

MINUTES FOR APPROVAL

Attached for County Board consideration for approval
are the minutes of the meeting date listed below:

January 27, 2018

Regular Meeting

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Saturday, January 27, 2017 at 8:32 a.m.

PRESENT: KATIE CRISTOL, Chair
CHRISTIAN DORSEY, Vice Chair
LIBBY GARVEY, Member
ERIK GUTSHALL, Member
JOHN VIHSTADT, Member

ALSO PRESENT: MARK SCHWARTZ, County Manager
STEPHEN MacISAAC, County Attorney
HOPE L. HALLECK, Clerk

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I. PUBLIC COMMENT

Micheal Nardolilli discussed NOVA Parks.

William Larson talked about zoning ordinance reform.

Audrey Clement discussed the Westover demolition permit.

Charles Denney talked about bicycling in Arlington.

Aleksandr Belinskiy discussed public access to Virginia public and private law school libraries.

Jim Hurysz talked about public meetings and helicopter noise.

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ANALYSIS OF CONTINGENT ACCOUNTS

The Board received a Summary of Fiscal Year 2017 Contingent Accounts showing balances of \$250,000 in General and \$4,000,000 in Affordable Housing Investment Fund as of January 27, 2018.

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II. CONSENT ITEMS (ITEMS 1-36) PUBLIC TESTIMONY ON REMOVED ITEMS WILL OCCUR AT THE RECESSED MEETING ON TUESDAY, JANUARY 30, 2018, AT 6:30 P.M. (NO TESTIMONY TAKEN ON SATURDAY).

A motion was made by CHRISTIAN DORSEY, Vice Chair, seconded by LIBBY GARVEY, Member to approve the County Manager's recommendation for consent items #1 through #9, #11, #13 through #31, and #33 through #36. Items #10, #12, and #32 will be subject to a public hearing at the January 30, 2018 County Board Recessed Meeting. The motion was carried by a vote of 5 to 0, the voting was recorded as follows: KATIE CRISTOL, Chair - Aye, CHRISTIAN DORSEY, Vice Chair - Aye, LIBBY GARVEY, Member - Aye, ERIK GUTSHALL, Member - Aye, JOHN VIHSTADT, Member - Aye.

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*** PUBLIC HEARING ITEMS (ITEMS 1-24) THE FOLLOWING ITEMS ON THE CONSENT AGENDA ARE SUBJECT TO PUBLIC HEARING REQUIREMENTS. CITIZENS INTERESTED IN REMOVING AN ITEM FROM THE LIST BELOW MUST SUBMIT A SPEAKER SLIP TO THE CLERK AT THE SATURDAY, JANUARY 27, 2018, MEETING BEFORE 9 A.M.**

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SITE PLANS REQUESTS, AMENDMENTS AND REVIEWS

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1. **SP# 58 SITE PLAN AMENDMENT REVIEW FOR A CHILD CARE CENTER FOR UP TO 65 CHILDREN (MANTLE OF ELIJAH CHRISTIAN PREPARATORY ACADEMY) AT RIVER PLACE; LOCATED AT 1121 ARLINGTON BLVD. (RPC# 17-039-001 THROUGH -432).**

On the consent agenda vote, after a duly advertised public hearing, the Board discontinued the site plan amendment for a child care center for up to 65 children (Mantle of Elijah Christian Preparatory Academy).

[Board Report #1](#)

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2. **SP-105-U-17-1 USE PERMIT ASSOCIATED WITH A SITE PLAN FOR AN OUTDOOR CAFE WITHIN A PUBLIC EASEMENT FOR STARBUCKS IN THE ACADIA AT METROPOLITAN PARK BUILDING; LOCATED AT 1201 S. FERN ST. (RPC# 35-003-835).**

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

BE IT ORDAINED that pursuant to the application SP-105-U-17-1 the use permit for an outdoor café within a public easement for a parcel of real property located at 1201 Fern St. (RPC# 35-003-835), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application subject to the conditions of the staff report, and with a County Board review in one (1) year (January 2019).

Proposed Conditions:

1. The applicant agrees that the outdoor café is permitted only from 5 a.m. to 9 p.m. Mondays through Fridays, and from 5:30 a.m. to 9 p.m. Saturdays and Sundays. The applicant further agrees that the outdoor café area shall be generally consistent with the plans attached to the staff report for the January 27, 2018 County Board meeting titled "Architectural Site Plan (A-1001)" for Starbucks Coffee Company, dated December 7, 2015, indicating up to 19 seats at 7 tables. [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-A-SP-105-U-17-1-SEATING PLAN" attached for the public record to these minutes.]
2. The applicant agrees to comply with all requirements set forth in all applicable ordinances and regulations, including, by way of illustration and not limitation, those administered by the Zoning Division, the Inspection Services Division, the Community Code Enforcement Office, the Police Department, the Fire Marshal's Office, the Department of Environmental Services, and the Virginia Alcoholic Beverage Control Board.
3. The applicant agrees that no live entertainment or dancing is permitted in the outdoor café area.
4. The applicant agrees that, as an accessory use, the outdoor café shall have fewer seats than the indoor portion of the restaurant.

5. The applicant agrees that no sound or audio or video entertainment, including but not limited to television or radio playing of music and/or sports events, may be piped into, or played so as to be visible or audible from the outdoor café area before 8 a.m. or after 9 p.m. Mondays through Fridays, and before 9 a.m. or after 9 p.m. on Saturdays and Sundays.
6. The applicant agrees that all fixtures and furnishings in the outdoor café, including but not limited to, tables, chairs, umbrellas, server stations, barriers or fences, and sources of heat, shall be portable and not affixed to the ground, building or other permanent structures. The applicant further agrees that the outdoor café shall not be enclosed.
7. The applicant agrees to maintain at least an eight (8) foot clear walkway zone (an unobstructed area serving as circulation space for pedestrians) along the public sidewalk on 12th Street S. and S. Fern Street. The applicant further agrees that outdoor café seating, fencing or barriers, and umbrellas shall not encroach into or hang over the clear walkway zone.
8. The applicant agrees to designate a neighborhood liaison to communicate with the nearby residents and neighbors to address concerns which may be related to the outdoor café and an on-site liaison (this may be the same person) that shall be available during the hours of the business operation to receive and respond to developer/landlord and community concerns. The name, telephone number and electronic mail address (if available) of the on-site liaison shall be submitted to the Zoning Administrator and a copy sent to the Aurora Highlands Civic Association, prior to the issuance of a Certificate of Occupancy for the outdoor café.

[Board Report #2](#)

[Addendum-01-27-18-A-SP-105-U-17-1-SEATING PLAN](#)

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3. SP #231 SITE PLAN AMENDMENT REVIEW FOR LIVE ENTERTAINMENT AT COURTHAUS SOCIAL; LOCATED AT 2300 CLARENDON BLVD. (RPC# 18-005-041).

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the attached ordinance to renew the Site Plan Amendment for live entertainment, subject to all previously approved conditions, revised Condition #60.a, c, d, f, j, and a new Condition #60.k, with an administrative review in three (3) months (April 2018) and a County Board review in three (3) years (January 2021). [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-B-SP 231-AMENDMENT ORDINANCE" attached for the public record to these minutes.]

[Board Report #3](#)

[Addendum-01-27-18-B-SP 231-AMENDMENT ORDINANCE](#)

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4. SP #386 SITE PLAN AMENDMENT TO AMEND CONDITIONS #1 AND #90 TO EXTEND THE TERM OF VALIDITY AND THE INTERIM USE FOR OFF-SITE PARKING FOR THE 3901 FAIRFAX DRIVE SITE PLAN FOR THREE YEARS, LOCATED AT 3901 FAIRFAX DRIVE, RPC# 14-030-059.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the attached ordinance to approve the site plan amendment to extend the term of validity and the interim use for off-site parking for the 3901 Fairfax Drive site plan for three years, subject to the previously approved conditions, and with revisions to Conditions #1, #59, #77 and #90. [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-C-SP386- AMENDMENT ORDINANCE" attached for the public record to these minutes.]

