

A Recessed Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Tuesday, May 22, 2012 at 3:03 p.m.

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

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

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COUNTY BOARD RECESSED MEETING

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COUNTY BOARD BUSINESS AND REPORTS

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I. COUNTY BOARD REPORTS

Chair Hynes provided an update on Open Door Mondays and announced that the next Open Door Monday will be June 4, 2012 at the Thomas Jefferson Community Center. The Chair stated that the [OpenArlington online forum](#), designed as an additional means to connect with residents and solicit input. The forum currently has two questions open for comment: one on the capital improvement program (CIP) and one on engaging with Arlington County Government. For more information, please visit www.arlingtonplace.us.

Chair Hynes stated that an information workshop will be held on June 5, 2012 at the Central Library for the application process for Park Enhancement Grants, a collaboration between the community and government.

The Chair announced that May is Older Americans Month and nearly 19% of Arlington population is over the age of 55. She spoke about the many programs the County has for older Americans this month with a theme of "Never Too Old to Play." For more information, please visit www.arlingtonva.us, search "55."

Chair Hynes announced that May is Building Safety Month and presented a proclamation emphasizing the importance of having safe and sustainable structures in our community to Shahriar Amiri, Inspection Services Division Chief.

The Chair provided an update on Super NoVa, an effort by the Commonwealth of Virginia to develop a Transit and Transportation Demand Management (TDM) vision for all of Northern Virginia. The Super NoVa public meeting will be held on May 24, 2012 at the Navy League Building. For more information, visit: www.supernovatransitvision.com or www.arlingtonva.us.

Chair Hynes announced that the General Assembly last week confirmed two new judges for the Arlington Circuit Court. Dan Fiore and Louise DiMatteo, both of Arlington, will join the Arlington Circuit Court in July.

Vice-Chairman J. Walter Tejada announced that the Shirlington Employment and Education Center (SEEC) hosted the first class of sixteen graduates who completed the GREEN Housecleaning Training program. For more information, please contact SEEC at 703-933-1101 or via email at atobar@seecjobs.org. The Vice Chair thanked Sandra Short, the program's instructor and Etta Johnson, who taught English as a Second Language to the students. He also thanked the Arlington Presbyterian Church, St. Mary's Episcopal Church, Washington Forest Foundation and the Arlington Community Foundation for their support of this program.

Board Member Christopher Zimmerman provided an update on the student visits from Arlington's Sister City, Coyocan, Mexico. The students stayed with families from Claremont Elementary School and attended numerous activities.

Member Zimmerman announced a conference held at the Artisphere, hosted by a Foster.ly promoting entrepreneurship. Jennifer Ives from Arlington Economic Development (AED) provided a summary of the conference and information about AED's Business Investment Group (BIG).

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II. APPOINTMENTS

A motion was made by MARY HYNES, Chair to:

Arlington Community Services Board

Appoint Brian DeAtley for a term ending June 30, 2015

Citizens Advisory Commission on Housing

Appoint Joseph O. Onyebuchi for a term ending May 31, 2016

Appoint Ginger Briggs Brown for a term ending May 31, 2016

Appoint John Lederer for a term ending May 31, 2016

Community Development Citizens Advisory Committee

Appoint Chani Wiggins to represent Douglas Park for a term ending May 31, 2015

Commission on the Status of Women

Reappoint Atima Omara-Alwala for a term ending May 31, 2015

Deputy Animal Control Officers

Appoint Jose Serrano

Appoint Kimberly Corcoran

Information Technology Advisory Commission

Appoint Salvador D'Itri for a term ending May 31, 2015

Park and Recreation Commission

Appoint Joseph Uravitch for a term ending May 31, 2015

Sesquicentennial of the American Civil War Committee

Appoint Sharon E. Davis

Appoint Stephen W. Lehman

Tenant-Landlord Commission

Reappoint Charles R. Clohan for a term ending May 31, 2015

Urban Agriculture Task Force

Appoint Darnell Carpenter as the Arlington Civic Federation representative

Appoint Dennis Jaffe as the Tenant-Landlord Commission representative

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-Appointment of Deputy Animal Control Officers](#)

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III. REGIONAL REPORTS

The Chair gave an update on Metro. Rush plus, or “rush hour reinvented,” is designed to ease rush hour crowding and prepare for the Silver Line. The new rush hour-only service will launch on June 18 and provide more frequent service at 21 stations, including many that affect Arlington.

