

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Saturday, September 15, 2012 at 8:32 a.m.

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

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

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PUBLIC COMMENT

Audrey Clement, Green Party Candidate for County Board, spoke about the upcoming bond referenda and possible issues with the transportation, school and parks and recreation bonds.

Mary Rouleua, Executive Director of the Alliance for Housing Solutions, spoke about Affordable Housing Education Week, part of an upcoming public education program.

Robert Atkins spoke about drug use by teenagers and that President Obama has admitted to trying drugs and is not a good role model.

Darnell Carpenter of George Washington Carver Mutual Homes spoke about County staff meeting recently with the Board of Directors of GW Carver Mutual Homes and discussed including the organization in the Columbia Pike Neighborhood Plan.

Jim Hurysz spoke against the Columbia Pike streetcar and asked the Board to consider state-of-the art bus alternatives.

Matt Wavro spoke about the WARN Act (Worker Adjustment and Retraining Notification Act) that provides notice to communities and employers of potential layoff of significant numbers of employees and urged the Board to continue to follow the WARN Act and notify employees who may be affected by Federal budget reductions.

Maureen Ross of the Cherrydale Civic Association spoke about the Association's Traffic Committee and listed several traffic related issues that the committee would like the Board to analyze.

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CONSENT ITEMS (ITEMS 1-38) CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE CONSENT AGENDA MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY, SEPTEMBER 15, 2012, MEETING BEFORE 9 A.M. PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, SEPTEMBER 18, 2012, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).

A motion was made by CHRISTOPHER ZIMMERMAN, Member, seconded by J. WALTER TEJADA, Vice Chairman to approve the County Manager's recommendation for all consent items except items #1, #3, #21 and #23, which will be subject to full hearing at the September 18, 2012 County Board recessed meeting. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member - Aye.

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SITE PLANS/AMENDMENTS/REVIEW

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2. **Z-2372-89-1 PROFFER AMENDMENT FOR THE GARFIELD PARK PROJECT TO AMEND TIMING ASSOCIATED WITH PROFFERS 12, 47, 48, 69; AMEND PROFFER 37 REGARDING REQUIRED PARKING SPACE DIMENSIONS; AND AMEND PROFFER 48 REGARDING ALLOCATION OF PARKING SPACES AMONG USES; LOCATED AT 2900 10TH STREET NORTH (RPC# 18-029-007).**

On the consent agenda vote, after a duly advertised public hearing, the Board approved the attached resolution accepting the proffers 12, 37, 47, 48 and 69, as amended, and new proffer 81. [Clerk's note: as set forth in the document entitled "Addendum-9-15-12-F-Z-2372-89-1 Proffers" attached for the public record to these minutes.]

[Board Report #2](#)

[Board Report #2 \(Supplemental Report\)](#)

[Addendum-9-15-12-F-Z-2372-89-1 Proffers](#)

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USE PERMITS REQUEST/REVIEWS/AMENDMENTS

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4. **SP-401-U-12-2 USE PERMIT ASSOCIATED WITH A SITE PLAN FOR A CHILD CARE CENTER OF UP TO 28 CHILDREN LOCATED AT THE JORDAN APARTMENTS, 801 N. WAKEFIELD ST. (RPC# 140-530-61).**

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 #401 U-12-2 on file in the Office of the Zoning Administrator for a use permit for the parcel of real property located at The Jordan Apartments, 801 N. Wakefield St. (RPC# 140-530-61), approval is granted and the parcel so described shall be used according to the approval requested by the application subject to the conditions of the staff report, with a County Board review in one (1) year (September 2013).

Conditions:

1. The applicant agrees that the hours of operation will be Monday, Tuesday, Thursday and Friday from 3:00 p.m. to 6:30 p.m. and Wednesdays from 12:00 noon through 6:30 p.m. from September through June, and Monday through Friday from 7:00 a.m. at the earliest through 6:30 p.m. at the latest during July and August. The applicant agrees not to enroll more than 28 children, ages five (5) through eleven (11), or such lesser number as the Virginia Department of Social Services, Licensing Division, or certificate of occupancy has determined can be accommodated. No more than two-thirds of students enrolled at any time may be non-Jordan residents, unless otherwise

approved by the Zoning Administrator through an administrative change request if the Zoning Administrator finds that the number of Jordan residents who have chosen to participate in the on-site child care program is less than one-third of the total enrollment. The YMCA will offer residents of The Jordan minimum subsidies of \$210/month, as adjusted based on the current cost of the after school child care program. Residents of The Jordan would be eligible for greater subsidies if they qualify for Arlington County's free or reduced lunch program. An equivalent level of subsidy would be offered to The Jordan residents who participate in the summer day camp program.

2. The applicant agrees to meet all requirements of the Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a Certificate of Occupancy.
3. The applicant agrees that the outdoor play area used by children of the subject child care shall be located at Fields Park or otherwise on the grounds of The Jordan. Use of The Jordan courtyard area by the child care use shall be shared with residents of The Jordan.
4. The applicant agrees to prepare a pick-up and drop-off plan and to obtain County Manager or her designee's approval of such plan, as not having an undue adverse impact on traffic flow in the area, on traffic safety, or on the children's safety, prior to the issuance of any Certificate of Occupancy for a child care center on the site. The plan shall require employees to escort children from the pick-up/drop-off location to the building. During the months of September through June, hours of drop-off and pick-up will be between 3:00 and 4:30 p.m. (12:00 noon and 1:30 p.m. on Wednesdays), and between 5:00 and 6:30 pm, respectively. During the months of July and August, hours of drop-off and pick-up will be between 7:00 and 9:30 a.m. at the earliest and 5:00 and 6:30 p.m., at the latest respectively. The applicant agrees to implement the approved plan and, prior to the first day of operation of the day care, submit written documentation to the Zoning Administrator that a letter has been distributed to the parents of the children in care explaining the procedures for dropping off and picking up children in accordance with the plan.
5. The applicant agrees to prepare a plan delineating the location of the on-site parking that would accommodate staff associated with the proposed child care center, and to obtain the County Manager or her designee's approval for such plan prior to the issuance of a Certificate of Occupancy for the child care center. The County Manager or designee will approve such plan if she determines it to be consistent with this approval, and including, at a minimum, one (1) parking space. The applicant further agrees to provide, prior to the issuance of the Certificate of Occupancy for the child care center, documentation that The Jordan apartments complies with parking requirements per ACZO Section 33.
6. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns that may be related to this child care center. The name and telephone number of the liaison shall be submitted by the applicant to the Zoning Administrator, as well as to the Bluemont Civic Association, prior to the issuance of the Certificate of Occupancy for a child care center on the site.

