

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Saturday, April 25, 2009 at 8:30 a.m.

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

ALSO PRESENT: RON CARLEE, County Manager
STEPHEN A. MacISAAC, County Attorney
HOPE L. HALLECK, Clerk
and other staff

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*** PUBLIC COMMENT**

Robert Lauderdale spoke about illegal signs in Arlington.

Maureen Ross spoke about sidewalk obstacles on Lincoln Street.

Robert Atkins spoke about the Arlington County population and race.

Jim Hurysz spoke about the Signature Theater fundraiser and the fiscal year 2010 budget.

Tim Wise, president of the Arlington County Taxpayers Association, spoke about per capita general fund spending.

Audrey Clement, co-chair of the Green Party of Virginia, spoke about I-66 road widening.

Josh Ruebner spoke about the Housing Authority Referendum.

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*** CONSENT ITEMS (ITEMS 1-41) CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE CONSENT AGENDA MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY APRIL 25, 2009, MEETING BEFORE 9 A.M. PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, APRIL 28, 2009, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).**

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by J. WALTER TEJADA, Member and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A. FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HUGHES HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the County Board approved consent items #28, #29 and #41. All other items were pulled from the consent agenda and scheduled for hearing at the April 28, 2009 County Board Recessed Meeting.

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SITE PLANS/AMENDMENTS/REVIEWS

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- 1. SP #108 SITE PLAN AMENDMENT TO MODIFY THE COMPACT PARKING RATIO, FOR PROPERTY**

KNOWN AS THE AMELIA AND LOCATED AT 816 N. OAKLAND ST. (RPC #14-041-187).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #1](#)

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- 2. SP #218 SITE PLAN AMENDMENT: LPC COMMERCIAL SERVICES, INC., MODIFY CONDITION #33 REGARDING CONSTRUCTION PHOTOGRAPHS AND SITE COMPLETION PHOTOGRAPHS; 4501 N. FAIRFAX DR. AND 1005 N. GLEBE RD. (RPC# 14-016-018 AND -019).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #2](#)

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- 3. SP #231 SITE PLAN AMENDMENT TO REVISE CONDITION #84 ALLOWING MODIFICATION OF THE TIMING AND REQUIREMENTS FOR THE GARAGE CLOSURE AND BICYCLE STORAGE FACILITY LOCATED AT 1401 NORTH ADAMS STREET (RPC: 18-005-042, -053).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #3](#)

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- 4. SP #269 SITE PLAN AMENDMENT: CARIBBEAN BREEZE, LIVE ENTERTAINMENT AND DANCING; 4100 N. FAIRFAX DRIVE, (RPC #14-046-025).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #4](#)

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- 5. SP #328 SITE PLAN AMENDMENT, NEW TOWER TRUST COMPANY MULTI EMPLOYER TRUST, TEMPORARY CONVERSION OF APPROXIMATELY 2,430 SQUARE FEET FROM RETAIL TO A COMMERCIAL USE LIMITED TO INSTITUTION OF AN EDUCATIONAL NATURE; 1515 N. COURTHOUSE ROAD (RPC# 17-012-021).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #5](#)

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6. POTOMAC YARDS

- A. SP #346 Site Plan Amendment to modify conditions #69.b. regarding the timing of final Design Review by U.S. Green Building Council and #34 to eliminate the requirement to provide parking garage doors at 2800 and 2850 S. Potomac Ave. (Land Bay B) (RPC # 34-027-066)

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #6 A](#)

- B. SP #346 Site Plan Amendment to revise condition #1 allowing extension of time to submit building permit for two land bays and park concept design plan. Property is located at Jefferson Davis Highway, 3400 Potomac Ave., and Crystal Drive (Land Bays D-East, D-West, and Center Park North, RPC# 34-027-045, -059 and 34-027-062, -070).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #6 B](#)

- C. SP #346 Site Plan Amendment: live entertainment and dancing for McGinty's Public House, 3650 S. Glebe Road (Land Bay F, RPC: 34-027-322).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #6 C](#)