Attachment A

In-Building First Responder Network Definitions and Testing Protocol

Definitions

As used in the standard site plan condition entitled "Developer Installation of In-Building First Responder Network", unless the context requires a different meaning:

"alarm reporting" means an SNMP (Simple Network Management Protocol)-based monitoring system that sends notifications of faults or diminished performance.

"dedicated communications conduit" means conduit assigned to contain only the fiber optic cable used for public safety communications;

"dedicated backup power" means a secondary source of power, whether from battery or emergency generator, supplying automatically when the primary power source is lost, continuously operational for no less than 12 hours and, if from a battery, charging itself automatically in the presence of an external power input and contained in a NEMA 4 enclosure;

"donor antenna" means a bi-directional antenna mounted to the roof of a building interconnected to optical signal conversion and distribution equipment;

"fiber distribution equipment" means one or more modules capable of converting optical signals into radio frequency signals for distribution to all interconnected omni-directional antennas;

"head-end equipment" means one or more modules capable of receiving radio frequency signals from a donor antenna, amplifying the radio frequency signals, and converting the radio frequency signals into optical signals for distribution via fiber optic cable to all fiber distribution units throughout the building and are contained in a NEMA 4 enclosure;

Testing Protocol

When an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system "the system" tested to ensure that two-way coverage on each floor of the building reveals a minimum signal strength of -95 dBm in 95 percent of the building's area. In addition, the quality of radio signal should be no less than Delivered Audio Quality (DAQ) 3.4 as defined by the Telecommunications Industry Association (TIA). The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal areas.
2. The test shall be conducted using a calibrated portable radio of the latest brand and model used by the County.
3. The test shall be considered failed if more than two nonadjacent grid areas do not meet the signal strength requirements.
4. In the event that three nonadjacent areas fail the test, in order to be more statistically accurate, the floor shall be divided into 40 equal areas. The test shall be considered failed if more than four nonadjacent grid areas do not meet the signal strength requirements. If the system fails the 40-area test, the system shall be modified to meet the 95 percent coverage requirement.

5. A test location approximately in the center of each grid area shall be selected for the test. The radio shall be enabled to verify two-way communications to and from the outside of the building through the public agency's radio communications system. Once the test location has been selected, that location shall represent the entire area. If the test fails in the selected test location, that grid area shall fail. Prospecting for a better location within the grid area shall not be allowed.
6. The gain values of all amplifiers shall be measured and the test measurement results shall be kept on file within the building so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the developer shall be required to rerun the acceptance test to reestablish the gain values.
7. As part of the installation a spectrum analyzer or other suitable test equipment shall be utilized to ensure false oscillations are not being generated by the subject signal booster.
8. The antennas, cable, and other passive components of the system shall be rated to operate at least between 400MHz and 5.0 GHz.

The minimum qualifications of the system designer, tester and lead installation personnel shall include:

1. A valid FCC-issued General Radio Operators License; and
2. Certification of in-building system training issued by a nationally recognized organization or school or a certificate issued by the manufacturer of the equipment being installed.

Personnel may be exempt from these requirements upon successful demonstration of adequate skills and experience satisfactory to the County Manager or designee.

[Board Report #4](#)

[Addendum-01-27-18-C-SP386- AMENDMENT ORDINANCE](#)

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USE PERMIT REQUESTS, AMENDMENTS AND REVIEWS

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5. **U-2479-85-5 USE PERMIT REVIEW FOR A CHILD CARE CENTER FOR UP TO 125 CHILDREN (SCHOOL OF CHILDREN); LOCATED AT 2706 24TH ROAD S. (RPC# 31-034-023).**

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

BE IT ORDAINED that pursuant to the application U-2479-85-5 on file in the Office of the Zoning Administrator to renew the subject use permit for a child care center with up to 125 children for a parcel of real property located at 2706 24th Road S. (RPC# 31-034-023), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application subject to proposed Condition #5 and all previously approved conditions, and with a County Board review in three (3) years (January 2021).

Proposed New Condition #5

5. The applicant agrees to provide at least one parking space per each staff member or employee of the child care center.

[Board Report #5](#)

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6. U-3174-07-1 USE PERMIT REVIEW FOR A FAMILY DAY CARE HOME FOR UP TO NINE (9) CHILDREN FOR SELLAPPERUMAGE ROSHANIE FERNANDO; LOCATED AT 873 PATRICK HENRY DRIVE (RPC# 12-018-010).

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

BE IT ORDAINED that pursuant to the application U-3174-07-1 on file in the Office of the Zoning Administrator to renew the subject use permit for a family day care home for up to nine (9) children for Sellapperumage Roshanie Fernando for a parcel of real property located at 873 Patrick Henry Drive (RPC# 12-018-010), 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 (January 2023).

[Board Report #6](#)

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7. U-3211-08-3 USE PERMIT REVIEW FOR PARKING OF CONSTRUCTION WORKER VEHICLES FOR OFF-SITE USE; LOCATED AT 5115 LITTLE FALLS ROAD (COLUMBUS CLUB OF ARLINGTON) (RPC# 02-024-007).

On the consent agenda vote, after a duly advertised public hearing, the Board discontinued the use permit for off-site construction worker parking located at 5115 Little Falls Road (Columbus Club of Arlington).

[Board Report #7](#)

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8. U-3431-16-1 USE PERMIT REVIEW OF 92 OFF-SITE PARKING SPACES TO SERVE VIRGINIA HOSPITAL CENTER; LOCATED AT 1800 N. EDISON ST. (RPC# 09-016-052).

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

BE IT ORDAINED that pursuant to the application U-3431-16-1 on file in the Office of the Zoning Administrator to renew the subject use permit of 92 off-site parking spaces to serve Virginia Hospital Center for a parcel of real property located at 1800 N. Edison St. (RPC# 09-016-052), 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, with a County Board review in three (3) years (January 2021).

[Board Report #8](#)

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9. U-3438-16-1 USE PERMIT REVIEW FOR LIVE ENTERTAINMENT AT PURPLE ETHIOPIAN RESTAURANT AND LOUNGE; LOCATED AT 3111 COLUMBIA PIKE (RPC# 25-012-043, -044, -055).

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

BE IT ORDAINED that pursuant to the application U-3438-16-1 on file in the Office of the Zoning Administrator to renew the use permit for live entertainment at Purple Ethiopian Restaurant and Lounge for a parcel of real property located at 3111 Columbia Pike (RPC# 25-012-043, -044, -055), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application subject to the previously approved conditions and with a County Board review in three (3) years (January 2021).

[Board Report #9](#)

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11. U-3506-17-2 USE PERMIT REQUEST FOR A FAMILY DAY CARE HOME FOR UP TO 9 CHILDREN; LOCATED AT 528 N. LOMBARDY ST. (RPC# 12-029-024).

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

BE IT ORDAINED that pursuant to the application U-3506-17-2 on file in the Office of the Zoning Administrator to approve the subject use permit for a family day care home for up to nine (9) children for a parcel of real property located at 528 N. Lombardy St. (RPC# 12-029-024), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application subject to the proposed conditions of the staff report and with a County Board review in one (1) year (January 2019).

Proposed Conditions:

1. The applicant agrees to comply with all applicable requirements set forth in all applicable ordinances, codes, and regulations, including but not limited to the currently adopted editions of the Virginia Uniform Statewide Building Code, Parts I, II, and III, and its related regulations; the Virginia Fire Prevention Code; the Arlington County Zoning Ordinance; the Arlington County Health Regulations; and the Arlington County Child Care Center Regulations. Furthermore, the applicant agrees to actively and promptly pursue obtainment of all required associated building and operational permits and occupancy certificates from the various administrative and regulating agencies.
2. The applicant agrees that the hours of operation of the day care will be limited to 7:30 a.m. to 6 p.m. Monday through Friday.
3. The applicant agrees that parents and/or another authorized caregiver of children receiving care shall escort their children both to and from the home at all times.
4. The applicant agrees to make at least one (1) unobstructed off-street parking space available to parents for pick-up and drop-off. Such off-street parking shall at no time obstruct any public right-of-way, or impede access to any neighboring property or driveway. The applicant further agrees to park personal vehicles in the available on-street parking if needed to ensure that there is an available off-street parking space for the parents to use.