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IV. COUNTY MANAGER REPORT

The Manager provided an update on the Columbia Pike Transit Initiative. The Arlington County Board and Fairfax County Boards have compiled a Federal Alternatives Analysis and Environmental Analysis for the initiative. The official public comment period is open today, May 22, 2012 through June 21, 2012. Two public meetings will be held on June 6, 2012 at Patrick Henry Elementary School in Arlington and June 7, 2012 at Goodwin House in Bailey’s Crossroads. Written comments may also be submitted to: Columbia Pike Transit Initiative, P.O. Box 3915, Oakton, VA 22124 or by email to info@piketransit.com.

The Manager introduced Chris Tatum from ETC Institute, who gave the Board an overview of the results 2012 Resident Satisfaction Survey. The results of the survey showed that resident’s satisfaction with quality of services increased to 89% and satisfaction with quality of life went up to 92%. For more information, please visit the County Manager’s Office page at: www.arlingtonva.us.

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CLOSED MEETING; CERTIFICATION OF CLOSED MEETING DISCUSSIONS

A motion was made by MARY HYNES, Chairman, seconded by J. WALTER TEJADA, Vice Chairman, to convene a closed meeting as authorized by Virginia Code sections 2.2-3711.A.3 and 7 for the following purposes:

Discussion concerning one matter involving the disposition of public owned held real property where discussion in public could adversely affect the County’s negotiating position; and

consultation with the County Attorney and appropriate staff concerning the following:

The April 3, 2012 claim of Steve Klintberg;
Case No. CL10-1020 pending in the Circuit Court of Prince William;

Final payment and close out of the Alberici Contractors, Inc. contract with the County; and

The County’s authority to deny requested amendments to site plan conditions and to enforce previously approved conditions.

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.

The Board met in a closed meeting from 4:35 p.m. to 6:34 p.m.

A motion was made by MARY HYNES, Chairman, seconded by WALTER TEJADA, Vice Chairman to certify that to the best of each member’s knowledge that only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered by the Board. The motion was adopted by a vote of 5 to 0 by roll call as follows:

Member & Vote

Ms. Hynes - Aye
Mr. Tejada - Aye
Mr. Fisetete – Aye
Ms. Garvey – Aye
Mr. Zimmerman – Aye

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THE FOLLOWING ITEMS TO BE HEARD BEGINNING AT 6:30 P.M.

The Chair recognized David Briggs, in recognition of 13 years of service as a member of the Rosslyn Renaissance Board of Directors.

The Chair introduced the graduating class of the 2012 Neighborhood College and presented each graduate with a certificate:

- Katie Cristol
- Castor Fernandez
- Victoria Ferrara
- Vicki Forlini
- Gloria Galvez
- Edgar Gil
- Allison Henry
- Tracy Hopkins
- Kay Langenback
- Phillip Leverette
- Hugh McGonigle
- Andrew Moore
- Santos Felix Muñoz
- Miguel "Willy" Reinaga
- Ruth Rosales
- Natalie Roy
- Anthony A. Seymore
- Bri Sheffey
- Cathie Sullivan
- Henny Tejada

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CONSENT ITEMS

CAPITAL PROJECTS

27. **APPROVE THE AWARD OF A CONTRACT TO FORT MYER CORPORATION FOR THE CONSTRUCTION OF CLARENDON METRO PLAZA SURFACE IMPROVEMENTS, INVITATION TO BID NUMBER 657-12.**

Following a duly advertised public hearing at which there were speakers, a motion was made by JAY FISETTE, Member, seconded by CHRISTOPHER ZIMMERMAN, Member to:

1. Approve the award of Invitation To Bid 657-12 to Fort Myer Construction Corporation for the installation of new pavement resurfacing and landscape improvements at the Clarendon Metro Plaza in the amount of \$665,000.89, and authorize an allocation of \$99,750.00 as a contingency for change orders and increased quantities, for a total contract authorization of \$764,750.89.
2. Authorize the Purchasing Agent to execute the contract documents, subject to review by the County Attorney.