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7. SP #371 SITE PLAN AMENDMENT 1800 WILSON BOULEVARD, LLC, RESTAURANT OUTDOOR SEATING; 1800 WILSON BLVD. (RPC #17-010-038, -040 THROUGH -194).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #7](#)

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8. SP #387 SITE PLAN AMENDMENT: GLEBE ROAD RESIDENTIAL, LLC, AMEND CONDITION #11 REGARDING TIMING OF CONSTRUCTION ACTIVITY; 2400 S. 24TH ROAD, 2485 S. GLEBE ROAD (RPC #32-024-003).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #8](#)

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9. **SP #401 SITE PLAN AMENDMENT TO REVISE CONDITIONS #6, 19, 21, 36, AND 45 AND OTHER MODIFICATIONS AS NECESSARY TO ACHIEVE THE PROPOSED DEVELOPMENT PLAN. THE PROPERTY IS LOCATED AT 800-900 N. GLEBE ROAD (RPC #14-053-058, -059, -060, -061, AND -062.)**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #9](#)

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USE PERMITS REQUEST/REVIEWS/AMENDMENTS

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10. **U-2443-85-1 USE PERMIT AMENDMENT REVIEW: RENEW REPLACEMENT AND ENLARGEMENT OF EXISTING COVERED TENNIS COURTS; 1700 ARMY NAVY DRIVE (ARMY NAVY COUNTRY CLUB, RPC #32-001-006).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #10](#)

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11. **U-2776-93-1 USE PERMIT RENEWAL: LIVE ENTERTAINMENT; 3114 N. 10TH ST. (JAY'S SALOON & GRILLE, RPC # 19-007-005).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #11](#)

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12. **U-3079-04-1 USE PERMIT AMENDMENT TO MODIFY THE REQUIRED GROUND FLOOR CLEAR HEIGHT REQUIREMENT FROM 15 FEET TO APPROXIMATELY 12.5 FEET UNDER SECTION 20. "CP-FBC" - COLUMBIA PIKE FORM BASED CODE DISTRICTS, SUBSECTION E.3. OF ARLINGTON COUNTY ZONING ORDINANCE, IN ORDER TO ACCOMMODATE INCLUSION OF EXISTING HISTORIC FACADE. PROPERTY IS LOCATED AT 1028 WALTER REED DRIVE (RPC #32-006-028).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #12](#)

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13. **U-3085-04-3 USE PERMIT AMENDMENT: SAINT CHARLES CATHOLIC CHURCH AND SCHOOL; INCREASE ENROLLMENT OF KINDERGARTEN; 3299 N. FAIRFAX DRIVE, 3304 WASHINGTON BLVD. (RPC #15-088-002, -003, -004).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #13](#)

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14. **U-3092-04-2 USE PERMIT RENEWAL CHILDREN’S ACTIVITY CENTER; 2425, 2499, 2503, 2509 N. HARRISON ST. (RPC #02-073-084).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #14](#)

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15. **U-3113-04-3 USE PERMIT RENEWAL OF TAE KWON DO STUDIO; 2425, 2499, 2503, 2509 N. HARRISON ST. (RPC #02-073-084).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #15](#)

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16. **U-3148-05-1 USE PERMIT AMENDMENT: EXTEND THE TIME PERIOD TO ESTABLISH THE USE FOR THE UNIFIED COMMERCIAL/MIXED USE DEVELOPMENT (UC/MUD) LOCATED AT 2515/2525 LEE HIGHWAY (RPC: 15-007-005, -006).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #16](#)

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17. **TEMPORARY PARKING USE PERMITS**

- A. U-3215-09-1 Use Permit, accessory parking use at a place of worship for temporary construction workers, located at 1961 N. Culpeper St. (RPC #07-006-129).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #17 A-Revised](#)

- B. U-3216-09-1 Use Permit, accessory parking use at a place of worship for temporary construction workers, located at 4250 N. Glebe Road (RPC #03-067-067).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #17 B](#)