[Board Report #11](#)

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13. U-3508-17-1 USE PERMIT FOR A FAMILY DAY CARE HOME FOR UP TO NINE (9) CHILDREN (SMART START DAY CARE INC.); LOCATED AT 706 N. GEORGE MASON DRIVE (RPC# 13-027-031).

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

BE IT ORDAINED that pursuant to the application U-3508-17-1 on file in the Office of the Zoning Administrator to approve the use permit for a family day care home for up to nine (9) children (Smart Start Day Care Inc.), for a parcel of real property located at 706 N. George Mason Drive (RPC# 13-027-031), approval is granted and the parcel so described shall be used according to the use permit approval requested by the application subject to the proposed conditions of the staff report and with a County Board review in one (1) year (January 2019).

Proposed Conditions:

1. The applicant agrees to comply with all applicable requirements set forth in all applicable ordinances, codes, and regulations, including but not limited to the currently adopted editions of the Virginia Uniform Statewide Building Code, Parts I, II, and III, and its related regulations; the Virginia Fire Prevention Code; the Arlington County Zoning Ordinance; the Arlington County Health Regulations; and the Arlington County Child Care Center Regulations. Furthermore, the applicant agrees to actively and promptly pursue obtainment of all required building and operational permits and occupancy certificates from the various administrative and regulating agencies.
2. The applicant agrees that the hours of operation of the day care will be limited to Monday through Friday, 7:30 a.m. to 5:30 p.m.
3. The applicant agrees that parents and/or another authorized caregiver of children receiving care shall escort their children both to and from the home at all times.
4. The applicant agrees to make at least one (1) unobstructed off-street parking space available to parents for pick-up and drop-off. Such off-street parking shall at no time obstruct any public right-of-way, or impede access to any neighboring property or driveway. The applicant further agrees to park personal vehicles in the available on-street parking if needed to ensure that there is an available off-street parking space for the parents to use.

[Board Report #13](#)

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VACATIONS, EASEMENTS, ENCROACHMENTS, LEASES AND OTHER DISPOSITIONS OF PUBLIC PROPERTY

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14. AMENDMENT AND RE-ENACTMENT OF AN ORDINANCE TO VACATE: 1) A PORTION OF THE RIGHT-OF-WAY OF NORTH COURTHOUSE ROAD RUNNING NORTH TO SOUTH BETWEEN WILSON BOULEVARD AND CLARENDON BOULEVARD ABUTTING THE WESTERN BOUNDARY OF PROPERTY NOW KNOWN AS PART LOT 1 ABBOTT AND HOGE'S SUBDIVISION OF SOUTHEASTERN PART OF LOT 8 MASON TRACT, ALSO KNOWN AS PART TRIANGLE LOT, WASHINGTON VIEW, RPC #17-011-011; AND 2) A PORTION OF AN EASEMENT FOR PUBLIC STREET PURPOSES RUNNING NORTH TO SOUTH BETWEEN

WILSON BOULEVARD AND CLARENDON BOULEVARD ALONG THE WESTERN BOUNDARY OF PROPERTY NOW KNOWN AS PART LOT 1 ABBOTT AND HOGE'S SUBDIVISION OF SOUTHEASTERN PART OF LOT 8 MASON TRACT, ALSO KNOWN AS PART TRIANGLE LOT, WASHINGTON VIEW, RPC #17-011-011, BOTH WITH CONDITIONS.

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

- 1) Enacted the attached Ordinance to Amend and Re-enact an Ordinance to Vacate: 1) a Portion of the Right-of-Way of North Courthouse Road Running North to South Between Wilson Boulevard and Clarendon Boulevard Abutting the Western Boundary of Property Now Known as Part Lot 1 Abbott and Hoge's Subdivision of Southeastern Part of Lot 8 Mason Tract, also known as Part Triangle Lot, Washington View, RPC #17-011-011; and 2) a Portion of an Easement for Public Street Purposes Running North to South Between Wilson Boulevard and Clarendon Boulevard Along the Western Boundary of Property Now Known as Part Lot 1 Abbott and Hoge's Subdivision of Southeastern Part of Lot 8 Mason Tract, also known as Part Triangle Lot, Washington View, RPC #17-011-011, both with Conditions.
- 2) Authorized 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 or deeds necessary to effectuate the Ordinance to Amend and Reenact an Ordinance of Vacation, subject to approval as to form by the County Attorney.

ATTACHMENT 1

ORDINANCE TO AMEND AND RE-ENACT AN ORDINANCE TO VACATE: 1) A FORTY-FIVE SQUARE FOOT (45 SQUARE FOOT) PORTION OF THE RIGHT-OF-WAY OF NORTH COURTHOUSE ROAD RUNNING NORTH TO SOUTH BETWEEN WILSON BOULEVARD AND CLARENDON BOULEVARD ABUTTING THE WESTERN BOUNDARY OF PROPERTY NOW KNOWN AS PART LOT 1 ABBOTT AND HOGE'S SUBDIVISION OF SOUTHEASTERN PART OF LOT 8 MASON TRACT, ALSO KNOWN AS PART TRIANGLE LOT, WASHINGTON VIEW, RPC #17-011-011; AND 2) A THREE HUNDRED EIGHTY-FOUR SQUARE FOOT (384 SQUARE FOOT) PORTION OF AN EASEMENT FOR PUBLIC STREET PURPOSES RUNNING NORTH TO SOUTH BETWEEN WILSON BOULEVARD ALONG THE WESTERN BOUNDARY OF PROPERTY NOW KNOWN AS PART LOT 1 ABBOTT AND HOGE'S SUBDIVISION OF SOUTHEASTERN PART OF LOT 8 MASON TRACT, ALSO KNOWN AS PART TRIANGLE LOT, WASHINGTON VIEW, RPC #17-011-11, BOTH WITH CONDITIONS.

BE IT ORDAINED that the previously enacted Ordinance of Vacation is amended and reenacted to change the date by which all conditions of the Ordinance must be met. As such, pursuant to a request on file by the Applicant and Owner, 2025 Clarendon Boulevard, LLC ("Applicant/Owner"), as developer of the project known as 2025 Clarendon Boulevard, Site Plan #435 ("Site Plan") and the owner of the property known as 2025 Clarendon Boulevard, RPC #17-011-011 and 17-011-012 ("Property"), said request being on file with the Department of Environmental Services: 1) a forty-five square foot (45 square foot) portion of the right-of-way of North Courthouse Road ("Vacated Street Portion") running north to south between Wilson Boulevard and Clarendon Boulevard abutting the western boundary of property now known as Part Lot 1 Abbott and Hoge's Subdivision of Southeastern Part of Lot 8 Mason Tract, also known as Part Triangle Lot, Washington View, RPC #17-011-011, created by deed recorded among the Arlington County Land Records ("Land Records") in Deed Book 271 Page 326, shown "Vacated ROW to Property: 45 SF," on a plat attached to the County Manager's Report dated January 4, 2018 as Exhibit A, entitled "Plat Showing Vacation of Easement Areas 2025 Clarendon Boulevard Deed Book 4285, Page 2341 – RPC 17-011-011, Deed Book 2039, Page 1632 – RPC 17-011-012, Arlington County, Virginia," prepared by Bohler Engineering and dated December 17, 2014 and last revised January 4, 2018 ("Plat #1"); and 2) a three hundred eighty-four square foot (384 square foot) portion of an easement for public street purposes running north to south between Wilson Boulevard and Clarendon Boulevard along the western boundary of a property now known as Part Lot 1 Abbott and Hoge's Subdivision of Southeastern Part of Lot 8 Mason Tract, also known as Part

Triangle Lot, Washington View, RPC #17-011-011, created by deed of easement recorded among the Land Records in Deed Book 474 Page 364, shown as "Vacated Easement (Courthouse): 384 SF" on Plat #1, are hereby vacated, subject to the following conditions having been first fully satisfied: [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-D-PLAT SHOWING VAC OF EASEMENT 2025 CLARENDON BLVD-DEED BROOK" and "Addendum-01-27-18-D1-PLAT SHOWING DEDICATION AND VACATION-RIGHT OF WAY-2025 CLARENDON BLVD" attached for the public record to these minutes.]

