

# **MINUTES FOR APPROVAL**

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

**January 30, 2018**

**Recessed Meeting**

A Recessed Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Tuesday, January 30, 2017 at 3:02 p.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

ooooo0ooooo

### **COUNTY BOARD RECESSED MEETING**

ooooo0ooooo

### **I. COUNTY BOARD BUSINESS AND REPORTS**

ooooo0ooooo

#### **• COUNTY BOARD REPORTS**

The Chair introduced the County Manager who presented the CARES tribute Sena Wijesinha.

The Chair introduced Carla de la Pava, Arlington County Treasurer, who announced the Decal Competition finalists and winner.

The Chair announced the Childcare Initiative Meeting.

The Chair discussed the Online Feedback for Draft Action Plan.

The Chair gave an update on the General Assembly.

John Vihstadt, Member announced the next Four Mile Run working group meeting with the subject of traffic.

ooooo0ooooo

#### **• APPOINTMENTS**

On motion by KATIE CRISTOL, Chair:

##### **Arlington Health Center Commission**

Appoint Katie Cristol (for a term to end January 31, 2020)  
Christian Dorsey (for a term to end January 31, 2020)  
Libby Garvey (for a term to end January 31, 2020)  
Erik Gutshall (for a term to end January 31, 2020)  
John Vihstadt (for a term to end January 31, 2020)

##### **Career Center Working Group**

Appoint Kim Phillip – Black Heritage Museum of Arlington Virginia  
Fikru Abebe – Ethiopian Community Development Council

**Community Criminal Justice Board**

Appoint Gail Perry

**Community Services Board**

Appoint Sgt. Stephen Taphorn (for a term to end 1/31/2021)

**Commission on Aging**

Reappoint Barbara Favola (for a term to end 9/30/2020)

Reappoint Valerie Crotty (for a term to end 9/30/2020)

Reappoint James Feaster (for a term to end 9/30/2020)

**Crystal City Citizen Review Council**

Reappoint Christer Ahl, Crystal City Civic Association, and Designate as Vice Chair (for a term ending 1/31/2020)

Reappoint Rob Mandle, Crystal City BID (for a term ending 1/31/2020)

Reappoint Linh Ong, Owners & Tenants (for a term ending 1/31/2020)

Reappoint Richard Price, Transportation Commission (for a term ending 1/31/2020)

Reappoint Jane Siegel, Planning Commission (for a term ending 1/31/2020)

Reappoint Harmar Thompson, Crystal City Landowner (for a term ending 1/31/2020)

Reappoint Lawrence Withers, Citizens Advisory Commission on Housing (for a term ending 1/31/2020)

**Fiscal Affairs Advisory Commission**

Reappoint David Kinney (for a term to end 1/31/2020)

Reappoint Kevin Yam (for a term to end 1/31/2020)

**Information Technology Advisory Commission**

Appoint Michael Carleton for a term ending January 31, 2021

Reappoint Mary Crannell for a term ending January 31, 2021

**Northern Virginia Community College Board**

Reappoint Rosaelena O'Neil (for a term to end 1/31/2022)

**Partnership for Children, Youth, and Families**

Reappoint Michael Brown (for a term to end 1/31/2020)

Alfiee Breland-Noble (for a term to end 1/31/2020)

Judy Hadden (for a term to end 1/31/2020)

Barbara Gomez (for a term to end 1/31/2020)

Devanshi Patel (for a term to end 1/31/2020)

John Andelin (for a term to end 1/31/2020)

**Public Facilities Review Committee**

Reappoint Todd McCracken (for a term to end 1/31/2020)

**Sports Commission**

Appoint Corey Simples (for a term to end January 31, 2020)

**Urban Forestry Commission**

Appoint Kimberly Fedinatz as E2C2 Representative for a term ending January 31, 2021

Appoint David Howell as PRC Representative for a term ending January 31, 2021

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

ooooo0ooooo

• **REGIONAL REPORTS**

Christian Dorsey, Vice Chair gave an update on WMATA most recent incidents that include the derailment of the redline train and others.

Christian Dorsey, Vice Chair also gave an update on WMATA operations and studies involving operations.