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 # 27](#)

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OTHER

37. SALE OF 2012 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS

Following a duly advertised public hearing at which there were speakers, a motion was made by J. WALTER TEJADA, Vice Chairman, seconded by CHRISTOPHER ZIMMERMAN, Member to:

adopt the resolution authorizing the sale of General Obligation Public Improvement Bonds in an amount not to exceed \$110* million; and

appropriate and allocate, upon receipt of funds, proceeds in an amount not to exceed \$110* million as follows:

- \$6,150,000 to the Street and Highway Bond Fund (314)
- \$4,000,000 to the Community Conservation Bond Fund (316)
- \$4,435,000 to the Government Facility Bond Fund (317)
- \$11,010,000 to the Parks and Recreation Bond Fund (324)
- \$10,000,000 to the Metro Bond Fund (333)
- \$8,500,000 to the Utility Water Pollution Control Plant Bond Fund (530)
- \$65,147,000 to the Schools Bond Fund (887)

[Clerk’s note: as set forth in the document entitled “Addendum-5-22-12-A- GO Bonds” attached for the public record to these minutes.] 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 #37](#)

[Addendum-5-22-12-A- GO Bonds](#)

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THE FOLLOWING ITEMS TO BE HEARD NO EARLIER THAN 6:45 P.M.

REGULAR HEARING ITEMS

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42. 3506 COLUMBIA PIKE-FORM BASED CODE DEVELOPMENT

- A. Z-2533-11-1 Rezoning from "R-5" One-Family, Restricted Two-Family Dwelling Districts to "CP-FBC" Columbia Pike Form Based Code Districts. Property is approximately 20,767 sq. ft. and located at 3506 Columbia Pike (RPC# 26-001-019).
- B. U-3334-12-1 Use Permit for the development of 247 multi-family dwelling units, 12 stacked flats, 44 townhouses and 15,079 square feet of retail; approval of a comprehensive sign plan; and modification of use regulations for alley location, location of building entrances and signs; all for property located at 3400, 3506, and 3514 Columbia Pike and 1100 and 1110 S. Glebe Road (RPC# 26-001-018, -019, -020, -071, and -072).

Following a duly advertised public hearing at which there were speakers, a motion was made by LIBBY GARVEY, Member, seconded by CHRISTOPHER ZIMMERMAN, Member to:

1. Adopt the resolution to approve the rezoning request from "R-5" One Family Dwelling Districts to "CP-FBC" Columbia Pike Form Based Code Districts; 3506 Columbia Pike (RPC# 26-001-019).

REZONING RESOLUTION

WHEREAS, the County Board of Arlington County ("County Board") finds that Penrose Columbia Pike, LLC has requested a rezoning of the property located at 3506 Columbia Pike ("property") (RPC #26-001-019) from "R-5" One Family Dwelling Districts to "CP-FBC" Columbia Pike – Form Based Code Districts; and

WHEREAS, the County Manager has recommended approval of the rezonings to "CP-FBC" Columbia Pike – Form Based Code Districts; and

WHEREAS, the Planning Commission of Arlington County held a duly advertised public hearing on the proposed rezoning on May 7, 2012 and recommended deferral; and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed rezoning on May 19, 2012.