1. The Applicant/Owner shall submit, for review and approval, to the Department of Environmental Services ("DES"), a utility relocation and engineering design plan ("Plan") for the construction, abandonment, relocation, removal, and/or replacement of all utilities located, in whole or in part, within the Vacated Street Portion or the Vacated Easement Portion vacated by this Amended and Re-enacted Ordinance of Vacation ("Ordinance"). The Plan shall be subject to approval by the Director of DES, or his designee.
2. After approval of the Plan and before commencing the work described therein, the Applicant/Owner shall submit to the Director of DES, or his designee, a bond, letter of credit, or other security, acceptable to the County Manager, in an amount and in a form as determined by and acceptable to the County Manager, or his designee, to secure the construction, abandonment, relocation, removal, and/or replacement of any and all existing utilities pursuant to the approved Plan.
3. The Applicant/Owner shall remove, relocate, abandon and/or reconstruct, or cause to be removed, relocated, abandoned and/or reconstructed, at its sole cost and expense, all utilities of the County and of others existing, required by the Plan approval, within the Vacated Street Portion and the Vacated Easement Portion including, but not limited to, sanitary sewer lines, storm sewer lines, water lines and any electric, gas and communication lines. All utilities removed or abandoned shall be relocated or reconstructed with new utilities and related appurtenant facilities of size, dimension and location acceptable to the County, in accordance with the approved Plan and in strict accordance with Arlington County Construction Standards and Specifications, and all applicable laws, ordinances, regulations and policies, and as provided in Site Plan #435, as approved by the County Board.
4. The Applicant/Owner shall grant and convey to the County Board, without compensation, all new utility easements required by the County Manager, by deed, in substance acceptable to the County Manager and approved as to form by the County Attorney. In addition, and if applicable, the Applicant shall obtain all required right-of-way permits at the Applicant's sole cost and expense, needed to perform any work required herein.
5. The Applicant/Owner shall grant and convey, in fee, approximately 1,939 square feet of right-of-way of Wilson Boulevard to the County. The area to be dedicated is depicted as "Property to ROW: 1,939 SF (See Note #8)" on a plat attached hereto as Exhibit B, entitled "Plat Showing Dedication and Vacation for Right of Way 2025 Clarendon Boulevard Deed Book 4285, Page 2341 – RPC 17-011-011, Deed Book 2039, Page 1632 – RPC 17-011-012, Arlington County, Virginia," Sheet 1 of 2 and Sheet 2 of 2, prepared by Bohler Engineering and dated April 15, 2014, last revised January 4, 2018 ("Plat #2").
6. The Applicant/Owner shall prepare and submit to the County for review and approval, the Deed of Vacation and all other deeds required by this Ordinance, along with all required plats. Such deeds and plats shall be subject to the approval by the County Manager, or his designee, as to substance, and approval of the deeds as to form the County Attorney. The Real Estate Bureau Chief is authorized to accept, on behalf of the County Board, the Deed of Conveyance and Deeds of Easement.

7. The Applicant/Owner shall pay all fees, including the fees for plat review, approval and recordation of the Deed of Vacation and all other deeds associated with the Ordinance of Vacation.
8. The Applicant/Owner shall pay to the County the sum of \$53,625 as compensation for the vacated areas.
9. No sooner than thirty (30) days after enactment of this Ordinance of Vacation, the Applicant/Owner shall record a copy of this Ordinance among the Land Records. The Applicant/Owner also shall record, at the Applicant/Owner's sole cost and expense, the Deed of Vacation and all other required deed(s) and plats. All conditions of the Ordinance of Vacation shall be met before recordation of the Deed of Vacation.
10. All conditions of the Ordinance of Vacation shall be met by noon on July 1, 2020 or this Ordinance of Vacation shall become null and void, without the necessity for any further action by the County Board.

[Board Report #14](#)

[Addendum-01-27-18-D-PLAT SHOWING VAC OF EASEMENT 2025 CLARENDON BLVD-DEED BROOK](#)

[Addendum-01-27-18-D1-PLAT SHOWING DEDICATION AND VACATION-RIGHT OF WAY-2025 CLARENDON BLVD](#)

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15. **AMENDMENT AND RE-ENACTMENT OF AN AMENDED AND RE-ENACTED ORDINANCE OF ENCROACHMENT TO PERMIT: 1) THE ENCROACHMENT OF FIVE LEVELS OF A PORTION OF AN UNDERGROUND GARAGE INTO AN AREA DEDICATED FOR CLARENDON BOULEVARD RUNNING EAST TO WEST ABUTTING THE SOUTHERN BOUNDARY OF PROPERTY NOW KNOWN AS PART LOT 1 ABBOTT AND HOGE'S SUBDIVISION OF SOUTHEASTERN PART OF LOT 8 MASON TRACT, ALSO KNOWN AS PART TRIANGLE LOT, WASHINGTON VIEW, AND LOT 24, WASHINGTON VIEW, RPC# 17-011-011, FOR PROPERTY KNOWN AS 2025 CLARENDON BLVD., AND PART OF LOT 23, WASHINGTON VIEW D.B. K-4, PG. 335, D.B. 326, PG. 485, RPC# 17-011-012, FOR PROPERTY KNOWN AS 2026 WILSON BLVD.; AND 2) THE ENCROACHMENT OF AN ELECTRIC VAULT INTO AN ALLEY ABUTTING THE EASTERN BOUNDARY OF PROPERTY KNOWN AS PART OF LOT 23 WASHINGTON VIEW, D.B. K-4, PG. 335, D.B. 326, PG. 485, RPC# 17-011-012, FOR PROPERTY KNOWN AS 2026 WILSON BLVD., BOTH WITH CONDITIONS.**

On the consent agenda vote, after a duly advertised public hearing, the Board approved the attached Ordinance to Amend and Re-Enact an Amended And Re-Enacted Ordinance of Encroachment to Permit: 1) the Encroachment of Five Levels of a Portion of an Underground Garage Into an Area Dedicated for Clarendon Boulevard Running East to West Abutting the Southern Boundary of Property Now Known as Part Lot 1 Abbott and Hoge's Subdivision of Southeastern Part of Lot 8 Mason Tract, also known as Part Triangle Lot, Washington View, and Lot 24, Washington View, RPC# 17-011-011, for Property Known as 2025 Clarendon Blvd., and Part of Lot 23 Washington View D.B. K-4, PG. 335, D.B. 326, PG. 485, RPC# 17-011-012, for Property Known as 2026 Wilson Blvd.; and 2) the Encroachment of an Electric Vault Into an Alley Abutting the Eastern Boundary of Property Known as Part of Lot 23 Washington View, D.B. K-4, PG. 335, D.B. 326, PG. 485, RPC# 17-011-012, for Property Known as 2026 Wilson Blvd., both with Conditions.

ATTACHMENT 1

ORDINANCE TO AMEND AND RE-ENACT AN AMENDED AND RE-ENACTED ORDINANCE OF ENCROACHMENT TO PERMIT: 1) THE ENCROACHMENT OF FIVE LEVELS OF A PORTION OF AN UNDERGROUND GARAGE INTO AN AREA DEDICATED FOR CLARENDON BOULEVARD RUNNING EAST TO WEST ABUTTING THE SOUTHERN BOUNDARY OF PROPERTY NOW KNOWN AS PART OF LOT 1 ABBOTT AND HOGE'S SUBDIVISION OF SOUTHEASTERN PART OF LOT 8 MASON TRACT, ALSO KNOWN AS PART TRIANGLE LOT, WASHINGTON VIEW, AND LOT 24, WASHINGTON VIEW, RPC #17-011-011, FOR PROPERTY KNOWN AS 2025 CLARENDON BLVD., AND PART OF LOT 23, WASHINGTON VIEW D.B. K-4, PG. 335, D.B. 326, PG. 485, RPC #17-011-012, FOR PROPERTY KNOWN AS 2026 WILSON BLVD.; AND 2) THE ENCROACHMENT OF AN ELECTRIC VAULT INTO AN ALLEY ABUTTING THE EASTERN BOUNDARY OF PROPERTY KNOWN AS PART OF LOT 23 WASHINGTON VIEW, D.B. K-4, PG. 335, D.B. 326, PG. 485, RPC #17-011-012, FOR PROPERTY KNOWN AS 2026 WILSON BLVD., BOTH WITH CONDITIONS.

