

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Saturday, March 13, 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: BARBARA M. DONNELLAN, Acting County Manager  
STEPHEN MacISAAC, County Attorney  
HOPE L. HALLECK, Clerk  
and other staff

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**\* PUBLIC COMMENT**

Robert Atkins spoke about the recession and homelessness.

Jim Hurysz spoke about the 2010 census.

Johnny Watson spoke about the need for a year round homeless shelter.

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**RECESS; RECONVENE**

Without objection, at 8:52 a.m. the meeting was recessed by the Chairman until 9:31 a.m.

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**\* CONSENT ITEMS (ITEMS 1-25) CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE CONSENT AGENDA MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY, MARCH 13, 2010, MEETING BEFORE 9 A.M. PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, MARCH 16, 2010, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).**

On 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 HUGHES HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, the County Board approved all consent items except for items #19 and #23 which were pulled from the consent agenda and scheduled for hearing at the March 16, 2010 County Board Recessed Meeting.

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**SITE PLANS/AMENDMENTS/REVIEWS**

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**1. SP #105 SITE PLAN AMENDMENT TO MODIFY THE COMPREHENSIVE SIGN PLAN, LOCATED AT 1330 S. FAIR ST. (RPC #35-003-006, -007, -008).**

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

BE IT ORDAINED that, pursuant to application SP #105 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan to modify the comprehensive sign plan to add a directional parking blade sign for the parcel of real property known as 1330 S. Fair Street (RPC #35-003-006, -007, -008), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all

previously approved conditions and the following revised condition #47:

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

The developer further agrees, without limiting the foregoing, that the only types of retail signs that shall be permitted shall be consistent with types of signs permitted by Section 34 of the Zoning Ordinance and the *Metropolitan Park Design Guidelines (January 23, 2004)* and the *Metropolitan Park Project Booklet (November 12, 2003)* and shall include: building wall signs; blade signs; window signs; carved, painted or sculptural signs; canopy or awning signs; logo signs; and, permanent quotes on building walls and blade signs.

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

The developer further agrees that the signs shall be of the same materials, dimensions, text, and location as shown on the Comprehensive Sign Plan for Two Met Park/Site Plan #105, dated ~~April 21, 2009, and revised on September 4, 2009~~ January 21, 2010, by Art Display Company and presented to and approved by site plan amendment by the County Board on ~~September 26, 2009~~ March 13, 2010. Minor changes to the approved signs may be approved administratively by the Zoning Administrator. 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); or (ii) a minor change in the area of the sign (less than 5%), as long as the total allowable sign area for the entire Comprehensive Sign Plan does not exceed ~~235.26~~ 240 square feet; or (iii) a change in the name of the tenant on the sign, where the lettering area does not increase in size. All other changes to the approved signs will require site plan approval or amendment.

[Board Report #1](#)

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**2. SP #193 SITE PLAN AMENDMENT TO PERMIT A ROOFTOP SIGN FOR AVALONBAY COMMUNITIES, LOCATED AT 671 N. GLEBE ROAD (RPC# 14-059-037).**

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 an amendment to a special exception for a site plan to permit a rooftop sign for AvalonBay Communities for the parcel of real property known as 671 N. Glebe Road (RPC #14-059-037), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions and the following amended condition #39:

The developer agrees that all signs shall be consistent with the adopted comprehensive sign plan approved by the County Board on March 9 and 23, 1996, and as amended by the County Board in their approval of the site plan amendment on August 2, 1997.

- a) The developer agrees that the rooftop sign located at 671 North Glebe Road shall be of the size, placement, color, lighting and materials as shown on the sheet dated February 16, 2010 and entitled "AvalonBay Communities, Inc. Exterior Sign Specifications". The Avalon Bay rooftop sign shall not exceed 56 square feet. The sign shall not be illuminated between the hours of midnight to 8 a.m. seven (7) days a week.
- b) The developer agrees that minor changes to the approved signs may be approved administratively by the Zoning Administrator. For the purposes of the preceding sentence, minor changes shall include only the following: (i) a minor adjustment in the location of a sign to meet field conditions (less than 1 foot in any direction); or (ii) a minor change in the area of an individual sign (less than 5%).