[Board Report #4](#)

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5. **U-2556-87-5 USE PERMIT REVIEW FOR A CHILD CARE CENTER OF UP TO 130 CHILDREN LOCATED AT CHILDREN'S HOUSE MONTESSORI SCHOOL, 2425 N. GLEBE ROAD (RPC# 02-062-006).**

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-2556-87-5 on file in the Office of the Zoning Administrator for a use permit renewal for the parcel of real property located at Children's House

Montessori School, 2425 N. Glebe Road (RPC# 02-062-006), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previous conditions, with a County Board review in five (5) years (September 2017).

[Board Report #5](#)

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6. U-3095-04-3 USE PERMIT REVIEW OF A VEHICLE SERVICE ESTABLISHMENT; LOCATED AT 67 NORTH GLEBE ROAD (RPC# 20-033-003).

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

BE IT ORDAINED that, pursuant to application U-3095-04-3 on file in the Office of the Zoning Administrator for a use permit for a vehicle service establishment for the parcel of real property located at 67 N. Glebe Road (RPC# 20-033-003), 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, with an administrative review in six (6) months (March 2013) and with a County Board review in three (3) years (September 2015).

[Board Report #6](#)

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7. U-3098-04-1 USE PERMIT REVIEW OF A FAMILY DAY CARE HOME FOR UP TO NINE (9) CHILDREN FOR PIA LYN AND MICHAEL D. VENSON; LOCATED AT 2119 N. EDISON ST. (RPC# 08-009-013).

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-3098-04-1 on file in the Office of the Zoning Administrator for a use permit renewal for the parcel of real property located at 2119 N. EDISON ST. (RPC# 08-009-013), 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 no further scheduled County Board review.

Approved Conditions:

1. The applicant agrees to meet the requirements of the Child Care Ordinance, Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a Certificate of Occupancy.
2. The applicant agrees that parents of students attending the program shall escort their students to and from the home at all times.
3. The applicant agrees that the hours of operation would be Monday through Friday between 7:00 a.m. and 7:00 p.m. with a maximum capacity of nine (9) children.

[Board Report #7](#)

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8. U-3201-08-1 USE PERMIT REVIEW FOR A FAMILY DAY CARE HOME FOR UP TO NINE (9) CHILDREN FOR PARVEEN SINGH; LOCATED AT 5738 N. CARLIN SPRINGS ROAD (RPC# 12-039-005).

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-3201-08-1 on file in the Office of the Zoning Administrator for a use permit renewal for the parcel of real property located 5738 N. Carlin Springs Road (RPC# 12-039-005), 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 five (5) year County Board review (September 2017).

Approved 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, including securing the appropriate assembly permit prior to the issuance of a Certificate of Occupancy.
2. The applicant agrees that parents of children receiving care shall escort their children both to and from the home at all times.
3. The applicant agrees to make at least one unobstructed off-street parking space available to parents for pick-up and drop-off, as depicted on the proposed parking plan. All off-street parking shall at no time impede access to any neighboring property or driveway.
4. The applicant agrees that the hours of operation are Monday through Friday between 6 a.m. and 6 p.m.

[Board Report #8](#)

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9. U-3205-08-1 USE PERMIT REVIEW FOR LIVE ENTERTAINMENT AND DANCING AT EL MANANTIAL; LOCATED AT 2618 N. PERSHING DRIVE (RPC# 18-056-005).

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-3205-08-1 on file in the Office of the Zoning Administrator for a use permit renewal for live entertainment and dancing at El Manantial for the parcel of real property located 2618 N. Pershing Drive (RPC# 18-056-005), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions, with quarterly administrative reviews in December 2012, March and June 2013, and a County Board review in one (1) year (September 2013).

[Board Report #9](#)

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10. U-3302-11-3 & U-3058-03-2 USE PERMIT REVIEWS FOR FAMILY DAY CARE FOR UP TO NINE (9) CHILDREN BOTH LOCATED AT 937 17TH ST. S. (RPC# 36-001-001).

On the consent agenda vote, after a duly advertised public hearing, the Board discontinued the subject use permits for family day care homes of up to nine (9) children.

[Board Report #10](#)

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11. U-3305-11-1 USE PERMIT REVIEW FOR A SPIN CLASS STUDIO IN A RETAIL SPACE FOR REVOLVE 1, LLC; LOCATED AT 1025 N. FILLMORE ST., SUITE J (RPC# 18-024-020).

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

BE IT ORDAINED that, pursuant to application U-3305-11-1 on file in the Office of the Zoning Administrator for a use permit renewal for the parcel of real property located 1025 N. Fillmore St., Suite J (RPC# 18-024-020), 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 with a three (3) year County Board review (September 2015).

1. The applicant agrees to meet the requirements of the Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a certificate of occupancy.
2. The applicant agrees that classes shall be offered Monday through Friday between 6 a.m. and 10:30 a.m. and between 5:30 p.m. and 7:30 p.m.; Sunday through Saturday between 9 a.m. and 12 p.m.
3. The applicant agrees that classes shall be limited to a maximum of 45 students. No more than one (1) class shall occur at any given time, with no more than four (4) to eight (8) 45-minute classes occurring every day. The applicant shall submit a copy of their class schedule detailing these requirements to the Zoning Administrator upon application for a certificate of occupancy.
4. The applicant shall encourage walking, biking, and the use of public transportation by providing public transit information at the studio and on their website and recommending these alternatives to students.