BE IT ORDAINED by the County Board of Arlington County, Virginia that, pursuant to an application on file with the Department of Environmental Services, Real Estate Bureau, the Applicant and Owner, 2025 Clarendon Boulevard, LLC, ("Applicant/Owner"), as developer of the project known as 2025 Clarendon Boulevard, Site Plan #435 ("Site Plan"), and the Owner of the property known as 2025 Clarendon Boulevard, RPC #17-011-011 and 17-011-012, upon which the Site Plan is being constructed ("Property") is hereby permitted to construct: 1) a portion of an underground garage ("Garage Encroachment") into an area dedicated for Clarendon Boulevard ("Street") running east to west abutting the southern boundary of the Property, such right-of-way dedicated to the County by Subdivision Plat recorded in Deed Book M4 at Page 322 and Deed Book N4 at Page 50 among the land records of Arlington County, Virginia ("Land Records"); and 2) a portion of an Electric Vault into an alley ("Alley") abutting the eastern boundary of the Property ("Electric Vault Encroachment"), such Alley dedicated to the County by Deed of Resubdivision, Dedications and Easements, dated August 14, 2014, recorded in Deed Book 4788 at Page 1339 among the Land Records. The dimensions (length, width and depth elevations) and the spatial location of the Garage Encroachment are depicted as "Parking Vault Encroachment: 2,673 SF" on Exhibit A, attached to the County Manager's Report dated January 4, 2018, and entitled "Plat Showing Encroachment Areas, 2025 Clarendon Boulevard, Deed Book 4285, Page 2341 – RPC 17-011-011, Deed Book 2039, Page 1632 – RPC 17-011-012, Arlington County, Virginia," pages 1-3 of 3, prepared by Bohler Engineering and dated April 15, 2014 and last revised January 4, 2018 ("Plat"). The dimensions (length, width and depth elevations) and the spatial location of the Electric Vault Encroachment are depicted as "Electrical Vault Encroachment: 505 SF" on the Plat. The dimensions, elevations, depth below grade, spatial location, characteristics and spatial area of the permitted Garage Encroachment and Electric Vault Encroachment are shown on the Plat. No other structures are permitted to be installed or constructed by Applicant/Owner, or to exist within the county property shown on the Plat. The permissions for both the Garage Encroachment and the Electric Vault Encroachment are subject to the following conditions: [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-E-PLAT SHOWING ENCROACHMENT AREAS-2025 CLARENDON" attached for the public record to these minutes.]

BE IT FURTHER ORDAINED that this permission for the Garage Encroachment is subject to, and conditioned upon, the Applicant/Owner first securing WMATA approval of the relevant final engineering plans for the Site Plan and all necessary WMATA permits from Joint Development and Adjacent Construction under the WMATA Adjacent Construction Program.

BE IT FURTHER ORDAINED that these permissions for the Garage Encroachment and the Electric Vault Encroachment authorized by the Ordinance shall continue until such time as that portion of the Garage Encroachment encroaching within the Street or that portion of the Electric Vault Encroachment encroaching within the Alley, as the case may be, are destroyed, removed, no longer in use, or not continuously and promptly maintained by the Applicant/Owner. Nothing in this Ordinance shall be construed either: to allow the installation by the Applicant/Owner of any above ground structure or any structure other than the portion of the Garage Encroachment and the Electric Vault Encroachment within the areas shown on the Plat; or to allow any greater encroachment behind the dimensions and spatial areas shown on the Plat.

BE IT FURTHER ORDAINED that the Applicant/Owner, and its successors and assigns, shall continuously and promptly maintain the below grade structures, and maintain, restore, repair, and replace all County owned facilities, within and adjacent to the Street and the Alley, including any

sidewalk, curb and gutter and paved surface, which are damaged by the installation, maintenance, destruction, continued existence, repair or removal of the below grade Garage Encroachment and Electric Vault Encroachment, in accordance with the Site Plan and all applicable County standards.

BE IT FURTHER ORDAINED that the Applicant/Owner shall pay to the County \$445,000.00 in compensation for the Garage Encroachment.

BE IT FURTHER ORDAINED that this Ordinance shall not be construed to release the Applicant/Owner, and its successors and assigns, of negligence on its part due to such Garage Encroachment and Electric Vault Encroachment. The Applicant/Owner, by constructing, or causing to be constructed a portion of the underground garage in the Street and the underground electric vault in the Alley, hereby agrees for itself, and its successors and assigns, to indemnify and hold harmless the County Board of Arlington County, Virginia and all County officials, officer, employees, contractors, and agents from all claims, negligence, damages, costs and expenses arising out of the existence, construction, maintenance, repair and removal of the underground garage and the underground electric vault, and the permission for the portions of the Garage Encroachment to encroach within the Street and the Electric Vault Encroachment to encroach within the Alley as permitted by the Ordinance.

BE IT FURTHER ORDAINED that, on or before noon on July 1, 2020, the Applicant/Owner, at its sole cost and expense, shall comply with all conditions of this Ordinance and thereafter cause a certified copy of this Ordinance and the Plat, which Plat shall be approved by the Director of the Department of Environmental Services, or his designee, to be recorded in the Land Records and evidence thereof shall be promptly delivered by the Applicant/Owner to the Real Estate Bureau Chief, Department of Environmental Services.

[Board Report #15](#)

[Addendum-01-27-18-E-PLAT SHOWING ENCROACHMENT AREAS-2025 CLARENDON](#)

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16. ORDINANCE OF VACATION TO VACATE A PORTION OF A 5-FOOT SANITARY SEWER EASEMENT ON PROPERTY OWNED BY THE COUNTY SCHOOL BOARD OF ARLINGTON COUNTY, VIRGINIA, KNOWN AS STRATFORD SCHOOL, 4100 VACATION LANE, ARLINGTON, VIRGINIA (RPC#S 05-039-077 AND 05-039-079).

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

- A. Enacted the attached Ordinance to Vacate a Portion of a 5' Sanitary Sewer Easement on property owned by the County School Board of Arlington County, Virginia, known as Stratford School, 4100 Vacation Lane, Arlington, Virginia (RPC#s 05-039-077 and 05-039-079) ("Attachment 1").
- B. Authorized the Real Estate Bureau Chief, Department of Environmental Services ("DES"), or his designee, to execute, on behalf of the County Board, the Deed(s) of Vacation and all documents related to the vacation, subject to approval as to form of all documents by the County Attorney.

ORDINANCE TO VACATE A PORTION OF A 5' SANITARY SEWER EASEMENT ON PROPERTY OWNED BY THE COUNTY SCHOOL BOARD OF ARLINGTON COUNTY, VIRGINIA, KNOWN AS STRATFORD SCHOOL, 4100 VACATION LANE, ARLINGTON, VIRGINIA (RPC#s 05-039-077 AND 05-039-079), WITH CONDITIONS.

BE IT ORDAINED that, pursuant to a request on file, by The County School Board of Arlington County, Virginia (the "Applicant"), in the Office of the Department of Environmental Services that a portion of a 5'Sanitary Sewer Easement, established by Deed recorded in Deed

Book 407, Page 349 among the land records of Arlington County, Virginia, and which portion is shown as "Portion of Ex.5' Sanitary Sewer Easement, D.B. 407, Pg. 349 Hereby Vacated", as depicted on the plat entitled, "Plat Showing Vacation of a Portion of a 5' Sanitary Sewer Easement on Parcels A and C, Stratford School, Instrument No. 20170100023555, Arlington County, Virginia", dated October 17, 2017, revised January 3, 2018, prepared by Gordon, attached to the Manager's Report for this item as Exhibit A is hereby vacated, subject to the following conditions: [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-F- SANITARY SEWER EASEMENT-PLAT" attached for the public record to these minutes.]

