on file in the Office of the Zoning Administrator for plan modifications to the Arlington Mill Community Center for a use permit to construct an approximately 65,700 square foot community center facility with gymnasium and retail for the parcel of real property known as 4975 Columbia Pike (RPC#: 22-001-004), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to amended conditions in the staff report. [Clerk’s note: as set forth in the document entitled “Addendum 9-25-10-S-Arlington Mill ” attached for the public record to these minutes.]

[Board Report #55](#)

[Attachments #55](#)

[Addendum 9-25-10-S-Arlington Mill](#)

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- 56. U-3255-10-2 USE PERMIT AMENDMENT FOR COMPREHENSIVE SIGN PLAN; LOCATED AT 5510 LEE HIGHWAY (RPC #10-001-007).**

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

BE IT ORDAINED that, pursuant to application U-3255-10-2 on file in the Office of the Zoning Administrator for use permit amendment for a comprehensive sign plan for the parcel of real property known as 5510 Lee Highway (RPC# 10-001-007), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to all previously approved conditions and the amended conditions in the staff report.

New Conditions (pertaining to the signs at 5510 Lee Highway):

30. The applicant agrees to limit all signs to the size, design, location, color, materials, and text of the proposed signs shown on the drawings entitled "Sign Program TD Bank," prepared by Gable Signs, drawing date May 26, 2010.
~~provided however, that the applicant understands and agrees that the 22.47 square foot and 6.71 square foot wall signs proposed for the east façade of the building have not been approved and therefore may not be erected.~~
[Clerk's note: as set forth in the document entitled "Addendum 9-25-10-T-TD Bank" attached for the public record to these minutes.]

31. The applicant agrees that the Zoning Administrator may approve a minor change to the Comprehensive Sign Plan consistent with the Sign Guidelines for Site Plan Buildings. For the purposes of the preceding sentence, minor changes shall include only the following: (i) a minor adjustment in the location of the sign to meet field conditions (less than 1 foot in any direction); (ii) a minor change in the area of the sign (less than 5%), or (iii) a change in the text and/or color of the sign. All other changes to the approved Comprehensive Sign Plan will require site plan approval or amendment.

[Board Report #56](#)

[Addendum 9-25-10-T-TD Bank](#)

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57. SP #11 SITE PLAN AMENDMENT TO CONVERT RETAIL SPACE TO OFFICE USE WITHIN THE CRYSTAL CITY SHOPS LOCATED AT 2110 AND 2200 CRYSTAL DRIVE (RPC# 34-020-265 AND -069).

After a duly advertised public hearing at which there were speakers, on a motion by BARBARA A. FAVOLA, Member, J. WALTER TEJADA, Member, and carried by a vote of 5 to 0, the voting recorded as follows: JAY FISETTE, Chairman - Aye, CHRISTOPHER ZIMMERMAN, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board accepted withdrawal of the subject site plan amendment.

[Board Report #57-Revised](#)

CERTIFICATION FOR A CLOSED MEETING

The board completed the Closed Meeting Certification roll call vote from the Closed Session held earlier because Ms. Hynes and Mr. Tejada were now present for roll call:

On a motion by Mr. Fisette and seconded by Mr. Zimmerman and carried by a vote of 5 to 0 by roll call, the voting record as follows:

Member	Vote
* Mr. Fisette	Aye
* Mr. Zimmerman	Aye
* Ms. Favola	Aye
Ms. Hynes	Aye
Mr. Tejada	Aye

* the following members certified the earlier Closed Meeting at the adjournment of that meeting.

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

On a motion by JAY FISETTE, Chairman, seconded by CHRISTOPHER ZIMMERMAN, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: JAY FISETTE, Chairman - Aye, CHRISTOPHER ZIMMERMAN, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, MARY HUGHES HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board met in a closed meeting from 11:35 a.m. to 1:32 p.m., as authorized by §§2.2-3711.A.1 and 7 of the Virginia Code, for the purposes of discussing one personnel matter, and for consultation with the County Attorney concerning Case Number 1:09-cv-01570 now pending in the United States District Court for the District of Columbia.

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

Member & Vote

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

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

ADJOURNMENT

Without objection, at 11:42 a.m., the Board recessed until the September 28, 2010 Recessed Meeting.

JAY FISETTE, Chairman

ATTEST:

HOPE L. HALLECK, Clerk
Approved: October 23, 2010