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- 18. **U-3218-09-1 USE PERMIT, FAMILY DAY CARE HOME; 1201 S. COLUMBUS ST. (RPC# 28-030-062).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #18](#)

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- 19. **U-3219-09-1 USE PERMIT: LIVE ENTERTAINMENT AND DANCING AT TORTOISE AND HARE BAR, 567 S. 23RD ST. (RPC# 36-018-011).**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #19](#)

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VACATIONS, EASEMENTS, RIGHTS OF WAY, ENCROACHMENTS & LEASES

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- 20. **ENACTMENT OF AN ORDINANCE TO PERMIT AN ENCROACHMENT OF A SUBSURFACE ELECTRIC VAULT INTO A PORTION OF THE COUNTY RIGHT OF WAY FOR SOUTH GREENBRIER STREET, SUCH PORTION BEING LOCATED ADJACENT TO THE SOUTHWEST CORNER OF PARCEL "A" COLUMBIA VILLAGE, RPC NO. 28004004, WITH CONDITIONS.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #20](#)

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- 21. APPROVE THE CONVEYANCE OF A PRIVATE SANITARY SEWER EASEMENT AGREEMENT FROM THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA TO LYNDON K. GOODWIN FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE SANITARY SEWER ON A PORTION OF A COUNTY OWNED PROPERTY KNOWN AS PART OF LOT 30, SECTION 2 OF COUNTRY ACRES (RPC #03014005), IN FAIRFAX COUNTY, VIRGINIA.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #21](#)

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22. FIRE CODE

- A. An ordinance to amend, reenact, and recodify Chapter 8.0 (Fire Prevention) of Arlington County Code to enact new Chapter 8.1 (Fire Prevention) of Code of Arlington County, and to repeal Chapter 8.0 (Fire Prevention) of Code, concerning the formal adoption of the 2006 Virginia Statewide Fire Prevention Code and more extensive local enforcement and regulations to safeguard life and property from the hazards of fire or explosion and for the safe handling, storage, transportation, sale and use of fireworks, explosives, or blasting agents and hazardous, toxic, flammable and combustible materials such to include, but not be limited to, misdemeanor penalties for violations of the fire code; response cost recovery in certain situations; false or nuisance alarms fees and evacuation drill requirements; hazardous materials transportation; outdoor burning fires and appliances; event headcounts; adoption of national code appendices; operational obstructions and hindrances in commercial and residential units; and key lock box, emergency contact and fire watch requirements.

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

- B. A resolution to adopt operational permit and fire prevention fee requirements pursuant Chapter 8.1 (Fire Prevention Code) of Arlington County Code to adopt by resolution currently established Chapter 8.0 operational permit, fire prevention and inspection fees schedule.

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #22 A.. B.](#)

[Board Report #22 A.. B.-Attachment 1](#)

[Board Report #22 A.. B.-Attachment 2](#)

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CAPITAL PROJECTS

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- 23. APPROVAL OF A STANDARD PROJECT ADMINISTRATION AGREEMENT BETWEEN THE COUNTY BOARD AND THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE DEVELOPMENT AND ADMINISTRATION OF THE KIRKWOOD ROAD PEDESTRIAN IMPROVEMENTS; AND APPROVAL AND APPROPRIATION OF ADDITIONAL REVENUE SHARING FUNDS FOR THREE**

PREVIOUSLY APPROVED STANDARD PROJECT ADMINISTRATION AGREEMENTS: COUNTYWIDE LIGHT EMITTING DIODE (LED) CHANGE-OUT, COLUMBIA PIKE, WAKEFIELD TO FOUR MILE RUN STREETScape IMPROVEMENTS, OLD DOMINION DRIVE PHASE II AND KIRKWOOD ROAD PEDESTRIAN IMPROVEMENTS.