[Board Report #11](#)

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12. U-3340-12-1 USE PERMIT TO ALLOW A 50' TELECOMMUNICATIONS POLE WITH ACCOMPANYING EQUIPMENT SHELTER FOR NEW CINGULAR WIRELESS D/B/A AT&T MOBILITY; LOCATED NEAR JEFFERSON DAVIS HIGHWAY AND WASHINGTON BOULEVARD (RPC# 34-036-001 AND 34-666-MET).

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-3340-12-1 on file in the Office of the Zoning Administrator for a use permit for the parcel of real property located near Jefferson Davis Highway and Washington Boulevard (RPC# 34-036-001 and 34-666-MET), 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 2013).

1. The applicant, New Cingular Wireless d/b/a AT&T Mobility agrees that the telecommunications facility proposed on an application for a use permit dated June 19, 2012, consisting of a 50' telecommunications pole, twelve (12) antennas and a related equipment shelter (Telecommunications Facility), will be constructed as shown on the revised application package dated June 19, 2012 and approved by the County Board on September 15, 2012. The applicant agrees that any future installation of antennas or other equipment on this property shall be subject to review, and approval, by the Zoning Administrator. The applicant agrees that the pole shall not extend more than fifty (50) feet above grade, and the antennas shall be mounted at a radiation center (RAD) no greater than fifty (50) feet above grade and no portion of the antennas shall extend beyond 54 feet above grade.
2. The applicant agrees that the Telecommunications Facility shall be removed within ninety (90) days after it is no longer being used for wireless telecommunications purposes.
3. The applicant agrees that the proposed equipment shelter and related utility connection equipment shall match the exterior appearance and color of the existing WMATA transformer station as shown on the application package dated June 19, 2012 and approved by the County Board on September 15, 2012. The applicant further agrees that the shelter shall be of the size and location shown on the drawings in the revised application package.
4. The applicant agrees to provide landscaping on the site primarily within the areas surrounding the telecommunications pole and equipment shelter. The landscaping will consist of ten (10) Eastern Red Cedar trees (8'-10' tall, balled and burlapped) and eight (8) Eastern White Pine trees (8'-10' tall, balled and burlapped). Lawn area disturbed during construction shall be top-dressed and seeded. The applicant agrees to submit and obtain approval of a final landscape plan, as fulfilling this condition, from the County Manager or his designee prior to issuance of any permits for work on the site. The applicant agrees to install all landscaping prior to June 30, 2013 and maintain all landscaping called for in the approved landscape plan. The applicant agrees to maintain all landscaping at the base of the tower, and surrounding the site in good condition. Any modifications to the proposed landscape plan shall be subject to review, and approval, by the Zoning Administrator.
5. The applicant agrees that all utilities will be underground and all coax cables from the equipment cabinet will be hidden as much as possible within the telecommunications pole or any support structure. No external or exposed wiring is allowed on the telecommunications pole except for that required to connect to the antennas.
6. The applicant agrees that the telecommunications pole will be constructed to accommodate an additional wireless user. The applicant agrees that if additional equipment area is needed at the base of the shelter to accommodate an additional wireless user, the applicant will work to accommodate them to the greatest extent possible. Any future wireless use to be located on the proposed telecommunications pole shall be subject to review, and approval, by the Zoning Administrator as being consistent with this use permit approval.
7. The applicant agrees to identify a community liaison that shall be available to address any concerns regarding the facility operation. The name, telephone, and e-mail address of the liaison shall be provided to the Washington Metropolitan Area Transit Authority, the Arlington National Cemetery, the United States Department of the Interior, National Parks Service, the Commonwealth of Virginia Department of Historic Resources Office, and the Zoning Administrator prior to issuance of any permits for work on the Telecommunications facility.

[Clerk's note: as set forth in the document entitled "Addendum-9-15-12-G-U-3340-12-14" attached for the public record to these minutes.]

[Board Report #12](#)

[Addendum-9-15-12-G-U-3340-12-14](#)

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13. U-3343-12-1 USE PERMIT TO INSTALL A PUBLIC UTILITIES/TELECOMMUNICATIONS FACILITY FOR CRICKET COMMUNICATIONS; LOCATED AT 5539 COLUMBIA PIKE (RPC# 22-011-052).

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-3343-12-1 on file in the Office of the Zoning Administrator for a use permit for the parcel of real property located at 5539 Columbia Pike (RPC# 22-011-052), 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.

1. The applicant agrees that the telecommunications facility, consisting of three (3) new antennas and related equipment, will be constructed as shown on the application package dated June 26, 2012 and approved by the County Board on September 15, 2012. The applicant agrees that any future installation of antennas or equipment cabinets shall be subject to review, and approval, by the Zoning Administrator.
2. The applicant agrees to identify a community liaison that shall be available to address any concerns regarding the facility operation. The name, telephone, and e-mail address of the liaison shall be provided to the Columbia Heights West Civic Association, the Columbia Forest Civic Association, the Columbia Pike Revitalization Organization and the Zoning Administrator.
3. The applicant agrees that any existing non-functioning antennas on the roof of the building shall be removed at the time of installation of the proposed new antennas. The applicant further agrees that, in the future, any Cricket Communications antennas on the site shall be removed within ninety (90) days after cessation of use.
4. The applicant agrees that the proposed antennas, rooftop equipment cabinet and related utility connection equipment shall match the exterior appearance and color of the existing building and that all equipment will be setback from the building roofline as shown on the application package dated June 26, 2012 and approved by the County Board on September 15, 2012. The applicant further agrees that the antennas, rooftop equipment cabinet and related utility connection equipment shall comply with all requirements in the Arlington County Zoning Ordinance and shall extend no higher than the existing penthouse on the Windsor Towers Apartment Building.