John Vihstadt, Member gave an update on Reaching Forward Coalition meeting.

John Vihstadt, Member also gave an update on N.O.I.S.E.

Libby Garvey, Member also discussed her attendance of the Reaching Forward Coalition meeting.

Libby Garvey, Member gave a report on Arlington influence over the region with regards to LED lights and the saving associated with the lighting.

ooooo0ooooo

• **COUNTY MANAGER REPORTS**

The County Manager announced the 2017 Annual Report from the County Manager's office.

The County Manager reported the completion of the Tree Canopy Study.

The County Manager introduced Michael Collins and Bryna Hefner who gave a report on Cold Weather Efforts and call center work.

ooooo0ooooo

**CLOSED SESSION**

A motion was made by KATIE CRISTOL, Chair seconded by CHRISTIAN DORSEY, Vice Chair 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.

The Board met in a closed meeting from 4:18 p.m. to 6:50 p.m., as authorized by Virginia Code sections 2.2-3711.A.3, 5, 6, 7, and 8, for the purpose of discussing the following: One matter involving the location of a business in the County where no previous announcement has been made of the business' interest in locating or expanding their facilities in the County; One matter involving the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interests of the County would be adversely affected; one matter involving the acquisition of real property for public purposes where discussion in public could adversely affect the County's bargaining position; consultation with the County Attorney concerning Arlington County Circuit Court Case No. 17-35-0; consultation with the County Attorney concerning BZA Case No. V-11329-17-Appeal-1; consultation with the County Attorney concerning the terms and conditions of an AHIF loan to the Arlington Partnership for Affordable Housing for the Queen's Court Apartments affordable housing project; and consultation with the County Attorney and necessary staff concerning the meaning and application of HB 1204 relating to real estate assessments of golf courses.

**CERTIFICATION OF CLOSED MEETING DISCUSSIONS**

A motion was made by KATIE CRISTOL, Chair seconded by CHRISTIAN DORSEY, Vice Chair by a vote of 5 to 0 by roll call, the voting recorded as follows:

<b><u>Member</u></b>	<b><u>Vote</u></b>
Ms. Cristol	Aye
Mr. Dorsey	Aye
Ms. Garvey	Aye
Mr. Gutshall	Aye
Mr. Vihstadt	Aye

the Board certified that, at the just concluded closed session: (1) only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the Board.

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

oooo0oooo

**II. CONSENT ITEMS (ITEMS REMOVED FROM THE CONSENT AGENDA ON SATURDAY, JANUARY 27, 2018).**

oooo0oooo

**USE PERMIT REQUESTS, AMENDMENTS AND REVIEWS**

10. [U-3498-17-1 Use Permit for a child care center \(Head Start\) for up to 204 children; located at 2920 S. Glebe Road \(RPC #38-020-009\).](#)

Following a duly advertised public hearing, at which there were speakers, a motion was made by CHRISTIAN DORSEY, Vice Chair, seconded by LIBBY GARVEY, Member to adopt the following ordinance:

BE IT ORDAINED that pursuant to the application U-3498-17-1 on file in the Office of the Zoning Administrator to approve the subject use permit for a child care center for up to 204 children (Head Start) for a parcel of real property located at 2920 S. Glebe Road (RPC #38-020-009), 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). 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.

**Proposed Conditions (Head Start):**

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 would be 7:00 a.m. – 6:00 p.m. Monday through Friday. The child care center will be closed for all Federal holidays. The applicant further agrees that the maximum permitted enrollment is 204 children or such number as

determined by the Department of Human Services Child Care Office, which may be fewer than the maximum noted above. The applicant further agrees that the maximum total occupant load, inclusive of children and adults, shall be as determined and designated by the Inspection Services Division in accordance with the Virginia Uniform Statewide Building Code, which may also be fewer than the maximum noted above.

3. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns that may be related to this child care center. The name, telephone number, and electronic mail address (if available) of the liaison shall be submitted by the applicant to the Zoning Administrator, Long Branch Creek Civic Association, Arlington Ridge Civic Association, and Arlington Ridge Terrace Condominiums prior to issuance of a Certificate of Occupancy.
4. The applicant agrees to submit a parking plan and obtain the review and approval of such plan by the Zoning Administrator. The applicant agrees that the plan shall be approved only if it shows the location and number of available staff parking spaces as required by the Arlington County Zoning Ordinance (1 space / employee), including details about the pick-up and drop-off plan. The parking spaces within the on-site parking lot shall comply with all requirements set forth in all applicable ordinances and regulations, including, by way of illustration and not limitation, those administered by Section 14 of the Arlington County Zoning Ordinance. The Zoning Administrator's approval shall be obtained prior to issuance of a certificate of occupancy for the child care use.

Board Report #10

ooooo0ooooo

12. [U-3507-17-1 Use Permit for a group living residence \(Convent for the Sisters, Servants of the Immaculate Heart of Mary\); located at 2844 N. Rochester St. \(RPC# 01-018-012\).](#)

Following a duly advertised public hearing, at which there were speakers, a motion was made by JOHN VIHSTADT, Member, seconded by CHRISTIAN DORSEY, Vice Chair to adopt the following ordinance:

BE IT ORDAINED that pursuant to the application U-3507-17-1 on file in the Office of the Zoning Administrator to approve the use permit for a group living residence (Convent for the Sisters, Servants of the Immaculate Heart of Mary) for a parcel of real property located at 2844 N. Rochester St. (RPC# 01-018-012), 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). 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.

Proposed Conditions:

- 1) The applicant agrees that the dwelling shall meet the requirements of the Code Enforcement Office, the Community Health Protection Bureau, and the Fire Marshal's Office, including securing an assembly permit, if necessary.
- 2) The applicant agrees to identify a person who shall serve as liaison between the subject use and the neighborhood. The name and telephone number of the liaison shall be shared with the Zoning Administrator, the Williamsburg Civic Association, and any interested residents who request the information, prior to the issuance of the Certificate of Occupancy for a convent use.

- 3) The applicant agrees to comply with all state and local laws and regulations not expressly modified by the County Board's action in the use permit and shall obtain all necessary permits for any work on or improvements to this property.
- 4) The applicant agrees to limit the residential occupancy of the convent to seven (7) persons at any given time. Residents may host overnight guests on a temporary basis.
- 5) The applicant agrees to limit the number of vehicles on site to no more than four (4) at any given time, excluding vehicles belonging to temporary guests.
- 6) The applicant agrees that the property, including all physical structures and landscaping, shall be maintained in good condition.

[Board Report #12](#)

**ACQUISITIONS OR LEASES OF REAL PROPERTY**

32. [Memorandum of agreement between the County Board of Arlington County, Virginia and the Virginia Department of Highways and Transportation for Transfer of Portions of State Route 237 from the Primary System of State Highways to the Local Road System of Arlington County.](#)

Following a duly advertised public hearing, at which there were speakers, a motion was made by LIBBY GARVEY, Member, seconded by CHRISTIAN DORSEY, Vice Chair to:

1. Approved the attached Memorandum of Agreement between the County Board of Arlington County, Virginia and the Virginia Department of Highways and Transportation for Transfer of Portions of State Route 237 from the Primary System of State Highways to the Local Road System of Arlington County; and [Clerk's note: as set forth in the document entitled "Addendum-01-30-18-A-MOA-TRANSFER OF PORTIONS OF STATE ROUTE 237" attached for the public record to these minutes.]
2. Authorized the County Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute the Memorandum of Agreement and any related documents, on behalf of the County Board, subject to approval as to form of the Memorandum of Agreement and any related documents, by the County Attorney.

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.