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #23](#)

[Board Report #23-Attachment](#)

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- 24. APPROVE THE AWARD OF CONTRACT FOR THE PROVISION AND INSTALLATION OF TWO PRE-ENGINEERED, PEDESTRIAN BRIDGES AT BARCROFT PARK, 4200 S. FOUR MILE RUN DRIVE. INVITATION TO BID NUMBER 44-09.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #24](#)

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- 25. APPROVE THE AWARD OF A CONTRACT FOR THE CONSTRUCTION OF THE NATIONAL CENTER SANITARY SEWER PROJECT, INVITATION TO BID NO. 239-08, PROJECT NO. 06-451-S.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #25](#)

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APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS

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- 26. ALLOCATION OF FISCAL YEAR 2009 AFFORDABLE HOUSING INVESTMENT FUND (AHIF)/HOME FUNDS AS A LOAN TO AHC, INC. TO ASSIST WITH THE DEVELOPMENT OF THE JORDAN APARTMENTS IN THE BLUEMONT NEIGHBORHOOD.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #26](#)

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- 27. APPLICATION FOR FUNDING UNDER THE RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE**

ASSISTANCE GRANT (JAG) FORMULA PROGRAM.

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #27](#)

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28. VIRGINIA DEPARTMENT OF HEALTH FUNDS FOR THE AIDS DRUG ASSISTANCE PROGRAM.

On consent agenda vote, the Board appropriated \$45,497 from the Virginia Department of Health to the Department of Human Services for consultant services to assess the current AIDS Drug Assistance Program, provide training for staff and improve client adherence to prescribed treatment protocols.

[Board Report #28](#)

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29. FY 2009 GRANTS FOR THE DEPARTMENT OF HUMAN SERVICES.

On consent agenda vote, the Board appropriated \$71,750 in FY 2009 from Commonwealth Recovery Funds to the Department of Human Services (DHS) for two mental health-focused recovery projects; appropriated \$361,418 in FY 2009 from Fairfax County acting as fiscal agent for the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to DHS for the Regional Discharge Assistance Project; appropriated \$238,805 in FY 2009 from the Office of National Drug Control Policy-High Intensity Drug Treatment Area (HIDTA) program to DHS for a one-time grant for jail substance abuse and residential treatment programs; appropriated \$31,238 in FY 2009 from the Part C office within DMHMRSAS to DHS for contracted evaluations for children in the Parent Infant Education program; appropriated \$3,474 from the DMHMRSAS to DHS for purchase of substance abuse prevention material; and appropriated \$3,551 in federal Older Americans Act Title III-C to DHS for congregate meals at Langston-Brown and Walter Reed community centers.

[Board Report #29](#)

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30. INCREASE FY 2009 APPROPRIATION FOR THE ROSSLYN BUSINESS IMPROVEMENT DISTRICT (RBID) FUND.

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #30](#)

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31. FISCAL YEAR 2010 COMMUTER SERVICES/TRANSIT PROGRAM GRANT APPLICATIONS.

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #31](#)

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REQUESTS TO ADVERTISE

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- 32. REQUEST TO ADVERTISE FOR A PUBLIC HEARING FOR PROPOSED AMENDMENTS TO THE COUNTY'S TOWING ORDINANCE, CHAPTER 14.3 OF THE ARLINGTON COUNTY CODE.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #32](#)

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- 33. REQUEST TO ADVERTISE MASTER TRANSPORT PLAN (MTP) TRANSIT ELEMENT.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #33](#)

[Board Report #33-Attachment](#)

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OTHER

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- 34. DEDICATE A MEMORIAL PLAQUE AT THE FENWICK CENTER IN RECOGNITION OF THE GOLDEN FOG MURAL DONATED BY ARTIST LAURA EDWARDS.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #34](#)

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- 35. PRIORITIES FOR AMERICAN RECOVERY AND REINVESTMENT ACT REGIONAL SURFACE TRANSPORTATION PROGRAM FUNDING.**

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #35](#)

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36. ARLINGTON COUNTY TENANT RELOCATION GUIDELINES.