1. The Applicant shall submit, for review and approval, to the Department of Environmental Services ("DES"), a utility relocation and engineering design plan for the construction, relocation, removal, and/or replacement of the sanitary sewer facilities located, in whole or in part, within the portion of the easement vacated by this Ordinance of Vacation ("Plan") in compliance with the Arlington County Construction Standards and Specifications. The Plan shall be subject to approval by the Director of DES, or his designee.
2. The Applicant shall, at its own cost and expense, remove, relocate and reconstruct the existing sanitary sewer facilities, located within the portion of the easement herein vacated, with new sanitary sewer and related appurtenant facilities of size, dimension and location acceptable to Arlington County ("County"), in strict accordance with Arlington County Construction Standards and Specifications, and all applicable laws, ordinances, regulations and policies.
3. The Applicant shall dedicate, grant and convey to the County a new sanitary sewer easement(s), at locations and of dimensions necessary to accommodate the relocated facilities as required by the County and as provided in Use Permit U-3470-16-1, approved by the County Board on March 18, 2017 or as hereafter amended. The Real Estate Bureau Chief, DES, or his designee, is authorized to accept the sanitary sewer easement(s) on behalf of the County, subject to approval as to form by the County Attorney.
4. The Applicant shall submit to the Director of DES, or his designee, a bond, letter of credit, or other security, in an amount and in a form as determined by, and acceptable to, the County Manager or his designee, to secure the construction, relocation, and removal, and/or replacement of the sanitary sewer facilities pursuant to the approved Plan.
5. The Applicant shall prepare and submit to the County for review and approval, the Deed of Vacation, and all required plats, subject to the approval thereof by the County Manager, or his designee, and approval of the Deed as to form by the County Attorney.
6. The Deed of Vacation shall be in recordable form. The deed shall, among other things, convey by quitclaim all right, title and interest, if any, of the County Board to and in the portion of the related County facilities within the boundaries of the areas to be vacated. Upon recordation of the Deed of Vacation, all facilities located within the vacated areas shall be the property of the Applicant.
7. The Applicant shall pay all fees, including the fees for plat review, approval and recordation of the Deed of Vacation associated with the Ordinance of Vacation.
8. The Applicant shall record all plats and the Deed of Vacation, subject to the approval of the County Manager, or his designee, and approval as to form by the County Attorney.
9. All conditions of this Ordinance of Vacation shall be met by noon on January 27, 2021, or this Ordinance of Vacation shall become null and void, without the necessity of any further action by the County Board.

[Board Report #16](#)

[Addendum-01-27-18-F-SANITARY SEWER EASEMENT-PLAT](#)

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17. DEED OF EASEMENT FROM KEVIN P. LATEK AND DANIEL T. MEYERS TO THE COUNTY BOARD ON A PORTION OF THE PROPERTY LOCATED AT 2707 N. NELSON ST., ARLINGTON COUNTY, VIRGINIA (RPC# 04-011-046).

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

1. Approved the Deed of Easement ("Permanent Easement"), attached as Exhibit 1, between Kevin P. Latek and Daniel T. Meyers and The County Board of Arlington County, Virginia, granting to the County, a Permanent Easement on a portion of the property located at 2707 North Nelson Street, in Arlington County, Virginia (RPC# 04-011-046). [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-G-EASEMENT-2707 N NELSON-EXHIBIT 1" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept on behalf of the County Board, the attached Permanent Easement, subject to the approval of the deed, as to form, by the County Attorney.

[Board Report #17](#)

[Addendum-01-27-18-G-EASEMENT-2707 N NELSON-EXHIBIT 1](#)

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18. ORDINANCE OF ENCROACHMENT TO PERMIT THE ENCROACHMENT OF PORTIONS OF EXISTING PAVERS, A STEP AND LANDING INTO THE SOUTH WALTER REED DRIVE RIGHT-OF-WAY AT 2900 COLUMBIA PIKE, ARLINGTON, VIRGINIA (RPC# 32-006-011), WITH CONDITIONS.

On the consent agenda vote, after a duly advertised public hearing, the Board enacted the attached Ordinance of Encroachment to Permit the Encroachment of Portions of Existing Pavers, a Step and Landing into the South Walter Reed Drive Right-of-Way at 2900 Columbia Pike, Arlington, Virginia (RPC# 32-006-011), with Conditions. ("Attachment 1"). [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-H-S WALTER REED ORDINANCE OF ENCROACHMENT" and "Addendum-01-27-18-H1-S WALTER REED-ENCROACHMENT PLAT-EXHIBIT A" attached for the public record to these minutes.]

[Board Report #18](#)

[Addendum-01-27-18-H-S WALTER REED ORDINANCE OF ENCROACHMENT](#)

[Addendum-01-27-18-H1-S WALTER REED-ENCROACHMENT PLAT-EXHIBIT A](#)

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19. LEASE FOR COURTHOUSE DELI AT 2020 14TH ST. N., SUITE 150, ARLINGTON

- A. Deed of lease between the County Board of Arlington County, Virginia, as landlord, and the Industrial Development Authority of Arlington County, Virginia, as tenant, for approximately 3,274 square feet of space located at 2020 14th St. N., Suite 150, Arlington, Va. (RPC#s 17-016-012 and 17-016-013).

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

1. Approved the attached Deed of Lease between County Board of Arlington County, Virginia, as landlord, and Industrial Development Authority of Arlington County, Virginia, as tenant, for approximately 3,274 square feet of space located at 2020 14th St. N., Suite 150, Arlington, Virginia; and [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-I-DEED OF LEASE -IDUSTRIAL DEV AUTHORITY" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute the Deed of Lease and any related documents, on behalf of the County Board, subject to approval as to form by the County Attorney.

- B. Deed of sublease between the Industrial Development Authority of Arlington County, Virginia, as landlord, and Courthouse Deli, Inc., a Virginia corporation, as tenant, for approximately 3,274 square feet of space located at 2020 14th St. N., Suite 150, Arlington, Va. (RPC#s 17-016-012 and 17-016-013).

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

1. Approved the attached Deed of Sublease between the Industrial Development Authority of Arlington County, Virginia, as landlord, and Courthouse Deli, Inc., a Virginia corporation, as tenant, for approximately 3,274 square feet of space located at 2020 14th St. N., Suite 150, Arlington, Virginia; and [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-I1-DEED OF SUBLEASE- IDUSTRIAL DEV AUTHORITY AND COURTHOUSE DELI" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee to sign any documents on behalf of the County Board related to the Deed of Sublease or to the County Board's approval thereof, subject to approval as to form by the County Attorney.

[Board Report #19 A.](#)

[Board Report #19 B.](#)

[Addendum-01-27-18-I-DEED OF LEASE -IDUSTRIAL DEV AUTHORITY](#)

[Addendum-01-27-18-I1-DEED OF SUBLEASE-ACG AND IDUSTRIAL DEV AUTHORITY](#)

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20. LEASE FOR NORTHERN VIRGINIA FAMILY SERVICE

- A. First amendment to (the) deed of lease between the County Board of Arlington County, Virginia, as landlord, and Northern Virginia Family Service, Inc., a Virginia corporation, as tenant, for approximately 2,700 square feet of space in the Arlington Mill Community Center located at 909 S. Dinwiddie St., Arlington, Virginia (RPC No. 22-001-725).
- B. Resolution consenting to the holdover of Northern Virginia Family Service, Inc., as tenant, on a month-to-month basis, beginning in February 2018, under the existing terms of that certain deed of lease dated January 1, 2008, with the County Board of Arlington County, Virginia, as landlord, for the premises located at 1801 N. George Mason Drive, Arlington, Virginia (RPC# 09-016-052).

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

1. Approved the attached First Amendment to Deed of Lease between the County Board of Arlington County, Virginia, as landlord, and Northern Virginia Family Service, Inc., as tenant, for approximately 2,700 square feet of space in the Arlington Mill Community Center located at 909 S. Dinwiddie St., Arlington, Virginia; and [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-J-FIRST AMEND TO DEED OF LEASE-NVA FAMILY SERV" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute the First Amendment to Deed of Lease and any related documents on behalf of the County Board, subject to approval as to form by the County Attorney.
3. Adopted the resolution ("Resolution") attached to this County Manager Board Report as Exhibit A consenting to Northern Virginia Family Service, Inc., as tenant, holding over, on a month-to-month basis, under the existing terms of that certain Deed of Lease dated January 1, 2008 with the County Board of Arlington County, Virginia for the premises located at 1801 N. George Mason Drive, Arlington, Virginia (RPC# 09-016-052).