[Board Report #32](#)

[Addendum-01-30-18-A-MOA-TRANSFER OF PORTIONS OF STATE ROUTE 237](#)

0000000000

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

0000000000

**III. [REGULAR HEARING ITEMS](#)**

0000000000

34. [RATIFICATION OF "SECTION 8 PROJECT-BASED VOUCHER HOUSING ASSISTANCE PAYMENTS CONTRACT" \(HAP CONTRACT\) FOR CULPEPPER GARDEN 1](#)

**APARTMENTS. APPROVAL OF AMENDMENT TO, AND ASSIGNMENT OF, HAP CONTRACT. APPROVAL OF \$10,736,579 AFFORDABLE HOUSING INVESTMENT FUND LOAN (AHIF) TO CG1 RESTORATION LIMITED PARTNERSHIP, AN ENTITY AFFILIATED WITH WESLEY HOUSING DEVELOPMENT CORPORATION OF NORTHERN VIRGINIA AND ARLINGTON RETIREMENT HOUSING CORPORATION, TO HELP FINANCE THE RENOVATION OF CULPEPPER GARDEN 1 APARTMENTS.).**

Following a duly advertised public hearing, at which there were speakers, a motion was made by LIBBY GARVEY, Member, seconded by CHRISTIAN DORSEY, Vice Chair:

1. Ratify the attached "Section 8 Project-Based Voucher Housing Assistance Payments Contract" (HAP Contract) between Culpepper Garden I, Inc. and the Arlington County Department of Human Services. [Clerk's note: as set forth in the document entitled "Addendum-01-30-18-B-Section 8 Project-Based Voucher Housing Assistance Payments Contract-HAP" attached for the public record to these minutes.]
2. Approve the terms of the attached (a) First Amendment to HAP Contract, (b) Assignment and Assumption Agreement of HAP Contract, and (c) Consent to Assignment of HAP Contract as Security for Financing (collectively, "HAP Amendment and Assignments"), and Authorize and Direct the County Manager to execute, on behalf of the County Board the attached HAP Amendment and Assignments, subject to approval as to final form by the County Attorney. [Clerk's note: as set forth in the document entitled attached "Addendum-01-30-18-B1-FIRST AMENDMENT TO SECTION 8 PROJECT-BASED VOUCHER HOUSING ASSISTANCE PAYMENTS CONTRACT-HAP," "Addendum-01-30-18-B2-ASSIGNMENT AND ASSUMPTION AGREEMENT OF SECTION 8 HOUSING ASSISTANCE PAYMENTS CONTRACT" and "Addendum-01-30-18-B3-CONSENT TO ASSIGNMENT of HAP CONTRACT AS SECURITY FOR FINANCING" for the public record to these minutes.]
3. Approve the terms of the attached (a) Affordable Housing Investment Fund Loan Agreement, (b) Deed of Trust, Assignment of Rents and Leases and Security Agreement, (c) Deed of Declaration of Restrictive Covenants, (d) Intercreditor and Subordination Agreement, and (e) Right of First Refusal (collectively, the "AHIF Loan Documents"), and Authorize and Direct the County Manager to execute, on behalf of the County Board the attached AHIF Loan Documents, subject to approval as to final form by the County Attorney. [Clerk's note: as set forth in the document entitled "Addendum-01-30-18-B4-AHIF LOAN AGRMNT CULPEPPER GARDEN 1 APARTMENTS," "Addendum-01-30-18-B5-Deed of Trust Assignment of Rents and Leases and Security Agreement," "Addendum-01-30-18-B6-DEED OF DECLARATION OF RESTRICTIVE COVENANTS" and "Addendum-01-30-18-B7-INTERCREDITOR AND SUBORDINATION AGRMNT" attached for the public record to these minutes.]
4. Authorize and direct the trustees for the County Board to execute the attached Intercreditor and Subordination Agreement, subject to approval as to final form by the County Attorney. [Clerk's note: as set forth in the document entitled "Addendum-01-30-18-B7-INTERCREDITOR AND SUBORDINATION AGRMNT" attached for the public record to these minutes.]
5. Authorize and direct 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[Clerk's note: as set forth in the document entitled Addendum-01-30-18-B8-RIGHT OF FIRST REFUSAL attached for the public record to these minutes.]