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #36](#)

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37. PROPOSED CHANGES TO ARLINGTON COUNTY'S MODERATE INCOME PURCHASE ASSISTANCE PROGRAM (MIPAP).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #37](#)

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38. AUTHORIZE THE WATER POLLUTION CONTROL BUREAU (WPCB) TO ENROLL IN THE DEMAND SIDE MANAGEMENT, DISTRIBUTED GENERATION PILOT PROGRAM (DSM PROGRAM) BEING IMPLEMENTED AND ADMINISTERED BY POWERSECURE INTERNATIONAL, INC. (PSI) ON BEHALF OF DOMINION VIRGINIA POWER (DVP).

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #38](#)

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39. PURCHASE OF SOFTWARE SYSTEM FOR SECTION 8 HOUSING PROGRAM

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #39](#)

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40. APPROVAL OF THE COUNTY'S ANNUAL CONSOLIDATED PLAN FOR FY 2010, WHICH INCLUDES THE FY 2010 ANNUAL CONSOLIDATED PLAN FOR THE CITY OF FALLS CHURCH.

This item was removed from the consent agenda and will be heard at the April 28, 2009 County Board Recessed Meeting.

[Board Report #40](#)

[Board Report #40-Attachment 1](#)

[Board Report #40-Attachment 2](#)

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41. MINUTES.

On the consent agenda vote, the Board approved the minutes from the June 19, 2008 Work Session for Walking Town Meeting; December 16, 2008 Special Meeting for County Board Swearing-In Ceremony and 2008 State of the County; and January 24, 2009 Regular Meeting.

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REGULAR HEARING ITEMS

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42. ZONING ORDINANCE AMENDMENTS TO SECTIONS 1, 19, 26, 26A, 27, 31 AND 36 TO ADD A NEW UNIFIED COMMERCIAL MIXED-USE DEVELOPMENT SPECIAL EXCEPTION USE PERMIT OPTION FOR PROPERTIES ZONED "C-1", "C-2", "C-3" OR "C-TH" AND DESIGNATED "SERVICE COMMERCIAL" WITHIN THE "CLARENDON REVITALIZATION DISTRICT" ON THE GENERAL LAND USE PLAN. THE AMENDMENTS WOULD REVISE THE ZONING ORDINANCE TO IMPLEMENT THE GOALS AND POLICIES IN THE ADOPTED 2006 CLARENDON SECTOR PLAN.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISSETTE, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A. FAVOLA, Chairman - Aye, JAY FISSETTE, Vice Chairman - Aye, MARY HUGHES HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, after a duly advertised public hearing, at which the public spoke, the Board adopted the ordinance, as set forth in the document entitled "Addendum 4-25-09-A - Zoning Ordinance Amendments to Sections 1, 19, 26, 26A, 27, 31 and 36" attached for the public record to these minutes, to amend, reenact and recodify Sections 1, 19, 26, 26A, 27, 31 and 36 of the Arlington County Zoning Ordinance to add a new Unified Commercial Mixed-Use Development Special Exception Use Permit option for properties zoned "C-1", "C-2", "C-3" or "C-TH" and designated "Service Commercial" within the "Clarendon Revitalization District" on the General Land Use Plan, to ensure consistency with the goals and policies set forth in the adopted 2006 Clarendon Sector Plan for the Clarendon Metro area.

Ms. Hynes asked for and received unanimous consent from her colleagues to add to Mr. Zimmerman's motion the addition of a sentence describing the TDR policy in Clarendon to the document entitled "Policy Guidance for Transfer of Development Rights, beyond the Arlington County Zoning Ordinance Section 36.H.5.b.," as set forth in the document entitled "Addendum 4-25-09-B – Revised Transfer of Development Rights" attached for the public record to these minutes.