EXHIBIT A

RESOLUTION

BE IT RESOLVED that the County Board of Arlington County, Virginia hereby consents to Northern Virginia Family Service Inc., as tenant, holding over, on a month-to-month basis, beginning February 1, 2018, under the existing terms of that certain Deed of Lease dated January 1, 2008 with the County Board of Arlington County, Virginia, as landlord, for premises located at 1801 N. George Mason Drive, Arlington, Virginia (RPC# 09-016-052).

[Board Report #20 A.](#)

[Board Report #20 B.](#)

[Addendum-01-27-18-J-FIRST AMEND TO DEED OF LEASE-NVA FAMILY SERV](#)

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21. **DEED OF LEASE BETWEEN THE COUNTY BOARD OF ARLINGTON, VIRGINIA, AS LANDLORD, AND ASPIRE! AFTER-SCHOOL LEARNING, A VIRGINIA INDEPENDENT NON-SECTARIAN 501 (C) (3) CORPORATION, AS TENANT, FOR 8,924 SQUARE FEET OF SPACE ON THE THIRD FLOOR OF THE ARLINGTON MILL COMMUNITY CENTER LOCATED AT 909 S. DINWIDDIE ST., ARLINGTON VIRGINIA (RPC# 22-001-725).**

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

1. Approved the attached Deed of Lease between the County Board of Arlington, Virginia as landlord, and Aspire! After-School Learning, a Virginia non-sectarian 501(c)(3) corporation, as tenant, for 8,924 square feet on the third floor of the Arlington Mill Community Center located at 909 S. Dinwiddie St., Arlington Virginia (RPC# 22-001-725); and [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-K-DEED OF LEASE-ASPIRE" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute the Deed of Lease, and any related documents, on behalf of the County Board, subject to approval as to form by the County Attorney.

[Board Report #21](#)

[Addendum-01-27-18-K-DEED OF LEASE-ASPIRE](#)

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ORDINANCES, PLANS AND POLICIES

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22. THIS ITEM WAS REMOVED.

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23. ADOPTION OF NON-CODIFIED ORDINANCES DESIGNATING FOUR TREES ON PRIVATE PROPERTY AS SPECIMEN TREES IN ACCORDANCE WITH ARTICLE III OF CHAPTER 67 OF THE ARLINGTON CODE, REGULATION OF HERITAGE TREES, MEMORIAL TREES, SPECIMEN TREES, AND STREET TREES ON PUBLIC OR PRIVATE PROPERTY (HEREINAFTER TREE PRESERVATION ORDINANCE) SO THAT THEY ARE SUBJECT TO PROTECTION FROM REMOVAL OR INJURY.

On the consent agenda vote, after a duly advertised public hearing, the Board adopted the attached ordinances to designate four trees on private property as "Specimen Trees" in accordance with Arlington County's Tree Preservation Ordinance so that they are subject to protection from removal or injury.

[Clerk's note: as set forth in the document entitled "Addendum-01-27-18-L-SPECIMEN TREE ORDINANCES" attached for the public record to these minutes.]

[Board Report #23](#)

[Addendum-01-27-18-L-SPECIMEN TREE ORDINANCE](#)

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OTHER

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24. CONSENT TO A VIRGINIA RESOURCES AUTHORITY (VRA) LOAN BY THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) TO REFINANCE EXISTING DEBT FOR THE BENEFIT OF VIRGINIA RAILWAY EXPRESS (VRE).

On the consent agenda vote, after a duly advertised public hearing, the Board approved the attached resolution approving the issuance of refinancing debt for VRE equipment. [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-M-AUTHORIZING RESOLUTION LOAN FOR VRE" attached for the public record to these minutes.]

[Board Report #24](#)

[Addendum-01-27-18-M-AUTHORIZING RESOLUTION LOAN FOR VRE](#)

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NON-PUBLIC HEARING ITEMS (ITEMS 25-36) COUNTY BOARD MEMBERS ONLY MAY REQUEST REMOVAL OF THE FOLLOWING ITEMS:

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APPROPRIATIONS, GRANT APPLICATIONS AND OTHER CONTRACTS

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25. ADMINISTRATION OF \$60,000 IN ECONOMIC DEVELOPMENT INCENTIVE (EDI) GRANT FUNDS FROM ARLINGTON COUNTY TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF ARLINGTON COUNTY, VIRGINIA (THE IDA) AND THEN TO AXIOS MEDIA, INC. (AXIOS), SUBJECT TO THE TERMS OF CONDITIONS OF THE EDI GRANT AGREEMENT AMONG ARLINGTON COUNTY, THE IDA AND AXIOS MEDIA, INC.

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

1. Authorized the County Manager to sign the attached agreement on behalf of the Arlington County Board among Arlington County, the IDA and Axios to establish the disbursement, management and performance terms and conditions for the EDI grant funds.
2. Allocated to Axios, subject to the terms and conditions of the Agreement, \$60,000 of Gazelle Grant funding.

[Clerk's note: as set forth in the document entitled "Addendum-01-27-18-N-AXIOS MEDIA-EDI GRANT AGMNT" attached for the public record to these minutes.]

[Board Report #25](#)

[Addendum-01-27-18-N-AXIOS MEDIA-EDI GRANT AGMNT](#)

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26. ADMINISTRATION OF \$60,000 IN ECONOMIC DEVELOPMENT INCENTIVE (EDI) GRANT FUNDS FROM ARLINGTON COUNTY TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF ARLINGTON COUNTY, VIRGINIA (THE IDA) AND THEN TO HIGHER LOGIC, SUBJECT TO THE TERMS OF CONDITIONS OF THE EDI GRANT AGREEMENT AMONG ARLINGTON COUNTY, THE IDA AND HIGHER LOGIC.

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

1. Authorized the County Manager to sign the attached agreement on behalf of the Arlington County Board among Arlington County, the IDA and Higher Logic to establish the disbursement, management and performance terms and conditions for the EDI grant funds.
2. Allocated to Higher Logic, subject to the terms and conditions of the Agreement, \$60,000 of Gazelle Grant funding.

[Clerk's note: as set forth in the document entitled "Addendum-01-27-18-O-HIGHER LOGIC-EDI GRANT AGMNT" attached for the public record to these minutes.]

[Board Report #26](#)

Addendum-01-27-18-O-HIGHER LOGIC-EDI GRANT AGMNT

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27. ACCEPTANCE AND APPROPRIATION OF THE DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT), THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC), AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FUNDS FOR TRANSIT, BRIDGE RENOVATION WORK, AND TRANSPORTATION CAPITAL PROJECTS.

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

1. Authorized the County Manager or his designee to accept \$15,000,000 in grant funds from DRPT, \$872,000 in funds from NVTC, and \$1,985,000 in funding from VDOT for a total of \$17,857,000, and to execute required grant agreements in a form approved by the County Attorney.