[Clerk's note: as set forth in the document entitled "Addendum-9-15-12-H- U-3343-12-1" attached for the public record to these minutes.]

[Board Report #13](#)

[Addendum-9-15-12-H- U-3343-12-1](#)

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14. U-3345-12-1 USE PERMIT FOR A DORMITORY FOR SUSAN'S PLACE, LOCATED AT 3704 2ND ST. S. (RPC#23-009-027).

On the consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the

subject application for a use permit for a dormitory for one (1) month to the October 20, 2012 County Board meeting.

[Board Report #14](#)

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15. U-3346-12-2 USE PERMIT FOR LIVE ENTERTAINMENT AND DANCING AT LIBERTY TAVERN; LOCATED AT 3195 WILSON BLVD. (RPC# 15-075-004).

On the consent agenda vote, after a duly advertised public hearing, the Board deferred consideration of the subject use permit for a dormitory to the October 20, 2012 County Board meeting.

[Board Report #15](#)

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16. U-3347-12-1 USE PERMIT TO ALLOW INSTRUCTION TO UP TO 50 CHILDREN AT PENTAGON MIXED MARTIAL ARTS, LOCATED AT 1041 S. EDGEWOOD ST. (RPC# 32-003-002).

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

BE IT ORDAINED that, pursuant to application U-3347-12-1 on file in the Office of the Zoning Administrator for a use permit for the operation of a private martial arts studio for children ages 4-17 for the parcel of real property located 1041 S. Edgewood St. (RPC# 32-003-002), 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 2013).

1. The applicant agrees to meet the requirements of the Child Care Ordinance, the Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office, in opening and operating its business, including securing the required fire inspection assembly permit.
2. The applicant agrees that parents and/or caregivers of students attending the classes shall escort their students who are ten (10) years old and younger to and from the studio at all times.
3. The applicant agrees to comply with Chapter 16 ("Nursing Home and Child Care Agencies") of the Arlington County Code which governs private instruction to children and sets standards that the studio must meet in order to be granted a license (which includes but is not limited to the studio meeting all applicable health/safety standards and that no alcohol shall be present when children are on the premises).
4. The applicant agrees to require that anyone providing instruction to children must pass a background check. These background checks will be obtained before hiring any instructor or other staff member. Background checks shall be administered and recorded as required under Chapter 52 of the Arlington County Code. All documentation of these background checks shall be included as public record to the Zoning Administrator before issuance of a certificate of occupancy.

[Board Report #16](#)

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VACATIONS, EASEMENTS, RIGHTS OF WAY, ENCROACHMENTS & LEASES

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- 17. APPROVAL AND AUTHORIZATION TO ACCEPT: A DEED OF EASEMENT OF FIVE FEET IN WIDTH FOR PUBLIC STORM SEWER ON LOT 1219, SECTION 12, LEE HEIGHTS AND PART OF THE ORIGINAL PROPERTY OF WILLIAM & AGNES J. ARNOLD, LOCATED AT 4100 23RD STREET N. (RPC #05-042-008); AND A DEED(S) OF EASEMENT FOR PUBLIC STORM SEWER AND PUBLIC SANITARY SEWER, EACH EASEMENT OF VARIABLE WIDTH, ON LOT 1218, SECTION 12, LEE HEIGHTS AND PART OF THE ORIGINAL PROPERTY OF WILLIAM & AGNES J. ARNOLD, LOCATED AT 4110 23RD STREET N. (RPC #05-042-007).**

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

- 1. Approved the attached Deed of Easement from John R. Undeland and Yasmin H. Undeland to the County Board of Arlington County, Virginia ("Exhibit A"), granting to the County a permanent public storm sewer easement within a portion of the property located at 4100 23rd Street N., RPC # 05-042-008; and
- 2. Approved the attached Deed of Easement from Richard E. Undeland and Joan M. Undeland to the County Board of Arlington County, Virginia ("Exhibit B"), granting to the County a permanent public storm sewer easement and a permanent public sanitary sewer easement within portions of the property located at 4110 23rd Street N., RPC # 05--042-007; and
- 3. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept, on behalf of the County Board, the Deeds of Easement attached hereto as Exhibits "A" and "B" and all associated documents, subject to approval of the Deeds of Easement as to form by the County Attorney. [Clerk's note: as set forth in the document entitled "Addendum-9-15-12-I- 23rd St. N. Deeds of Easement" attached for the public record to these minutes.]

[Board Report #17](#)

[Addendum-9-15-12-I- 23rd St. N. Deeds of Easement](#)

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ORDINANCES, PLANS AND POLICIES

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- 18. AMENDMENTS TO CHAPTERS 6, 21, 35, AND 46 OF COUNTY CODE**

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the proposed amendments to Chapters 6, 21, 35, and 46 of the Arlington County Code. [Clerk's note: as set forth in the document entitled "Addendum-9-15-12-J- Chapters 6, 21, 35 and 46 Code Amendments" attached for the public record to these minutes.]

[Board Report #18](#)

[Addendum-9-15-12-J- Chapters 6, 21, 35 and 46 Code Amendments](#)

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- 19. **AMENDMENTS TO SECTION 14.2-7.1.A., CHAPTER 14.2, DIVISION 1, ARTICLE 1 (MOTOR VEHICLE CODE) AND SECTION 14.2-106.A., CHAPTER 14.2, ARTICLE VIII (RESIDENTIAL PERMIT PARKING PROGRAM) OF THE ARLINGTON COUNTY CODE, AND TO ORDINANCES ESTABLISHING THE DOUGLAS PARK RESIDENTIAL ZONE PARKING PROGRAM AND ESTABLISHING THE COLUMBIA FOREST RESIDENTIAL ZONE PARKING PROGRAM SO THAT VIOLATION FINES FOR FAILURE TO DISPLAY RESIDENTIAL ZONE DECALS/PERMITS ARE CONSISTENT WITH FINES FOR OTHER PARKING AND NONMOVING VIOLATIONS, TO BE EFFECTIVE OCTOBER 1, 2012.**

On the consent agenda vote, after a duly advertised public hearing, the Board adopted amendments to Section 14.2-7.1.A., Chapter 14.2, Division 1, Article 1 (Motor Vehicle Code) and Section 14.2-106.A., Chapter 14.2, Article VIII (Residential Permit Parking Program) of the Arlington County Code, and to Ordinances Establishing the Douglas Park Residential Zone Parking Program and Establishing the Columbia Forest Residential Zone Parking Program, so that all permit parking violation fines are consistent with fines for other nonmoving violations, to be effective October 1, 2012.

AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 14.2 OF THE CODE OF ARLINGTON COUNTY VIRGINIA, AND TO AMEND THE ORDINANCES ESTABLISHING THE DOUGLAS PARK RESIDENTIAL ZONE PARKING PROGRAM AND THE COLUMBIA FOREST RESIDENTIAL ZONE PARKING PROGRAM CONCERNING AN INCREASE IN THE FINES FOR FAILURE TO PROPERLY DISPLAY RESIDENTIAL PARKING ZONE DECALS/PASSES IN ORDER TO BE CONSISTENT WITH OTHER PARKING AND NONMOVING VIOLATION FINES, TO BE EFFECTIVE ON OCTOBER 1, 2012.

I. **BE IT ORDAINED** by the County Board of Arlington County, Virginia that Chapter 14.2, Article 1, Division 1 (Motor Vehicle Code) and Article VIII (Residential Permit Parking Program) of the Arlington County Code are amended to read in pertinent part, as follows:

Chapter 14.2

MOTOR VEHICLES AND TRAFFIC

Article 1. Motor Vehicle Code

§ 14.2-7.1 Fines for nonmoving violations.

A. The fines to be paid prior to issuance of a warrant for violation of Arlington County parking ordinances, except as otherwise provided in section 14.2-7.1.B, shall be the following:

(23) Fifty dollars (\$50.00) for failure to properly display Residential Parking Zone decals/passes.

Article VIII. Residential Permit Parking Program

§ 14.2-106. Enforcement and Penalties

It shall be unlawful for any person to park a motor vehicle in violation of the provisions of this section.

A. It shall be unlawful to improperly display residential Parking zone decals/passes. Failure to properly display decals/passes shall be punishable by a fine of ~~Forty dollars (\$40.00)~~ specified in Section 14.2.7-1.

II. **BE IT ORDAINED** by the County Board of Arlington County, Virginia that THE ORDINANCE ESTABLISHING THE DOUGLAS PARK RESIDENTIAL ZONE PARKING PROGRAM is amended to read in pertinent part as follows:

7. Enforcement and Penalties

e. It shall be unlawful to improperly display residential Parking zone decals/passes. Failure to properly display decals/passes shall be punishable by a fine of ~~Forty dollars (\$40.00)~~ specified in Section 14.2.7-1.

III. **BE IT ORDAINED** by the County Board of Arlington County, Virginia that THE ORDINANCE ESTABLISHING THE COLUMBIA FOREST RESIDENTIAL ZONE PARKING PROGRAM is amended to read in pertinent part as follows:

7. Enforcement and Penalties

e. It shall be unlawful to improperly display residential Parking zone decals/passes. Failure to properly display decals/passes shall be punishable by a fine of ~~Forty dollars (\$40.00)~~ specified in Section 14.2.7-1.

IV. The remaining sections of Chapter 14.2 and the Ordinances establishing the Douglas Park and Columbia Forest Residential Zone Parking Programs not hereby amended shall remain as previously enacted.

[Board Report #19](#)

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CAPITAL PROJECTS

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20. AWARD OF CONTRACT FOR THE CONSTRUCTION OF NAUCK PARK LOCATED AT 2551 19TH STREET SOUTH, INVITATION TO BID NUMBER 721-12.

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

1. Approved the Award of Contract Number 721-12 in the amount of \$287,032.45 to Avon Corporation, Inc. and approve an allocation of \$28,760.00 as a contingency for change orders for a total contract authorization of \$315,792.45.
2. Authorized the Purchasing Agent to execute the contract documents and all other documents to implement the above actions, subject to review of such documents by the County Attorney.

[Board Report #20](#)

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22. AWARD OF CONTRACT FOR THE REPLACEMENT OF THE ROOF AT FIRE STATION #1, LOCATED AT 500 S. GLEBE ROAD, ARLINGTON, VA, CONTRACT NUMBER 744 -12.

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

1. Approved the award of Contract Number 744 -12 between the Arlington County Board and SGK Contracting, Inc. to provide general construction services for the replacement of the roof at Fire Station # 1, in an amount not to exceed \$372,775 plus a contingency of \$55,935, for a total contract authorization of \$428,710;
2. Authorized the Purchasing Agent to execute the Agreement, subject to legal review by the County Attorney.

[Board Report #22](#)

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APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS

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24. ACCEPTANCE AND APPROPRIATION OF A \$2,700 MATCHING GRANT FROM THE VIRGINIA DEPARTMENT OF HISTORIC RESOURCES (VDHR) CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM TO RESEARCH AND PREPARE A PRELIMINARY INFORMATION FORM FOR THE UNITARIAN UNIVERSALIST CHURCH OF ARLINGTON, LOCATED AT 4444 ARLINGTON BLVD., AS A PREREQUISITE TO DRAFTING A NOMINATION TO THE NATIONAL REGISTER OF HISTORIC PLACES.

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

1. Accepted and appropriated a \$2,700 matching grant (101.364501) from the Virginia Department of Historic Resources (VDHR) Certified Local Government (CLG) program to the Department of Community Planning, Housing and Development (101.72303) to research and prepare a Preliminary Information Form for the Unitarian Universalist Church of Arlington, located at 4444 Arlington Blvd, as a prerequisite to drafting a nomination to the National Register of Historic Places.
2. Authorized the County Manager to sign the grant agreement (Attachment A). [Clerk's note: as set forth in the document entitled "Addendum-9-15-12-K- CLG Grant Agreement" attached for the public record to these minutes.]