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

[Board Report #2](#)

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**3. SP #346 SITE PLAN AMENDMENT TO PERMIT AN ABOVE-GRADE EMERGENCY BACK-UP GENERATOR; PREMISES KNOWN AS 2733 CRYSTAL DRIVE (RPC #34-027-061 AND -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 #346 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan to permit an above-grade emergency back-up generator for the parcel of real property known as 2733 Crystal Drive (RPC #34-027-061 and -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 and amended conditions #11.n. and 33, and with administrative reviews in one (1) year (March 2011) and three (3) years (March 2013):

- 11.n. The developer agrees to submit for review and approval by the County Manager an amended final landscape plan for the open space area adjacent to the north of Two Potomac Yard, including the area beneath the airport viaduct. The amended final landscape plan shall be consistent with the conceptual landscape plan dated February 26, 2010, and as approved by the County Board on March 13, 2010, and shall also include the location and details of screening for the above-grade emergency back-up generator. The amended final landscape plan shall meet the requirements outlined in Condition #11.a – g and Condition #12.
- 33. The developer agrees that all new electrical transformers shall be placed underground in vaults which meet Virginia Power standards, with the exception of the above-grade emergency back-up generator approved by the County Board on March 13, 2010. These vaults may be placed in the street right-of-way or in driveways if approved by the County on the final site engineering plan. Ventilation grates may not be located within public sidewalks or streets, or areas between the street curb and any building which is used as a walkway. Unless precluded by existing conditions, the locations of the vaults shall be coordinated with other utility locations so as to have a minimum clearance of five (5) feet to conduits and manholes and a minimum clearance of 10 feet to water mains and sanitary sewers unless otherwise approved by the owner of that utility. The developer agrees to obtain approval from the County Manager or his designee on the location of all vault ventilation grates and utilities as part of the review of the final site engineering plan and final site development and landscape plan before the issuance of the Excavation, Sheeting and Shoring Permit. Final plans for the location and placement of the above-grade emergency back-up generator approved by the County Board on March 13, 2010, shall be submitted for review and approval by the County Manager prior to the issuance of any permits for its construction and installation on Land Bay A. The plans shall provide details of the noise-attenuated structure that will house the generator, including the dimensions, material and color. The plans shall also include measures that will be taken to screen the structure, including elevations and details of the architectural precast wall, landscaping and noise-attenuation. The plans shall be consistent with the conceptual plan attached to the staff report dated February 26, 2010, and as approved by the County Board on March 13, 2010. The above-grade emergency back-up generator shall be approved for a period of not more than five (5) years to March 2015, and with administrative reviews in one (1) year (March 2011) and three (3) years (March 2013) to determine if the government tenant is remaining on the site and if the generator is still required. If the government tenant decides to renew its lease and desires to retain the above-grade emergency back-up generator beyond March 2015, then an extension of the site plan amendment would have to be approved by the County Board.

[Board Report #3](#)

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**4. SP #350 SITE PLAN AMENDMENT RENEWAL FOR LIVE ENTERTAINMENT AND DANCING AT YAKU LOCATED AT 1900 CLARENDON BLVD. (RPC: 17-012-023).**

On the consent agenda vote, after a duly advertised public hearing, the Board did not renew the site plan amendment for live entertainment and dancing at Yaku at 1900 Clarendon Boulevard due to lapse of use as of January 2010.

[Board Report #4](#)

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**USE PERMITS REQUEST/REVIEWS/AMENDMENTS**

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**5. U-1748-67-2 USE PERMIT RENEWAL FOR A CHILDCARE CENTER AT 2700 19TH ST. SOUTH (OUR LADY QUEEN OF PEACE, RPC #31-008-050).**

On the consent agenda vote, after a duly advertised public hearing, the Board deferred the use permit renewal for a childcare center at 2700 19th Street South to the June 12, 2010, County Board meeting.

[Board Report #5](#)

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**6. U-3052-02-3 USE PERMIT RENEWAL FOR A CHILDCARE CENTER (CHERRY BLOSSOM) LOCATED AT 2612 N. PERSHING DRIVE (RPC# 18-056-006).**

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-3052-02-3 on file in the Office of the Zoning Administrator for renewal of a special exception for a use permit for a childcare center for the parcel of real property known as 2612 N. Pershing Drive (RPC #18-056-006), 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 with a County Board review in five (5) years (March 2015).

[Board Report #6](#)

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**7. U-3243-10-1 USE PERMIT OF HOMEMADE PIZZA CO. FOR FOOD DELIVERY SERVICE FOR A CARRY-OUT OPERATION LOCATED AT 4514 LEE HIGHWAY (RPC #07-003-008).**

On the consent agenda vote, after a duly advertised public hearing, the Board deferred the use permit request for a food delivery service to the April 24, 2010, County Board meeting.