[Addendum 4-25-09-A - Zoning Ordinance Amendments to Sections 1, 19, 26, 26A, 27, 31 and 36](#)

[Addendum 4-25-09-B – Revised Transfer of Development Rights](#)

[Board Report #42](#)

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43. FORM BASED CODE SIGN REQUIREMENTS:

- A. Amendments to the Arlington County Zoning Ordinance, Section 20. (Appendix A), "CP-FBC" Columbia Pike Form Based Code Districts, to revise the Architectural Standards in Section VI. F. Signage to clarify the relationship between the signage regulations in the Form Based Code and Section 34. Nameplates, Signs, and Other Displays or Devices to Direct, Identify and Inform; to modify the size, dimension, placement and lettering size regulations for signs in the Form Based Code to clarify the regulations and/or provide additional flexibility; and to establish maximums of three (3) wall or window signs per tenant, one (1) building plaque per building, one (1) blade sign per tenant, one (1) graphics sign and one (1) additional wall or window sign and one (1) additional blade sign for corner tenants; and
- B. Amendment to Section 20. "CP-FBC" - Columbia Pike Form Based Code Districts of the Arlington County Zoning Ordinance to allow sign requirements in the Form Based Code to be modified by the County Board by use permit.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by J. WALTER TEJADA, Member and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A. FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HUGHES HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, after a duly advertised public hearing, at which the public spoke, the Board adopted the ordinance, as set forth in the document entitled "Addendum 4-25-09-C – Section 20. "CP-FBC," Section VI." attached for the public record to these minutes, to amend, reenact, and recodify the Arlington County Zoning Ordinance, Section 20., "CP – FBC" Columbia Pike Form Based Code Districts, Section VI. Architectural Standards, F. Signage of the Columbia Pike Special Revitalization District Form Based Code; and adopted the ordinance, as set forth in the document entitled "Addendum 4-25-06-D – Section 20. "CP-FBC," E. Administration, 3. Standards for Review of Use Permits" attached for the public record to these minutes, to amend, reenact, and recodify the Arlington County Zoning Ordinance, Section 20. "CP-FBC" - Columbia Pike Form Based Code Districts.

[Addendum 4-25-09-C – Section 20. "CP-FBC," Section VI.](#)

[Addendum 4-25-06-D – Section 20. "CP-FBC," E. Administration, 3. Standards for Review of Use Permits](#)

[Board Report #43 A.. B.](#)

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44. SP #403 OF 2009 N. 14TH STREET, LLC, FOR A SPECIAL EXCEPTION SITE PLAN FOR MIXED OFFICE, MULTIPLE-FAMILY DWELLING, COMMERCIAL USES IN C-O ZONING DISTRICT UNDER ARLINGTON COUNTY ZONING ORDINANCE, SECTION 25, SUBSECTION B(1). PROPERTY IS APPROXIMATELY 50,000 SQUARE FEET, LOCATED AT 2009 14TH STREET N., AND IS IDENTIFIED AS RPC #17-014-001. THE OVERALL PROPOSED FLOOR AREA RATIO (FAR) IS 5.12. MODIFICATIONS OF ZONING ORDINANCE REQUIREMENTS INCLUDE BONUS DENSITY OF 0.35 FAR OVER ENTIRE SITE FOR LEED GOLD BUILDING, EXCLUSION FROM GROSS FLOOR AREA (GFA) CALCULATIONS FOR NON-PARKING AREAS IN PARKING GARAGE, AS WELL AS EXCLUSION OUTSIDE PARKING GARAGE OF COMMON VERTICAL AND TRANSVERSE HVAC SHAFTS LOCATED THROUGHOUT BUILDING, AND A MODIFICATION FOR REDUCTION IN PARKING FOR 5 SPACES, AND OTHER MODIFICATIONS AS NECESSARY TO ACHIEVE PROPOSED DEVELOPMENT PLAN. APPLICABLE POLICIES INCLUDE GENERAL LAND USE PLAN (GLUP) DESIGNATION OF HIGH OFFICE (3.8 FAR ALLOWED), APARTMENT (UP TO 4.8 FAR ALLOWED), AND HOTEL (UP TO 3.8 FAR ALLOWED).