[Board Report #24](#)

[Addendum-9-15-12-K- CLG Grant Agreement](#)

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25. ACCEPTANCE AND APPROPRIATION OF A FISCAL YEAR (FY) 2013 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 or her designee to accept \$45,600 in grant funds related to the FY 2013 Virginia Highway Safety Program.
2. Appropriated \$45,600 in FY 2013 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 #25](#)

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26. ARLINGTON COMMUNITY SERVICES BOARD FISCAL YEAR (FY) 2013-2014 PERFORMANCE CONTRACT WITH VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

1. On the consent agenda vote, after a duly advertised public hearing, the Board approved the FY 2013-2014 Performance Contract between the Arlington Community Services Board and the Virginia Department of Behavioral Health and Developmental Services. [Clerk's note: as set forth in the document entitled "Addendum-9-15-12-K1- CSB Performance Contract" attached for the public record to these minutes.]

[Board Report #26](#)

[Addendum-9-15-12-K1- CSB Performance Contract](#)

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27. AUTHORIZATION FOR APPLICATION AND ACCEPTANCE OF A STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FROM THE U. S. DEPARTMENT OF HOMELAND SECURITY.

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

1. Authorized the County Manager or her designee to apply for the SAFER grant.
2. Authorized the County Manager or her designee to enter into an agreement(s) associated with this grant, subject to approval as to form of the agreement by the County Attorney.

[Board Report #27](#)

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28. UASI REGIONAL BOMB SQUAD GRANTS

- A. Acceptance and appropriation of a National Capital Region (NCR) Fiscal Year (FY) 2011 Urban

Area Security Initiative (UASI) Bomb Squad Sustainment grant from the District of Columbia Homeland Security and Emergency Management Agency.

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

1. Authorized the County Manager or her designee to enter into an agreement(s) associated with this grant, subject to approval as to form of the agreement by the County Attorney.
2. Accepted and Appropriated in FY 2013 \$488,000 from the District of Columbia Homeland Security and Emergency Management Agency (794.374900) to the Fire Department (794.91261) for maintenance and replacement of bomb squad equipment.

[Board Report #28.A.](#)

- B. Acceptance and appropriation of a National Capital Region (NCR) Fiscal Year (FY) 2012 Urban Area Security Initiative (UASI) Bomb Squad Sustainment grant from the District of Columbia Homeland Security and Emergency Management Agency.

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

1. Authorized the County Manager or her designee to enter into an agreement(s) associated with this grant, subject to approval as to form of the agreement by the County Attorney.
2. Accepted and Appropriated in FY 2013 \$1,298,500 from the District of Columbia Homeland Security and Emergency Management Agency (794.374900) to the Fire Department (794.91261) for maintenance and replacement of bomb squad equipment.

[Board Report #28.B.](#)

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29. AUTHORIZATION FOR THE ACCEPTANCE OF AND THE ALLOCATION OF \$1 MILLION FROM THE GOVERNOR'S OPPORTUNITY FUND (GOF) OF THE COMMONWEALTH OF VIRGINIA TO BE TRANSFERRED TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF ARLINGTON COUNTY, VIRGINIA (THE AUTHORITY) AND THEN TO DRS TECHNOLOGIES (DRS) SUBJECT TO THE TERMS AND CONDITIONS OF THE AGREEMENT AMONG ARLINGTON COUNTY, THE AUTHORITY, AND DRS.

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

1. Authorized the County Manager to sign the attached Agreement, in the substantially final form attached hereto, subject to approval of the Agreements as to form by the County Attorney, among Arlington County, the Authority, and DRS that outlines the disbursement and management terms and conditions of this Governor's Opportunity Fund grant. [Clerk's note: as set forth in the document entitled "Addendum-9-15-12-L- GOF Agreement" attached for the public record to these minutes.]
2. Authorized the acceptance of \$1 million from the GOF that will eventually be transferred to the Authority and to DRS, subject to the terms and conditions of the Agreement among Arlington County, the Authority and DRS.
3. Allocate the \$1 million received from the GOF for inducing said company to locate in Arlington, sign a 7-year lease at 2345 Crystal Drive and employ a significant number of persons creating new jobs and investment in Arlington, subject to the terms and conditions of the Agreement among Arlington County, the Authority, and DRS.

[Board Report #29](#)

[Addendum-9-15-12-L- GOF Agreement](#)

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30. AUTHORIZATION OF AN AMENDMENT TO AGREEMENT NUMBER 474-10 BETWEEN ARLINGTON COUNTY AND THE IMAGE NETWORK, INC. D/B/A DOVER, KOHL & PARTNERS, FOR CONSULTING SERVICES IN SUPPORT OF THE COLUMBIA PIKE LAND USE & HOUSING STUDY PLANNING PROCESS.

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

1. Authorized Amendment No. 3 to Agreement Number 474-10 between the County and The Image Network, Inc. d/b/a Dover, Kohl & Partners, for additional services and payment in the amount of \$198,000.
2. Authorized the Purchasing Agent to execute the Amendment documents after review and approval of them by the County Attorney.

[Board Report #30](#)

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REQUESTS TO ADVERTISE

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31. REQUEST TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO CONDITION #21 OF SP #386 (3901 N. FAIRFAX DRIVE) TO AMEND THE REQUIRED STREET TREE SPECIES ALONG NORTH QUINCY STREET.

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 20, 2012, to consider amending the required street tree species along North Quincy Street from *Acer rubrum* (Red Maple) to *Ulmus americana* 'Princeton' (American Elm).