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



[Board Report #34 \(Posted 01-25-2018\)](#)

[Addendum-01-30-18-B-Section 8 Project-Based Voucher Housing Assistance Payments Contract-HAP](#)

[Addendum-01-30-18-B1-FIRST AMENDMENT TO SECTION 8 PROJECT-BASED VOUCHER HOUSING ASSISTANCE PAYMENTS CONTRACT-HAP](#)

[Addendum-01-30-18-B2-ASSIGNMENT AND ASSUMPTION AGREEMENT OF SECTION 8 HOUSING ASSISTANCE PAYMENTS CONTRACT](#)

[Addendum-01-30-18-B3-CONSENT TO ASSIGNMENT of HAP CONTRACT AS SECURITY FOR FINANCING](#)

[Addendum-01-30-18-B4-AHIF LOAN AGRMNT CULPEPPER GARDEN 1 APARTMENTS](#)

[Addendum-01-30-18-B5-Deed of Trust Assignment of Rents and Leases and Security Agreement](#)

[Addendum-01-30-18-B6-DEED OF DECLARATION OF RESTRICTIVE COVENANTS](#)

[Addendum-01-30-18-B7-INTERCREDITOR AND SUBORDINATION AGRMNT](#)

[Addendum-01-30-18-B8-RIGHT OF FIRST REFUSAL](#)

ooooo0ooooo

**37. [SITE PLAN #339, MARKET COMMON PHASE II](#)**

- A. Z-2599-17-1 Rezoning from C-2 Service Commercial-Community Business District to C-O-1.5Mixed Use District; and related update to ACZO Map 13-1 to indicate the Zoning District and extend Line A around the property boundary where necessary for the property known as 2828, 2830, 2832, and 2836 Wilson Boulevard (RPC #18-010-005, -006, -010, -014)
- B. SP #339 Site Plan Amendment to permit redevelopment of an existing office building and addition of adjacent property into the site plan area, with approximately 27,495 sq. ft. of additional commercial floor area, and to allow retail use in addition to office use, with modifications for increased density for LEED certification and historic preservation, reduced parking and loading requirements, and other modifications as necessary to achieve the proposed development plan; located at 2700, 2800, and 2801 Clarendon Boulevard; 2700, 2732, 2828, 2830, 2832, and 2836 Wilson Boulevard; and 1303 N. Fillmore Street (RPC #18-010-015, -014, -010, -006, -005, -002; 18-009-001, -002, -003, -004, -005, and 18-016-PCA).
- C. Ordinance of vacation to vacate a portion of a ten-foot-wide easement for sanitary sewer, running east to west over, across and through Parcel B Clarendon Center Phase II, also known as 2801 Clarendon Blvd., Arlington, Virginia (RPC No. 18-010-014), with conditions.

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. Adopt the attached resolution to approve the subject request for rezoning from "C-2" Service Commercial-Community Business District to "C-O-1.5" Mixed Use District; and related update to ACZO Map 13-1 to indicate the Zoning District and extend Line A around the property boundary where necessary for the property known as 2828, 2830, 2832, 2836, and a portion of 2801 Wilson Boulevard. [Clerk's note: as set forth below the adopted motion is the Resolution and in the document entitled "Addendum-01-27-18-C-ACZO Map 13-1-UPDATED" attached for the public record to these minutes.]
2. Adopt the attached ordinance to approve the subject site plan amendment for redevelopment of an existing office building and addition of adjacent property into the site plan area, with approximately 27,495 sq. ft. of additional commercial floor area, and to allow retail use in addition to office use, with modifications for increased density for LEED certification and historic preservation, reduced parking and loading requirements, and other modifications as necessary to achieve the proposed development plan; located at 2801, 2815, 2823, 2831, 2839, 2847, 2855, 2863, 2871, and 2879 Clarendon Boulevard; 2828, 2830, 2832, and 2836 Wilson Boulevard; and 1303 N. Fillmore Street. [Clerk's note: as set forth in the document entitled "Addendum-01-30-18-C1-SP 339-ORDINANCE," Addendum-01-30-18-C2-SP 339-Attachment A," "Addendum-01-30-18-C3-SP 339-PLANS," and "Addendum-01-30-18-C4-SP 339 AMENDMENT" attached for the public record to these minutes.]
3. Enact the attached Ordinance of Vacation to Vacate a Portion of a Ten-Foot-Wide Easement for Sanitary Sewer, Running East to West Over, Across and Through Parcel B Clarendon Center Phase II, also known as 2801 Clarendon Blvd., Arlington, Virginia (RPC No. 18-010-014), with Conditions. [Clerk's note: as set forth in the document entitled "Addendum-01-30-18-C5-Ordinance of Vacation to Vacate-Sanitary Sewer" attached for the public record to these minutes.]
4. 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 related documents, subject to approval as to form of all documents by the County Attorney. [Clerk's note: as set forth in the document entitled "Addendum-01-30-18-C6-PLAT-SANITARY SEWER" attached for the public record to these minutes.]