WHEREAS, the County Board finds that the rezoning to "CP-FBC" Columbia Pike – Form Based Code Districts will be consistent with the General Land Use Plan Designations for the Property; and

WHEREAS, the County Board finds that the rezoning to "CP-FBC" Columbia Pike – Form Based Code Districts will achieve goals and objectives set forth in the Columbia Pike Initiative Land Use and Zoning guidelines; and

WHEREAS, the County Board finds that the rezoning to "CP-FBC" Columbia Pike – Form Based Code Districts is required by public necessity, convenience, general welfare, and good zoning practice; and

NOW, THEREFORE, be it resolved, that the Property located at 3506 Columbia Pike (RPC #26-001-019), is hereby rezoned FROM "R-5" One Family Dwelling Districts TO "CP-FBC" Columbia Pike – Form Based Code Districts, as shown on the attached map (Z-2549-09-1).

2. Adopt the following ordinance with a change in amount of square footage as indicated [Clerk's note: text to be deleted is shown in strikethrough and text to be added is shown in underline]:
BE IT ORDAINED that, pursuant to application U-3334-12-1 on file in the Office of the Zoning Administrator for a use permit in accordance with the Columbia Pike Form Based Code (Section 20 of

the Zoning Ordinance), to build a multi-family building containing 247 units, 44 townhomes, 12 stacked flats, and ~~15,079~~ 15,443 square feet of retail with modifications for the alley location, and building entryways; and approve the comprehensive sign plan, for the parcel of real property known as at 3400, 3506, and 3514 Columbia Pike and 1100 and 1110 S. Glebe Road (RPC# 26-001-018, -019, -020, -071, and -072), 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. [Clerk's note: as set forth in the document entitled "Addendum-5-22-12-B- U-3334-12-1" attached for the public record to these minutes.]

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 #42](#)

[Board Report #42 \(Supplemental Report\)](#)

[Addendum-5-22-12-B- U-3334-12-1](#)

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43. REQUEST TO ADVERTISE "ON THE COUNTY BOARD'S OWN MOTION" A PUBLIC HEARING ON A PROPOSED AMENDMENT TO U-3223-09-1 FORM BASED CODE USE PERMIT FOR 1100 S. EDGEWOOD STREET (COLUMBIA PLACE) TO MODIFY CONDITION #1 TO EXTEND THE TERM OF APPROVAL FOR AN ADDITIONAL THREE (3) YEARS, EFFECTIVE JULY 12, 2012. (RPC #32-005-006, -007, -013, -016, AND -018).

Following a duly advertised public hearing at which there were no speakers, a motion was made by J. WALTER TEJADA, Vice Chairman , seconded by JAY FISETTE, Member to authorize advertisement of a public hearing by the County Board on June 16, 2012, to consider amending #U-3223-09-1 Form Based Code Use Permit for 1100 S. Edgewood Street (Columbia Place) to modify Condition #1 to extend the term of approval for an additional three (3) years, effective July 12, 2012. 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.

Proposed revision to Condition #1:

1. The developer (as used in these conditions, the term "developer" shall mean the owner, the applicant and all successors and assigns) agrees to comply with the standard conditions set forth below and the revised plans dated May 11, 2009 and May 14, 2009 and reviewed and approved by the County Board and made a part of the public record on July 11, 2009, including all renderings, drawings, and presentation boards presented during public hearings, together with any modifications proposed by the developer and accepted by the County Board or vice versa.

This Form Based Code Use Permit approval has been extended and will expire three (3) years from July 12, 2012 ~~after the date of County Board approval~~ if a footing to grade permit has not been issued for the first building to be constructed pursuant to the approved plan. Extension of this approval shall be at the sole discretion of the County Board. The owner agrees that this discretion shall include a review of this Use Permit for a Form Based Code project and its conditions for their compliance with then current County policies for land use, zoning and special exception uses.

[Board Report # 43](#)

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44. THIS ITEM WAS REMOVED.