[Board Report #31](#)

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32. REQUEST TO ADVERTISE AMENDMENTS TO SECTIONS 11-5 AND 11-6 OF THE ARLINGTON COUNTY CODE AND SECTION 36 OF THE ARLINGTON COUNTY ZONING ORDINANCE RELATING TO PAYMENT OF DELINQUENT TAXES, FEES, AND OTHER CHARGES AS A CONDITION OF ISSUANCE OF A LOCAL BUSINESS LICENSE OR ANY TYPE OF LAND USE AUTHORIZATION.

On the consent agenda vote, after a duly advertised public hearing, the Board authorized advertising for a

public hearing on October 20, 2012, on amendments to Sections 11-5 and 11-6 of the Arlington County Code and Section 36 of the Arlington County Zoning Ordinance relating to payment of delinquent taxes, fees, and other charges as a condition of issuance of a local business license or any type of land use authorization.

[Board Report #32](#)

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33. THIS ITEM WAS REMOVED.

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OTHER

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34. MEMORANDUM OF UNDERSTANDING BETWEEN ARLINGTON COUNTY AND THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES FOR THE ISSUANCE OF MULTI-TRIP HAULING PERMITS FOR VEHICLES OPERATING ON COUNTY-MAINTAINED HIGHWAYS.

On the consent agenda vote, after a duly advertised public hearing, the Board authorized the County Manager to sign the Memorandum of Understanding (MOU) between Arlington County and the Virginia Department of Motor Vehicles (DMV) for the issuance of multi-trip permits (Attachment 1). [Clerk's note: as set forth in the document entitled "Addendum-9-15-12-M-MOU with VDMV" attached for the public record to these minutes.]

[Board Report #34](#)

[Addendum-9-15-12-M-MOU with VDMV](#)

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35. THIS ITEM WAS REMOVED.

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36. ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR RENEWAL PROPOSAL IN CONNECTION WITH THE REQUEST OF COMCAST OF POTOMAC, LLC, TO RENEW ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR CABLE TELEVISION PURSUANT TO FEDERAL LAW.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the attached Resolution Authorizing the Issuance of a Request for Renewal Proposal ("RFRP") in Connection with the Request of Comcast, LLC to Renew Its Certificate of Public Convenience and Necessity for Cable Television ("Certificate") Pursuant to Federal Law.

A RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR RENEWAL PROPOSAL IN CONNECTION WITH THE REQUEST OF COMCAST OF POTOMAC, LLC TO RENEW ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR CABLE TELEVISION PURSUANT TO FEDERAL LAW.

WHEREAS, Comcast of Potomac, LLC ("Comcast"), a Delaware limited liability company, currently holds a Certificate of Public Convenience and Necessity for Cable Television issued by the County Board of Arlington County, Virginia ("County Board") effective July 1, 1998 (the "Certificate"); and

WHEREAS, the Certificate expires on June 30, 2013; and

WHEREAS, by letter dated October 22, 2010, Comcast submitted to the County a written notice, as permitted by 47 U.S.C. § 546, formally requesting that the Certificate be renewed; and

WHEREAS, as part of the formal renewal process under federal law, the County Board, as the franchising authority, is authorized to issue or cause to be issued a Request for Renewal Proposal ("RFRP") to Comcast; and

WHEREAS, such an RFRP would invite Comcast to submit to the County a renewal proposal describing, among other things, the cable-related facilities, equipment and services that Comcast proposes to provide in Arlington County; and

WHEREAS, by this Resolution, the County Board authorizes the issuance of an RFRP to Comcast and authorizes the County Board Chair to issue, on behalf of the County Board, an RFRP in accordance with applicable law.

NOW, THEREFORE, BE IT RESOLVED THAT:

The County Board authorizes the County Board Chair to issue, on behalf of the County Board, an RFRP to Comcast in accordance with applicable law.

This Resolution shall be effective immediately upon adoption.

[Board Report #36](#)

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37. PRESENTATION OF DELINQUENT TAX ACCOUNTS

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the attached resolution concerning the annual presentation of lists of delinquent taxes by the Treasurer.

RESOLUTION CONCERNING ANNUAL LISTS OF DELINQUENT TAXES
SUBMITTED BY THE TREASURER

Be it resolved by the County Board of Arlington, Virginia that:

1. Pursuant to Code of Virginia §58.1-3924, the Treasurer is directed to certify to the Director of Real Estate Assessments the **2012** list of real estate on the Arlington Land Book improperly placed thereon or not ascertainable;
2. Pursuant to Code of Virginia §58.1-3924, the Treasurer is directed to publish those real estate and personal property accounts he deems advisable, that is those accounts which equal or exceed \$1,000.00 from the lists mentioned in subdivisions 2 and 3 of Virginia Code §58.1-3921 in **2012**; and

3. Pursuant to Code of Virginia §58.1-3924, the Treasurer is given credit for the tax amounts included in the lists mentioned in subdivisions 4 and 5 of Code of Virginia §58.1-3921 in **2012**; and
4. Pursuant to Code of Virginia Code §58.1-3933, the Treasurer is directed to continue to collect delinquent taxes on subjects other than real estate until the expiration of the appropriate statute of limitations (§58.1-3940).

[Board Report #37](#)

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38. MINUTES

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

July 3, 2012	Closed Session
July 21, 2012	Regular Meeting
July 23, 2012	Recessed Meeting
July 24, 2012	Recessed Meeting
August 21, 2012	Closed Session

[Minutes: Item A. Minutes for Saturday Regular Meeting](#)

[Minutes: Item A. \(Supplemental Report 09-14-2012\)](#)

[Minutes: Item B. Minutes for Monday Recessed Meeting](#)

[Minutes: Item C. Minutes for Tuesday Recessed Meeting](#)

[Minutes: Item D. Minutes for Work Sessions](#)

[Minutes: Item E. Closed Session Minutes](#)

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REGULAR HEARING ITEMS

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39. U-3326-12-1 USE PERMIT FOR LIVE ENTERTAINMENT AND DANCING AT THE PINES OF ITALY RESTAURANT; LOCATED AT 3111 COLUMBIA PIKE (RPC# 25-012-044).