[Board Report #7](#)

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**8. U-3244-10-1 USE PERMIT FOR PUBLIC UTILITY/TELECOMMUNICATIONS FOR ONE (1) MICROWAVE/DISH ANTENNA LOCATED AT 4241 COLUMBIA PIKE (RPC #22-034-100 THROUGH - 143).**

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-3244-10-1 on file in the Office of the Zoning Administrator for a special exception for a use permit for public utility/telecommunications for one (1) microwave/dish antenna for the parcel of real property known as 4241 Columbia Pike (RPC #22-034-100 through -143), approval is granted and the

parcel so described shall be used according to the use permit approval requested by the application, subject to the following conditions:

1. The applicant agrees that the one (1) Clearwire dish antenna on the existing building at 4241 Columbia Pike will be installed as shown on plans dated September 1, 2009. Any additional antennas on the site will require a use permit amendment.
2. The applicant shall identify a community liaison who shall be available to address any concerns regarding the facility operation. The name and telephone number of the liaison shall be provided to the Barcroft and the Douglas Park Civic Associations and the Zoning Administrator.
3. The applicant agrees that the antenna shall be removed within ninety (90) days after any cessation of use.

[Board Report #8](#)

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**9. U-3245-10-1 USE PERMIT FOR PUBLIC UTILITY/TELECOMMUNICATIONS FACILITY LOCATED AT 1200 S. ARLINGTON RIDGE ROAD (RPC # 35-007-003 THROUGH -200).**

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-3245-10-1 on file in the Office of the Zoning Administrator for a special exception for a use permit for the addition of one (1) dish antenna at an existing public utility/telecommunications facility for the parcel of real property known as 1200 S. Arlington Ridge Road (RPC #35-007-003 through -200), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to the following conditions:

1. The applicant agrees that the one (1) Clearwire dish antenna on the existing building at 1200 South Arlington Ridge Road will be installed as shown on plans dated July 22, 2009 and labeled "DC-WSH5136-A (VA0939 HOST)". Any additional antennas on the site will require a use permit amendment.
2. The applicant shall identify a community liaison that shall be available to address any concerns regarding the facility's operation. The name and telephone number of the liaison shall be provided to the Cavendish Condominiums, the Arlington Ridge Civic Association and the Zoning Administrator.
3. The applicant agrees that any Clearwire antennas on the site shall be removed within ninety (90) days after any cessation of use.

[Board Report #9](#)

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**10. U-3246-10-2 USE PERMIT FOR AN OUTDOOR CAFÉ IN THE PUBLIC RIGHT-OF-WAY AND A COMPREHENSIVE SIGN PLAN AT SPIDER KELLY'S LOCATED AT 3181 WILSON BLVD (RPC #15-075-002).**

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-3246-10-2 on file in the Office of the Zoning Administrator for a special exception for a use permit for an outdoor café in the public right-of-way and a comprehensive sign plan for the parcel of real property known as 3181 Wilson Boulevard (Spider Kelly's) (RPC #15-075-002), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to the following conditions:

1. The applicant (as used in these conditions, the term "applicant" shall mean the owner, the tenant "Spider Kelly's" and all successors and assigns) agrees that, in building or using any outdoor café or sign on the property at 3171-3181 Wilson Boulevard, it will comply with the conditions set forth below and the drawings referenced below.

2. The applicant agrees that the outdoor café shall be in the same general location as shown on the attached drawing dated February 22, 2010, and as approved by the County Board on March 13, 2010. The total number of tables and chairs and their configuration shall be as established by the Certificate of Occupancy. The applicant further agrees to maintain a minimum of six (6) feet of clear unobstructed sidewalk width at all times.
3. The applicant agrees that the hours of the outdoor café shall be limited to 10 a.m. to 1 a.m. seven (7) days a week.
4. The applicant agrees to submit to the Zoning Administrator a current survey plat of the property showing the county right-of way with the application for the Certificate of Occupancy for the outdoor café. The applicant further agrees that the outdoor café may not be used until a Certificate of Occupancy has been issued therefore, and that the café will be used in a manner consistent with the Certificate of Occupancy and these conditions.
5. The applicant agrees that all tenant signs shall be of the size, color, location, and materials as shown in the exhibit dated February 17, 2010 and entitled "Spider Kelly's" and the table in the staff report, and as approved by the County Board on March 13, 2010. The applicant further agrees that the total sign area shall be no more than 67 square feet and the tenant identification sign shall not protrude more than 13 inches from the building façade.
6. The applicant agrees that minor changes to the approved signs may be approved administratively by the Zoning Administrator. For the purposes of the preceding sentence, minor changes shall include only the following: (i) a minor adjustment in the location of a sign to meet field conditions (less than 1 foot in any direction); or (ii) a minor change in the area of an individual sign (less than 5%).
7. The applicant agrees to remove the existing Spider Kelly's sign and structure before installation of the signs permitted in this comprehensive sign plan.