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

BE IT ORDAINED that, pursuant to application SP #403 on file in the Office of the Zoning Administrator for a special

exception for a site plan for approximately 254 dwelling units, 4,354 square feet retail, 8,127 square feet office, 2,547 square feet office/retail, and modifications to include density, exclusion from Gross Floor Area (GFA) calculations for non-parking areas in the parking garage, an exclusion outside the parking garage of common vertical and transverse HVAC shafts located throughout the building, a modification for a reduction in drive aisle width requirements from 23 feet to approximately 20 feet, and a modification to exceed the maximum fifteen (15) percent for compact cars for the parcel of real property known as 2009 14th Street North (RPC #17-014-001), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to the conditions as set forth in the document entitled "Addendum 4-25-09-E – SP #403" attached for the public record to these minutes.

[Addendum 4-25-09-E – SP #403](#)

[Board Report #44](#)

[Board Report #44-Supplemental](#)

[Board Report #44-Supplemental 2](#)

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45. [TAXICAB ORDINANCE](#)

- A. An ordinance to amend, reenact, and recodify Chapter 25 (Taxicabs) of Arlington County Code to amend §25-6 (Certificate of public convenience and necessity) by amending subsections (2)(a), (6)(a), (6)(b), (6)(c), (6)(d) and (6)(e), relating to deadlines for Certificates of Public Convenience and Necessity, deadlines for submission of applications to Transportation Commission, times within which Transportation Commission is to hold meetings and submit conclusions and recommendations on applications, and deadline for the County Manager to issue statement on economic condition of taxicab industry, to be effective upon enactment.

- B. An ordinance to enact a new Chapter 25.1 (Taxicabs) of the Code of Arlington County, Virginia ("Code"), and to repeal Chapter 25 (Taxicabs) of the Code, concerning the regulation, operation and control of taxicab service, taxicab businesses, owners, drivers and passengers, including the establishment of rates and charges for taxicab service, to be effective upon enactment

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by MARY HUGHES HYNES, Member and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A. FAVOLA, Chairman – Aye, JAY FISETTE, Vice Chairman - Aye, MARY HUGHES HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, after a duly advertised public hearing, at which the public spoke, the Board enacted an ordinance to amend, reenact, and recodify Chapter 25 (Taxicabs), Section 25-6, Subsections (2)(a), (6)(a), (6)(b), (6)(c), (6)(d), and (6)(e), of the Code of Arlington County, Virginia, as set forth in the document entitled "Addendum 4-25-06-F – Chapter 25 (Taxicabs)" attached for the public record to these minutes, concerning application deadlines for certificates of public convenience and necessity, deadlines for submission of applications to the Transportation Commission, times within which the Transportation Commission is to hold meeting and submit conclusions and recommendations on applications, and deadline for the County Manager to issue statement on economic condition of the taxicab industry, to be effective upon enactment; and took no action on Chapter 25.1 (Taxicabs) of the Code of Arlington County, Virginia ("Code") that was authorized for advertisement for a public hearing on April 25, 2009.

[Addendum 4-25-06-F – Chapter 25 \(Taxicabs\)](#)

[Board Report #45 B](#)

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CLOSED MEETING; CERTIFICATION OF CLOSED MEETING DISCUSSIONS.

On motion by BARBARA A. FAVOLA, Chairman, seconded by JAY FISETTE, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A. FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HUGHES HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board met in a closed meeting from 12:40 p.m. to 1:46 p.m., as authorized by §§2.2-3711.A.3 and 7 of the Virginia Code, for the purposes of discussing one matter involving the acquisition of real property for public purposes where public discussion would adversely effect the County's bargaining position, and three matters requiring consultation with the County Attorney concerning policies regulating the use of County facilities for non-County purposes, the County's responsibilities under the service agreements with the business improvement service districts in Rosslyn and Crystal City, and the effect of new legislation concerning activation of housing authorities.

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

Member & Vote

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

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

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ADJOURNMENT

Without objection, at 1:46 p.m., the Board recessed until the April 28, 2009 Recessed Meeting.

BARBARA A. FAVOLA, Chairman

ATTEST:

HOPE L. HALLECK, Clerk
Approved: July 14, 2009