2. Appropriated funding as follows to the Department of Environmental Services (DES):

DRPT - 2016 Smart Scale: \$3,455,000 (331.363201.MA41.D501) to the DES (331.43515.MA41.D501)

DRPT - 2016 Smart Scale: \$104,000 (331.363201.MA41.D502) to the DES (331.43515.MA41.D502)

DRPT - 2016 Smart Scale: \$6,441,000 (331.363201.MA41.D503) to the DES (331.43515.MA41.D503)

DRPT - 2016 Smart Scale: \$3,000,000 (331.363201.MA19.D401) to the DES (331.43515.MA19.D401)

DRPT - 2016 Smart Scale: \$1,000,000 (331.363201.MA19.D402) to the DES (331.43515.MA19.D402)

DRPT - 2016 Smart Scale: \$250,000 (330.363201.MA11.D401) to the DES (330.43515.MA11.D401)

DRPT - 2016 Smart Scale: \$250,000 (330.363201.MA11.D402) to the DES (330.43515.MA11.D402)

DRPT - 2016 Smart Scale: \$500,000 (313.363201.MAC1.D707) to the DES (313.43513.MAC1.D707)

NVTC - I-66 Toll Revenue: \$462,000 (313.353200.MA09.N017) to the DES
(313.43515.MA09.N017)
NVTC - I-66 Toll Revenue: \$250,000 (313.353200.TS.N040) to the DES
(313.43513.TS.N040)
NVTC - I-66 Toll Revenue: \$160,000 (313.353200.MA59.N120) to the DES
(313.43515.MA59.N120)
VDOT - FY 18 Revenue Sharing: \$935,000 (313.363203.BR02.V859) to the DES
(313.43524.BR02.V859)
VDOT - FY 18 Revenue Sharing: \$1,050,000 (313.363203.DC15.V971) to the DES
(313.43513.DC15.V971)

[Board Report #27](#)

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28. ACCEPTANCE AND APPROPRIATION OF A THREE-YEAR, \$392,242 GRANT FROM THE VIRGINIA DEPARTMENT OF AGING AND REHABILITATIVE SERVICES (DARS) TO THE DEPARTMENT OF HUMAN SERVICES (DHS) FOR INFORMATION TECHNOLOGY TRAINING AND EMPLOYMENT PLACEMENT FOR CLIENTS WITH DISABILITIES.

On the consent agenda vote, after a duly advertised public hearing, the Board authorize the County Manager or his designee to accept and appropriate \$392,242 in FY 2018 funds from DARS (101.374900) to DHS (101.51131) for information technology training and employment placement for clients with disabilities.

[Board Report #28 \(Posted 1-23-2018\)](#)

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29. ACCEPT AND APPROPRIATE A \$7,000 DONATION TO THE DEPARTMENT OF HUMAN SERVICES (DHS) TO PROVIDE SCHOLARSHIPS FOR CITIZENSHIP APPLICANTS.

On the consent agenda vote, after a duly advertised public hearing, the Board authorized the County Manager or his designee to accept a \$7,000 donation to DHS, and appropriate \$7,000 in Fiscal Year (FY) 2018 funds (101.350900) to DHS (101.51105) to administer a scholarship program that will subsidize filing fees for citizenship applicants.

[Board Report #29](#)

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30. CREATION OF 0.5 FTE GRANT-FUNDED FTE NURSE PRACTITIONER IN THE DEPARTMENT OF HUMAN SERVICES.

On the consent agenda vote, after a duly advertised public hearing, the Board authorized the creation of a 0.5 FTE grant-funded nurse practitioner position in the Department of Human Services (101.52311) and reallocation of \$70,000 in existing non-personnel funds to cover the position costs.

[Board Report #30](#)

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**31. ACCEPTANCE AND APPROPRIATION OF A 2017 COMMONWEALTH OF VIRGINIA
DEPARTMENT OF CRIMINAL JUSTICE SERVICES, BYRNE/JUSTICE ASSISTANCE GRANT.**

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

1. Authorized the County Manager to accept \$17,170 in competitive federal grant funds under the 2017 Commonwealth of Virginia Department of Criminal Justice Services (Virginia DCJS) Byrne/Justice Assistance Grant Program (JAG).
2. Appropriated \$17,170 in federal grant funds from the Virginia DCJS (101.374900) to the Arlington County Police Department (101.31202) for costs associated with approved Byrne/JAG program activities.

[Board Report #31](#)

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ACQUISITIONS OR LEASES OF REAL PROPERTY

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**33. DEED OF EASEMENT FOR PUBLIC SIDEWALK AND UTILITIES PURPOSES ON PROPERTY
LOCATED AT THE CORNER OF LEE HIGHWAY AND NORTH LEXINGTON STREET, 5747 LEE
HIGHWAY, RPC #S 02-077-010 AND 02-077-012.**

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

1. Approved the attached Deed of Easement for Public Sidewalk and Utilities Purposes on property located at the corner of Lee Highway and North Lexington Street, 5747 Lee Highway, RPC#s 02-077-010 and 02-077-012. [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-P-DEED OF EASEMENT-SIDEWALK-LEE HWY" attached for the public record to these minutes.]
2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept, on behalf of the County Board, the Deed of Easement for Public Sidewalk and Utilities Purposes attached to this Board Report as Exhibit A, subject to approval as to form by the County Attorney. [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-P1-PLAT-LEE HWY" attached for the public record to these minutes.]

[Board Report #33 \(Posted 1-23-2018\)](#)

[Addendum-01-27-18-P-DEED OF EASEMENT-SIDEWALK-LEE HWY](#)

[Addendum-01-27-18-P1-PLAT-LEE HWY](#)

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OTHER (HOUSING LOANS, MINUTES, ETC.)

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34. THIS ITEM WILL BE HEARD AT THE TUESDAY, JANUARY 30, 2018, RECESSED COUNTY BOARD MEETING.

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35. RATIFICATION OF AMENDED AND RESTATED LOAN AGREEMENT AND AMENDED AND RESTATED DEED OF EASEMENT AND DECLARATION OF RESTRICTIVE COVENANTS FOR PARC ROSSLYN.

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

1. Ratified the attached Amended and Restated Loan Agreement and Amended and Restated Deed of Easement and Declaration of Restrictive Covenants for Parc Rosslyn. [Clerk's note: as set forth in the document entitled "Addendum-01-27-18-Q-AMENDED AND RESTATED AHIF LOAN DOC-PARC ROSSLYN" attached for the public record to these minutes.]
2. Authorized and directed the County Manager, with the concurrence of the County Attorney, to act as the County Board's representative in approving revisions to the attached documents that are necessary to remove any ambiguity or inconsistency or which improve the County Board's financial security or financial position, and which revisions do not adversely affect the County financially, prior to or after execution of the documents.

[Board Report #35](#)

[Board Report #35-Attachment \(Amended and Restated AHIF Loan Documents for Parc Rosslyn-Posted 01-26-2018\)](#)

[Addendum-01-27-18-Q-AMENDED AND RESTATED AHIF LOAN DOC-PARC ROSSLYN](#)

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36. MINUTES

[#36-Minutes from the December 16, 2017, Regular County Board Meeting](#)

[#36-Minutes from the December 19, 2017, Recessed County Board Meeting](#)

[##36-Minutes from the County Board's Work & Closed Sessions \(December-January\)](#)

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III. REGULAR HEARING ITEMS

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37. THIS ITEM WILL BE HEARD AT THE TUESDAY, JANUARY 30 RECESSED COUNTY BOARD MEETING. (SITE PLAN #339, MARKET COMMON PHASE II.)

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38. SHORT BRIDGE PARK

- A. Name the park located between Route 1 and Potomac Avenue and north of Four Mile Run officially to Short Bridge Park.
- B. Short Bridge Park Master Plan and Design Guidelines.

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

- 1. Approve officially naming an existing park informally called "South Park" to "Short Bridge Park" as recommended by the Park and Recreation Commission.
- 2. Adopt the Short Bridge Park Master Plan and Design Guidelines.

The motion was adopted and carried by a vote of 5 to 0, the voting recorded as follows: KATIE CRISTOL, Chair - Aye, CHRISTIAN DORSEY, Vice Chair - Aye, LIBBY GARVEY, Member - Aye, ERIK GUTSHALL, Member - Aye, JOHN VIHSTADT, Member – Aye.

[Clerk's note: as set forth in the document entitled "Addendum-01-27-18-R-SHORT BRIDGE PARK- DESIGN GUIDELINES" attached for the public record to these minutes.]

[Board Report #38 A.](#)

[Board Report # 38 B. \(Posted 01-23-2018\)](#)

[Addendum-01-27-18-R-SHORT BRIDGE PARK- DESIGN GUIDELINES](#)

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IV. ADDITIONAL ITEMS

Without objection, at 9:58 a.m., the Board recessed until January 30, 2018 Recessed Meeting.

KATIE CRISTOL, Chair

ATTEST:

HOPE L. HALLECK, Clerk
Approved: