



## ARLINGTON COUNTY, VIRGINIA

### ARLINGTON COUNTY PLANNING COMMISSION

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CLERK

June 13, 2012

Arlington County Board  
2100 Clarendon Boulevard  
Suite 300  
Arlington, Virginia 22201

**SUBJECT:**           3.    **ORDINANCE TO VACATE** a portion of 20<sup>th</sup> Street North running in a westerly direction from, and abutting, the northeast corner of Lot 21, Harrison's Addition to Dominion Heights, 1905 N. Lincoln Street, Arlington, Virginia, RPC No. 06-031-044, with conditions.

**RECOMMENDATIONS:**   **Enact the attached Ordinance to Vacate a portion of 20<sup>th</sup> Street North running in a westerly direction from, and abutting, the northeast corner of Lot 21, Harrison's Addition to Dominion Heights, 1905 N. Lincoln Street, Arlington, Virginia, RPC No. 06-031-044, with conditions; and Authorize the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute, on behalf of the County Board, the Deed of Vacation, and all other documents necessary to effectuate the Ordinance of Vacation, subject to approval as to form by the County Attorney. Furthermore, the Planning Commission finds that the proposed vacation of a portion of 20<sup>th</sup> Street North is substantially in accord with the adopted Comprehensive Plan or applicable part thereof, pending staff confirmation that the street width meets the current MTP standards.**

Dear County Board Members:

The Planning Commission heard this item at the June 6, 2012 recessed meeting of its June 4, 2012 regularly scheduled public hearing. Troy Harris and Linda Collier, DES Real Estate Bureau staff, described the proposed ordinance to vacate 661 square feet of the right-of-way for 20<sup>th</sup> Street North in exchange for a fee dedication of 1,055 square feet and conveyance of 448 square feet of easement from the owner/applicant, in order to construct sidewalk and street improvements for 20<sup>th</sup> Street North as part of a Cherrydale Neighborhood Conservation project. The proposed street improvements are consistent with the Master Transportation Plan.

**P.C. #42**

## **Public Speakers**

Dorothy Swanson, an Arlington property owner, stated that the proposed vacation results in a better road configuration and enhances the neighborhood. She supports the proposal.

## **Planning Commission Discussion**

Commissioner Malis asked for clarification about the proposed road and whether its location would change, to which Ms. Collier responded that it would not change and would be retained in its current location. The only exception is a slight change to the angle in the curve. The properties that would be exchanged between the County and the property owner would not affect the travel way's current location. Commissioner Malis requested clarification on the elements of the proposed street improvements that are a part of the Neighborhood Conservation Project (NC). Ms. Collier responded that the NC elements include sidewalk, street lighting, handicap ramps, drainage, and additional curb and gutter. Commissioner Malis inquired about the element of the NC project that prompted the proposed vacation. Ms. Collier responded that the new sidewalk and street re-pavement areas must be dedicated in fee in order for the County to perform the improvements.

Commissioner Fallon inquired about the homeowner's involvement in the process. Ms. Collier responded that the property owner is aware of the advantages to the land exchange and supports it. The land exchange makes the homeowner's property less nonconforming. Because the homeowner has agreed to the land exchange, it is not considered a taking. Commissioner Fallon asked if the proposed vacation is consistent with the Master Transportation Plan (MTP). Ms. Collier responded that the proposed vacation will not change the street's location, and therefore is consistent with the MTP.

Commissioner Savela inquired about the width of the 20<sup>th</sup> Street North road way. Ms. Collier responded that the road corridor is currently 40 feet, and the improved travel lanes will total approximately 22 feet wide plus parking. Commissioner Savela noted that the MTP is relevant with regard to the recommended street width for the street type. Ms. Collier indicated that the street is designated a neighborhood minor street under the MTP and DES Transportation Planning staff have confirmed that the proposal is consistent with the MTP.

Commissioner Savela inquired about the Transportation Commission (TC) recommendation, to which Ms. Collier responded that the TC recommended enactment of the vacation ordinance.

## **Planning Commission Motion**

Commissioner Fallon moved that the Planning Commission recommend that the County Board enact the attached Ordinance to Vacate a portion of 20<sup>th</sup> Street North running in a westerly direction from, and abutting, the northeast corner of Lot 21, Harrison's Addition to Dominion Heights, 1905 N. Lincoln Street, Arlington, Virginia, RPC No. 06-031-044, with conditions; and authorize the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute, on behalf of the County Board, the Deed of Vacation, and all other documents necessary to effectuate the Ordinance of Vacation, subject to approval as to form by the County Attorney. Furthermore, the

Planning Commission finds that the proposed vacation of a portion of 20<sup>th</sup> Street North is substantially in accord with the adopted Comprehensive Plan or applicable part thereof.

Commissioner Savela seconded the motion.

Commissioner Malis stated that she appreciates Commissioner Savela's inquiry about the street width and assumed the NC Plan, as well as the TC, examined the requirements of the MTP. Therefore she did not believe this needed to be considered by the Planning Commission. Commissioner Savela responded that because the Planning Commission is required to make a finding as to whether or not the proposed ordinance of vacation is in accord with the Comprehensive Plan, and since the MTP is an element of the Comprehensive Plan, the Planning Commission should ensure that it understands the underlying decisions. Commissioner Malis suggested that the Commission highlight that it did not have full knowledge of the street configuration and if it is presumed that it is consistent with the MTP then the Commission would deem it to be acceptable.

Commissioner Savela stated that she raised this concern because the proposal is to vacate one side of the street, which constrains future improvements to widen the street to make it potentially conform to the MTP if it is determined that the street width is insufficient. With the properties to the west, the County could continue a widening to bring it into conformance.

Commissioner Malis requested unanimous consent that the Planning Commission finds that the proposed vacation of a portion of 20<sup>th</sup> Street North is substantially in accord with the adopted Comprehensive Plan or applicable part thereof, pending staff confirmation that the street width meets the current MTP standards. There was no objection, so the amendment was incorporated into the main motion.

The Planning Commission voted 9-0 to support the amended motion. Commissioners Ciotti, Cole, Fallon, Harner, Iacomini, Klein, Kumm, Malis, and Savela supported the motion.

Respectfully Submitted,  
Arlington County Planning Commission



Brian Harner  
Planning Commission Vice-Chair