[Board Report #10](#)

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**11. U-3247-10-1 USE PERMIT FOR PUBLIC UTILITY/TELECOMMUNICATIONS FOR 2 MICROWAVE/DISH ANTENNAS LOCATED AT 333 SOUTH GLEBE ROAD (RPC #24-015-015).**

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-3247-10-1 on file in the Office of the Zoning Administrator for a special exception for a use permit for public utility/telecommunications for two (2) microwave/dish antennas for the parcel of real property known as 333 South Glebe Road (RPC #24-015-015), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to the following conditions:

1. The applicant agrees that the two (2) Clearwire dish antennas on the existing building at 333 South Glebe Road will be installed as shown on plans dated June 5, 2009. Any additional antennas on the site will require a use permit amendment.
2. The applicant shall identify a community liaison who shall be available to address any concerns regarding the facility operation. The name and telephone number of the liaison shall be provided to the Arlington Heights Civic Association and the Zoning Administrator.
3. The applicant agrees that the antennas shall be removed within ninety (90) days after any cessation of use.

[Board Report #11](#)

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**12. U-3248-10-1 USE PERMIT FOR PUBLIC UTILITY/TELECOMMUNICATIONS FOR ONE (1) MICROWAVE/DISH ANTENNA LOCATED AT 5100 8TH ROAD SOUTH (RPC #22-014-131).**

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-3248-10-1 on file in the Office of the Zoning Administrator for a special exception for a use permit for public utility/telecommunications for one (1) microwave/dish antenna for the parcel of real property known as 5100 8<sup>th</sup> Road South (RPC #22-014-131), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application, subject to the following conditions:

1. The applicant agrees that the one (1) Clearwire dish antenna on the existing building at 5100 8<sup>th</sup> Road South will be installed as shown on plans dated February 9, 2010. Any additional antennas on the site will require a use permit amendment.
2. The applicant shall identify a community liaison who shall be available to address any concerns regarding the facility operation. The name and telephone number of the liaison shall be provided to the Columbia Heights West Civic Association and the Zoning Administrator.
3. The applicant agrees that the antenna shall be removed within ninety (90) days after any cessation of use.

[Board Report #12](#)

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**VACATIONS, EASEMENTS, RIGHTS OF WAY, ENCROACHMENTS & LEASES**

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- 13. ENACTMENT OF AN ORDINANCE TO AMEND AND REENACT AN ORDINANCE TO VACATE ON PART OF PARCEL B-2A, WESTERN ELECTRIC COMPANY, INCORPORATED: 1) A PORTION OF A 10' UTILITY EASEMENT FOR WATER MAIN ON THE SOUTHWEST PORTION OF THE PARCEL; AND, 2) A 15' STORM SEWER EASEMENT ON THE SOUTHWEST PORTION OF THE PARCEL, KNOWN AS 1201 S. HAYES STREET AND 1200 S. FERN STREET, ARLINGTON COUNTY, VIRGINIA (RPC NO. 35004001), WITH CONDITIONS.**

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

1. Enacted the ordinance, as set forth in the document entitled "Addendum 3-13-10-A – Vacations Western Electric Company, Incorporated" attached for the public record to these minutes, to amend and reenact an ordinance to vacate on part of Parcel B-2A, Western Electric Company, Incorporated: 1) a portion of a 10' utility easement for water main on the southwest portion of the parcel; and, 2) a 15' storm sewer easement on the southwest portion of the parcel, known as 1201 S. Hayes Street and 1200 S. Fern Street, Arlington County, Virginia (RPC No. 35004001), with conditions.
2. Authorized the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, or his designee, to execute, on behalf of the County Board, the deed(s) of vacation, subject to approval as to form by the County Attorney.

[Addendum 3-13-10-A – Vacations Western Electric Company, Incorporated](#)

[Board Report #13](#)

[Board Report #13-Supplemental](#)

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- 14. AMENDMENT AND RE-ENACTMENT OF AN ORDINANCE TO VACATE: 1) A FIFTEEN (15) FOOT PUBLIC SIDEWALK AND UTILITIES EASEMENT WHICH RUNS NORTH TO SOUTH ON PARCELS KNOWN AS 2207 N. PERSHING DRIVE AND 2211 N. PERSHING DRIVE, RPC NO. 18038019, WITH CONDITIONS; AND 2) A FIVE (5) FOOT SANITARY SEWER EASEMENT WHICH RUNS EAST TO WEST ALONG THE NORTHERN PORTION ON PARCELS KNOWN AS 2207 THROUGH 2233 N.**

**PERSHING DRIVE, RPC NO. 18038019, WITH CONDITIONS.**

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

1. Enacted the Ordinance, as set forth in the document entitled "Addendum 3-13-10-B - Vacations 2207 and 2211 N. Pershing Dr. and 2207 through 2233 N. Pershing Dr." attached for the public record to these minutes, to amend and re-enact an ordinance to vacate: 1) a fifteen (15) foot public sidewalk and utilities easement which runs north to south on parcels known as 2207 N. Pershing Drive and 2211 N. Pershing Drive, RPC No. 18038019, with conditions; and 2) a five (5) foot sanitary sewer easement which runs east to west along the northern portion on parcels known as 2207 through 2233 N. Pershing Drive, RPC No. 18038019, with conditions.
2. Authorized the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, to execute, on behalf of the County Board, the deed or deeds of vacation and all documents necessary to effectuate the Ordinance of Vacation, subject to approval as to form by the County Attorney.

[Addendum 3-13-10-B - Vacations 2207 and 2211 N. Pershing Dr. and 2207 through 2233 N. Pershing Dr.](#)

[Board Report #14](#)

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**15. APPROVAL OF THE DEED RELEASING A RESTRICTIVE COVENANT RUNNING SOLELY TO THE BENEFIT OF THE COUNTY ON REAL PROPERTY KNOWN AS 1910 S. NELSON STREET, LOT 34, BLOCK B, DOUGLAS PARK (RPC #S 31015061).**

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

1. Approved the Deed, attached to the County Manager's February 24, 2010 report, Releasing a Restrictive Covenant Running Solely to the Benefit of the County on Real Property Known as 1910 S. Nelson Street, Lot 34, Block B, Douglas Park (RPC #s 31015061), Which Covenant is Contained in a Deed Recorded Among the Land Records of the Circuit Court of Arlington County, Virginia, in Deed Book 2107 at Page 1353; and
2. Authorized the Real Estate Bureau Chief, or his designee, to execute on behalf of the County Board of Arlington County, Virginia, the Deed Releasing a Restrictive Covenant and all related documents, subject to approval as to form by the County Attorney.

[Board Report #15](#)

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**16. APPROVAL OF A RESOLUTION GRANTING A DENSITY CREDIT, UNDER SECTION 36.L. OF THE ARLINGTON COUNTY ZONING ORDINANCE FOR A PARCEL, WITH MULTIPLE ADDRESSES LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH GLEBE ROAD AND 20TH ROAD NORTH, RPC NO. 07008006, IN EXCHANGE FOR A FEE SIMPLE DEDICATION FOR PUBLIC STREET AND UTILITIES PURPOSES OF A PORTION OF THE AFORESAID PARCEL TO THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA; AND APPROVAL AND ACCEPTANCE OF AN OFFER OF A DEED OF DEDICATIONS AND EASEMENTS. .**

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

1. Adopted the following resolution granting a density credit in the amount of 3,463 square feet of land area to a parcel of real property with multiple addresses located at the southeast intersection of North Glebe Road and 20th Road North, RPC No. 07008006 to the fee simple owner of the property, Archstone Parkland Gardens, LLC , in exchange for the voluntary fee simple dedication to the County Board of Arlington County, Virginia, of a 3,463 square foot portion of the property for public street and utilities purposes:

**RESOLUTION GRANTING DENSITY CREDIT**

WHEREAS, the County Manager has recommended that, in exchange for the fee simple dedication of 3,463 square feet for public purposes of the property with multiple addresses, located at the southeast

intersection of North Glebe Road and 20th Road North, RPC No. 07008006 (the "Property"), the County Board should grant a density credit pursuant to Section 36.L. of the Arlington County Zoning Ordinance in the amount of density that would be yielded by 3,463 square feet of land area to the remaining 269,481 square foot parcel, as shown on the attached plat, such that the remaining parcel will be treated as a 272,944 square foot parcel for the purposes of density calculations; and

WHEREAS, upon consideration of the staff report of the County Manager, dated February 25, 2010, and other information presented at the time of consideration of this matter, the County Board finds that:

- The Property is currently zoned "RA8-18", Apartment Dwelling Districts.
- The portion of the Property to be dedicated for public purposes is needed by the County for a public use as public street and utilities.
- The portion of the Property to be dedicated for said public purpose is suitable in location, size, shape, condition and topography for such public purposes.
- There are no encumbrances, title restrictions, or survey exceptions to such portion of the Property that would restrict, adversely affect, or otherwise interfere with public use of said portion of the Property for such public purpose.
- The portion of the Property to be dedicated for such public purpose is in accordance with the County's Comprehensive Plan and the dedication of such portion to the Property has, and will continue to contribute to the implementation of the transportation improvements for 20th Road North, as detailed in the Master Transportation Plan, as adopted by the County Board of Arlington County, Virginia.
- The portion of the Property for which density credit is to be granted will be dedicated to the County Board without monetary or other compensation, except for granting of density credit.

NOW THEREFORE, BE IT RESOLVED, that in exchange for the dedication of a portion of the Property for public street and utilities purposes, the County Board, pursuant to Section 36.L. of the Arlington County Zoning Ordinance, hereby grants a density credit in the amount of density that would be yielded by 3,463 square feet to the Property as referenced in the attached dedication plat for the property.

2. Approved and accepted an offer of a deed of dedications and easements, attached to the County Manager's March 9, 2010 report as Exhibit B, from the applicant to the County Board of Arlington County, Virginia, dedicating the following portions of the property to the County Board: 1) 3,463 square feet in fee simple for public street and utilities purposes with a density credit for the property; 2) 630 square feet in fee simple for public street and utilities purposes without a density credit; 3) 40 square feet in fee simple for public street and utilities purposes without a density credit; 4) a 3,828 square-foot easement for public sidewalk purposes; 5) a 3,182 square foot ingress-egress easement; 6) a 362 square-foot public water service easement; and 7) a 10-foot wide public water line easement.
3. Authorize the Real Estate Bureau Chief or his Designee, to accept on behalf of the County Board of Arlington County, Virginia, the Deed, subject to approval of the Deed as to form and acknowledgement of the density credit by the County Attorney.

[Board Report #16-Revised](#)

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**ORDINANCES, PLANS AND POLICIES**

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17. **ZOA-10-01/FBC-9. ZONING ORDINANCE AMENDMENTS TO SECTIONS 1, 16, 18, 19, 20 (AND ITS APPENDIX A), 21, 25A, 26, 28, 32A, 33 AND 34 TO: 1) DELETE "AUTOMOBILE SERVICE STATION," "PUBLIC GARAGE" AND "TIRE SHOP" AND INSTEAD ADD A NEW DEFINITION FOR, AND REFERENCES TO "VEHICLE SERVICE ESTABLISHMENT," WHICH USE WOULD INCLUDE VEHICLE FUELING SALES, ACCESSORY RETAIL SALES AND VEHICLE SERVICE AND REPAIR USES; 2) PERMIT VEHICLE SERVICE AND REPAIR AS PROVIDED FOR IN THE PROPOSED "VEHICLE SERVICE ESTABLISHMENT" DEFINITION, BY USE PERMIT APPROVAL, IN SECTION 19. "C-1" LOCAL COMMERCIAL DISTRICTS, SECTION 20 (AND ITS APPENDIX A) "CP-FBC" COLUMBIA PIKE**

**FORM BASED CODE DISTRICTS AND SECTION 25A. "C-O-A" COMMERCIAL OFFICE BUILDING, HOTEL AND APARTMENT DISTRICTS; 3) CREATE A NEW DEFINITION FOR AND UPDATE REFERENCES TO "VEHICLE BODY SHOP" AS A USE THAT INCLUDES BOTH REPAIR USES AND VEHICLE BODY WORK, PAINTING AND UPHOLSTERING; AND 4) UPDATE USAGE OF AUTOMOBILE-RELATED TERMS.**

On the consent agenda vote, after a duly advertised public hearing, the Board deferred the proposed Zoning Ordinance Amendment (ZOA-2010-01/FBC-9) to amend, reenact, and recodify the Zoning Ordinance, Sections 1, 16, 18, 19, 20, 21, 25A, 26, 28, 32A, 33 and 34, to the April 12, 2010, Planning Commission and the April 24, 2010, County Board meetings.

[Board Report #17](#)

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**18. PARKING REGULATIONS**

A. Amendments to the County’s Motor Vehicle Code, Chapter 14.2, Article 1 of the Arlington County Code.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the amendments, as set forth in the document entitled "Addendum 3-13-10-C – Chapter 14.2, Article 1" attached for the public record to these minutes, to the County’s Motor Vehicle Code, Chapter 14.2, Article 1 of the Arlington County Code concerning the use of emerging technologies for payment of parking meters.

[Addendum 3-13-10-C – Chapter 14.2, Article 1](#)

[Board Report #18.A.](#)

B. Request to advertise for a public hearing on proposed amendments to the County’s Motor Vehicle Code, Chapter 14.2, Article 1 of the Arlington County Code.

On the consent agenda vote, the Board authorized the request to advertise a public hearing to be held on March 25, 2010, to consider proposed amendments, attached to the County Manager’s March 4, 2010 report, to the County’s Motor Vehicle Code, Chapter 14.2, Article 1 of the Arlington County Code to establish parking meter fees for tour buses and fines for parking inappropriately in tour bus zones.

[Board Report #18.B.](#)

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**CAPITAL PROJECTS**

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**19. FUNDING REQUEST FOR NEIGHBORHOOD CONSERVATION (NC) PROGRAM PROJECTS.**

This item was removed from the consent agenda and will be heard at the March 16, 2010 County Board Recessed Meeting.

[Board Report #19](#)

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**20. APPROVAL OF AN INCREASE IN THE CONTRACT AMOUNT UNDER CONTRACT 445-07 BETWEEN THE COUNTY BOARD AND HUGHES GROUP ARCHITECTS (HGA) FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE NEW FIRE STATION NO. 3 LOCATED AT 4100 OLD DOMINION DRIVE.**

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

1. Approved an increase of \$60,000, plus a contingency of \$15,000 for a total increase of \$75,000, resulting in a total contract authorization of \$970,932 to Contract 445-07 with HGA for additional architectural and engineering services needed to complete the design of new Fire Station No. 3.
2. Authorized the Purchasing Agent to execute an amendment to the contract documents.

[Board Report #20](#)

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**21. APPROVAL OF A LICENSE AGREEMENT BETWEEN THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA AND WASHINGTON GAS LIGHT COMPANY PERMITTING TWO PRESSURE REGULATOR STATIONS TO BE CONSTRUCTED, OPERATED, AND MAINTAINED ON PORTIONS OF THE ARLINGTON COUNTY WATER POLLUTION CONTROL PLANT SITE (RPC #37036002 AND RPC #38006004).**

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

1. Approved the license agreement, attached to the County Manager’s February 24, 2010 report as Attachment “1” between The County Board of Arlington County, Virginia and Washington Gas Light Company (“WGLCO”) granting WGLCO a license to use portions of the Water Pollution Control Plant site (RPC #37036002 and RPC #38006004) for the construction, operation and maintenance of two pressure regulator stations for the purpose of supplying natural gas for the standby generator facility and other facilities at the WPCP.
2. Authorize the Real Estate Bureau Chief, Engineering and Capital Projects Division, Department of Environmental Services, or his designee, to execute, on behalf of the County Board, the license agreement, attached the County Manager’s February 24, 2010 report as Attachment “1”, subject to approval as to form by the County Attorney.

[Board Report #21](#)

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**APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS**

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**22. ACCEPTANCE AND APPROPRIATION OF AN OFFICE OF COMMONWEALTH PREPAREDNESS PUBLIC SAFETY 2009 INTEROPERABILITY REGIONAL GRANT.**

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

1. Accepted and appropriated \$102,000 interoperability regional grant in FY 2010 from the Office of Commonwealth Preparedness to the Fire Department for the development of a regional public safety interoperability technical blueprint.
2. Authorized the County Manager or her designee to sign the grant agreement when approved as to form by the County Attorney.

[Board Report #22](#)

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**REQUESTS TO ADVERTISE**

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- 23. REQUEST TO ADVERTISE A GENERAL LAND USE PLAN AMENDMENT FROM "SERVICE COMMERCIAL" (PERSONAL AND BUSINESS SERVICES. GENERALLY ONE TO FOUR STORIES. MAXIMUM 1.5 F.A.R. WITH SPECIAL PROVISIONS WITHIN THE COLUMBIA PIKE SPECIAL REVITALIZATION DISTRICT.) TO "MEDIUM" OFFICE-APARTMENT-HOTEL (UP TO 2.5 F.A.R. OFFICE DENSITY, UP TO 115 UNITS/ACRE APARTMENT DENSITY, UP TO 180 UNITS/ACRE HOTEL DENSITY) FOR A PROPERTY KNOWN AS 1900 WILSON BOULEVARD, GENERALLY LOCATED ON THE WESTERN PART OF THE BLOCK IN THE AREA BOUNDED BY WILSON BOULEVARD, THE PROPOSED NORTH TROY STREET EXTENSION, CLARENDON BOULEVARD, AND NORTH RHODES STREET.**

This item was removed from the consent agenda and will be heard at the March 16, 2010 County Board Recessed Meeting.

[Board Report #23](#)

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- 24. REQUEST TO ADVERTISE PUBLIC HEARINGS TO CONSIDER THE LOCAL DESIGNATION AND HISTORIC DISTRICT ZONING OVERLAY OF THE WASHINGTON/TORREYSON FARM HOUSE, LOCATED AT 1600 N. LEXINGTON ST. (RPC # 10-026-029).**

On the consent agenda vote, the Board adopted the resolution, as set forth in the document entitled "Addendum 3-13-10-D – Resolution Advertisement Washington/Torreyson Farm House Designation" attached for the public record to these minutes, to authorize the advertisement of public hearings by the Planning Commission on April 12, 2010, and the County Board on April 24, 2010, to consider adoption of an ordinance designating the Washington/Torreyson Farm House, located at 1600 N. Lexington St., as a local historic district and the creation of an historic district zoning overlay to consist of the legal property boundary.

[Addendum 3-13-10-D – Resolution Advertisement Washington/Torreyson Farm House Designation](#)

[Board Report #24](#)

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**OTHER**

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- 25. MINUTES.**

On the consent agenda vote, the Board approved the minutes from the September 29, 2009 Recessed Meeting; October 24, 2009 Regular Meeting; and October 27, 2009 Recessed Meeting.

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**REGULAR HEARING ITEMS**

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- 26. ZO-09-10A ZONING ORDINANCE AMENDMENT TO SECTION 31A, SUBSECTION E12. THIS AMENDMENT ALTERS THE STANDARD FOR COUNTY BOARD REVIEW OF APPEALS OF HISTORICAL AFFAIRS AND LANDMARK REVIEW BOARD (HALRB) DECISIONS.**

After a duly advertised public hearing, at which there were no speakers, MARY HUGHES HYNES, Member, made a motion, seconded by BARBARA A. FAVOLA, Member, to deferred action on the proposed amendments, as set forth in the County Manager’s February 22, 2010 report, before the County Board concerning the standard the County Board applies to review appeals of Historic Affairs and Landmark Review Board decisions; and authorized advertisement of additional amendments to Section 31A. of the County Zoning Ordinance relating to Historic Preservation Districts which proposed amendments further clarify requirements relating to

Historic District Design Guidelines, as set forth in the document entitled "Addendum 3-13-10-E – Advertisement of Additional Amendments to Section 31A." attached for the public record to these minutes, subject to the further edits discussed at the March 13, 2010 County Board Meeting.

Ms. Hynes motion included that the proposed amendments and the amendments relating to the standard of review be brought to the Board for public hearing and consideration of adoption at the April 27, 2010 meeting, after consideration by the Planning Commission and the Historic Affairs and Landmark Review Board.

After further discussion, J. WALTER TEJADA, Member, offered a friendly amendment to the motion, which was accepted by unanimous consent, to bring the item back to the Board for public hearing and consideration of adoption at the May 22, 2010 meeting.

The main motion, with the friendly amendment, 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.

[Addendum 3-13-10-E – Advertisement of Additional Amendments to Section 31A.](#)

[Board Report #26](#)

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**27. [TEMPORARY SNOW REMOVAL ORDINANCE.](#)**

On motion by CHRISTOPHER ZIMMERMAN, Vice Chairman, seconded by MARY HUGHES HYNES, Member and carried by a vote of 3 to 2, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Vice Chairman - Aye, MARY HUGHES HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, JAY FISETTE, Chairman - No, BARBARA A. FAVOLA, Member - No, after a public hearing, at which the public spoke, the Board enacted the temporary emergency ordinance, as set forth in the document entitled "Addendum 3-13-10-F – Temporary Emergency Snow Removal Ordinance" attached for the public record to these minutes.

[Addendum 3-13-10-F – Temporary Emergency Snow Removal Ordinance](#)

[Board Report #27](#)

[Board Report #27-Supplemental](#)

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**ADJOURNMENT**

Without objection, at 11:48 a.m., the Board recessed until the March 16, 2010 Recessed Meeting.

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JAY FISETTE, Chairman

ATTEST:

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HOPE L. HALLECK, Clerk  
Approved: July 10, 2010