ADDITIONAL ITEMS

1. A motion was made by J. WALTER TEJADA, Vice Chairman, seconded by JAY FISETTE, Member to amend the charge of the Urban Agriculture Task Force as follows. 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. [Clerk’s note: text to be added is shown in underline, text to be deleted is shown in strikethrough.]

ARLINGTON URBAN AGRICULTURE INITIATIVE
Promoting agriculture in an urban community

Purpose: To research best practices in sustainable urban agriculture policies, and programs and make recommendations to support, expand and integrate Arlington’s existing urban agriculture efforts consistent with our community values and adopted Vision Statement:

"Arlington will be a diverse and inclusive world-class urban community with secure, attractive residential and commercial neighborhoods where people unite to form a caring, learning, participating, sustainable community in which each person is important."

Background:

Arlington County has an established commitment to promote the values of personal health, social equity and environmental sustainability. Many food-related programs and activities have been developed over time, including farmer’s markets, community gardens, urban agriculture education and awareness, and a strong local food bank. As our community and the world around us face increasing challenges of hunger, obesity and climate change, we need to expand our efforts and develop a more comprehensive, coordinated approach to growing, distributing and accessing healthy food.

Goals: The Task Force work should be framed by the following goals:

- **Promote Community Wellness** - by expanding the availability of low cost, nutritious food and nutrition awareness, thereby reducing hunger and obesity in the community;
- **Promote Environmental Sustainability** - by increasing locally grown food, reducing transportation costs, promoting composting, and exploring other food-related environmental sustainability strategies; and
- **Enhance Education and Learning** - by exposing people to the origins of food and better connecting them to the land.

Tasks:

The Task Force would:

- Develop an inventory of existing programs/activities and identify critical gaps
- Research best practices and investigate issues concerning food security, health and fitness benefits, food and zoning ordinance changes and food transfer infrastructure
- Identify the pros and cons of bringing to Arlington urban agriculture programs not currently available (e.g. rooftop gardens, container/window gardening, food carts with local food, land exchanges, demonstration gardens/farm, backyard hens, backyard sharing)

- Propose a Food Action Plan that integrates existing and proposed urban agriculture policies and programs
- Identify possible public and private sector partners

Task Force

Establish an ad hoc Arlington County Urban Agriculture Task Force that would complete a Food Action Plan containing recommendations to the County Board within 12 months. The recommendations should be balanced with other community goals, such as the need for open space.

The Task Force would have ~~17~~ 19 members appointed by the County Board from the following stakeholder groups:

- Non-profits
- Arlington Public Schools (APS)
- Healthcare providers
- Restaurateurs/Caterers
- Faith-based community
- Commonwealth and County programs
- County Board Advisory Commission (Parks & Recreation, E2C2, Planning, Commission on Aging)
- Citizens at-large
- Arlington County Civic Federation
- Tenant-Landlord Commission

Primary staff to the Task Force would be from Arlington's Department of Parks and Recreation, with support from appropriate County departments and programs (CPHD, AED, DES, Libraries and DHS), and the Virginia Cooperative Extension.

Liaisons – individuals or groups who will receive information and be invited to attend meetings but they would not be formal participants in the task force

2. A motion was made by MARY HYNES, Chair, seconded by J. WALTER TEJADA, Vice Chairman to deny the April 3, 2012 claim of Steve Klintberg. 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.
3. A motion was made by MARY HYNES, Chair, seconded by J. WALTER TEJADA, Vice Chairman to approve the Settlement Agreement in the case of Quinichett v. Waggy's Towing, et al, #CL-10-1020, now pending in the Prince William County Circuit Court, and authorize the County Attorney to sign the Settlement Agreement and Release as well as related documents. 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.
4. A motion was made by MARY HYNES, Chair, seconded by J. WALTER TEJADA, Vice Chairman to authorize the County Manager, or designee, to execute the Agreement Regarding Contract Close-Out with Alberici Constructors, Inc. 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.

ADJOURNMENT

Without objection, at 9:02 p.m., the Board adjourned the meeting.

MARY HYNES, Chair

ATTEST:

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