Following a duly advertised public hearing at which there were speakers, a motion was made by MARY HYNES, Chair, seconded by JAY FISETTE, Member to defer consideration of the subject application for a use permit for three (3) months. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye.

[Board Report #39](#)

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40. 1900 CRYSTAL DRIVE

- A. Enactment of an Ordinance to Vacate two portions of a 25 Foot Public Water Service Easement: 1) one portion, of variable width, located northwest of the intersection of 20th Street South and Crystal Drive; and 2) the second portion, of variable width, located parallel to, and west of, Crystal Drive, between 20th Street South and 18th Street South; both portions located on Parcel X-2A-1A, South Washington Industrial Subdivision, RPC No. 34026037, with Conditions.
- B. Z-2556-12-1 Rezoning from "C-O" Commercial Office Building, Hotel and Multiple-Family Dwelling Districts to "C-O-Crystal City" Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts, located at 1851 South Bell Street, approximately 1.7 acres (RPC# 34-026-037 part).
- C. CCBP-JK-1 Crystal City Block Plan for Blocks J-K as identified in the Crystal City Sector Plan, defined by Crystal Drive, 18th Street South, Jefferson Davis Highway, and 20th Street South.
- D. SP #56 Site Plan Amendment for the removal of 133,956 square feet of site area from SP #56. Property to be excluded is located at 1851 South Bell Street (RPC# 34-026-037 part). Property to remain in SP #56 is located at 1800, 1801, 1901 South Bell Street and 1999 Jefferson Davis Highway (RPC# 34-026-035, 037 part, -038, -039, -040).
- E. SP #421 Site Plan for a final site plan for the construction of up to 730,994 square feet of commercial building consisting of up to 719,704 square feet of office space with up to 11,290 square feet of retail space with modifications of zoning ordinance requirements for parking, and other modifications as necessary to achieve the proposed development plan; located at 1851 South Bell Street (RPC# 34-026-037 part).

A motion was made by MARY HYNES, Chair, seconded by LIBBY GARVEY, Member to adopt items A-E amended as follows. The motion was amended to incorporate the September 12, 2012 Block Plan and August 6, 2012 Development Documents. The motion was adopted and carried by a vote of 4 to 1. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – No. [Clerk's note: text to be deleted is shown in strikethrough, text to be added is shown in underline; as set forth in the documents entitled "~~Addendum-9-15-12-A- Crystal Drive Easement;~~" "Addendum-9-15-12-B- Rezoning Resolution;" "Addendum-9-15-12-C-Block Plan;" "Addendum-9-15-12-D-SP #56;" and Addendum-9-15-12-E-SP #421" attached for the public record to these minutes.]

- A. Enacted the Ordinance to Vacate two portions of a 25 Foot Public Water Service Easement: 1) one portion, of variable width, located northwest of the intersection of 20th Street South and Crystal Drive; and 2) the second portion, of variable width, located parallel to, and west of, Crystal Drive, between 20th Street South and 18th Street South; both portions located on Parcel X-2A-1A, South

Washington Industrial Subdivision, RPC# 34026037, with Conditions; and authorized the Real Estate Bureau Chief, or his designee, to execute the Deed of Vacation, to accept any deeds of easement required or permitted by the Ordinance of Vacation, and to execute all related documents on behalf of the County Board, subject to approval of the Deed of Vacation, as to form, by the County Attorney.

- B. Adopted the attached resolution to approve the rezoning request from "C-O" Commercial Office Building, Hotel and Multiple-Family Dwelling Districts to "C-O-Crystal City" Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts for 1851 South Bell Street to be known as 1900 Crystal Drive.
- C. Adopted the attached Crystal City Block Plan for Blocks J-K (CCBP-JK-1), dated September 12, 2012 and August 6, 2012 and amend the Crystal City Block Plan to show the public realm as green, including the stairs that are proposed to connect to Crystal Drive, up to the building face, and add the following note on pages 20-22: 1) "It is envisioned by the County Board that plans for the implementation of the Center Park will be provided for before other projects are approved, and to modify the block plan to reconcile with the Site Plans."
- D. Adopted the ordinance to approve an amendment to Site Plan #56 to permit the removal of 133,956 square feet of site area, subject to the conditions of the attached ordinance to reincorporate Condition #4 as amended in the Site Plan Ordinance for SP #56 that tracks to condition #84 in SP#421, and to add condition #90, and include condition #90 as a note in the Crystal City Block Plan.
- E. Adopt the ordinance to approve Site Plan #421 to permit development of up to 730,994 square feet of commercial space comprised of a building consisting of up to 719,704 square feet of office space with up to 11,290 square feet of retail space with modifications of zoning ordinance requirement for parking, and other modifications as necessary to achieve the proposed development plan, subject to the conditions of the ordinance as amended. In addition, add the following as a notation to the plans for SP #421 explore possibilities of extending or relocating ventilation shaft.

[Board Report #40 A](#)

[Board Report #40 B-E](#)

[Board Report #40 B-E-Attachment](#)

[Board Report #40 B-E \(Supplemental Report\)](#)

[Board Report #40 B-E-Attachment 2 \(Crystal City Block Plan Revised\)](#)

[Addendum-9-15-12-A- Crystal Drive Easement](#)

[Addendum-9-15-12-B- Rezoning Resolution](#)

[Addendum-9-15-12-C-1-Block Plan](#)

[Addendum-9-15-12-C-2-Block Plan](#)

[Addendum-9-15-12-D-SP #56](#)

[Addendum-9-15-12-E-SP #421](#)

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ADJOURNMENT

Without objection, at 2:47 p.m., the Board recessed until the September 18, 2012 Recessed Meeting.

MARY HYNES, Chair

ATTEST:

HOPE L. HALLECK, Clerk
Approved: October 20, 2012