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

## **REZONING ORDINANCE**

WHEREAS, the County Board of Arlington County ("County Board") finds that Clarendon Regency IV, LLC, has requested a rezoning from "C-2" (Service Commercial – Community Business District) to "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts) for property located at 2828, 2830, 2832, 2836, and a portion of 2801 Wilson Boulevard (RPC #18-010-005, -006, -010, -014) ("Property"); and

WHEREAS, the County Board finds that the rezoning to "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts) will be consistent with the General Land Use Plan designation for the Property; and

WHEREAS, the County Board finds that the rezoning to "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts) will achieve goals and objectives set forth in the Clarendon Sector Plan; and

WHEREAS, the County Board finds that the rezoning to "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts) is required by public necessity, convenience, general welfare, and good zoning practice; and

WHEREAS, Line A on Map 13-1 of Article 13 of the Zoning Ordinance regulates signs in Commercial, Mixed Use, and Industrial districts that face Residential zoning districts, and the rezoning from "C-2" (Service Commercial – Community Business District) to "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts) requires the removal of Line A around the proposed "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts) as shown in the attached map (Proposed Amendment to Zoning Ordinance Article 13, Map 13-1 associated with Z-2599-17-1); and

WHEREAS, the Planning Commission recommended County Board approval of the rezoning to "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts) at their meeting on January 17, 2018; and

WHEREAS, the County Manager recommends approval of the rezoning to "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts); and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed rezoning on January 27, 2018.

NOW THEREFORE, be it ordained, that the Property located at 2828, 2830, 2832, and 2836 Wilson Boulevard (RPC #18-010-005, -006, -010, -014) is hereby rezoned from "C-2" (Service Commercial – Community Business District) to "C-O-1.5" (Commercial Office Building, Hotel and Apartment Districts), as shown on the attached plat (Z-2599-17-1); and

THEREFORE, be it further ordained, that Map 13-1 of Article 13 of the Zoning Ordinance is hereby amended to remove Line A as shown on the attached map (Proposed Amendment to Zoning Ordinance Article 13, Map 13-1 associated with Z-2599-17-1).

[Board Report #37 A., B. \(Posted 1-24-2018\)](#)

[Board Report #37 A.,B.-Exhibit-"Market Common Clarendon - SP#339 Amendment, Site Plan Conditions - Boundary" \(Posted 01-26-2018\)](#)

[Board Report #37 C.](#)

[Addendum-01-27-18-C-ACZO Map 13-1-UPDATED](#)

[Addendum-01-30-18-C1-SP 339-ORDINANCE](#)

[Addendum-01-30-18-C2-SP 339-Attachment A](#)

[Addendum-01-30-18-C3-SP 339-PLANS](#)

[Addendum-01-30-18-C4-SP 339 AMENDMENT](#)

[Addendum-01-30-18-C5-Ordinance of Vacation to Vacate-Sanitary Sewer](#)

[Addendum-01-30-18-C6-PLAT-SANITARY SEWER](#)

ooooo0ooooo

#### **IV. ADDITIONAL ITEMS**

ooooo0ooooo

- **SECOND AMENDMENT TO THE AGREEMENT WITH THE COUNTY MANAGER**
- **SEVENTEENTH AMENDMENT TO THE AGREEMENT WITH THE COUNTY ATTORNEY**
- **FIRST AMENDMENT TO THE AGREEMENT WITH THE COUNTY AUDITOR**
- **NINTH AMENDMENT TO THE AGREEMENT WITH THE CLERK TO THE COUNTY BOARD**

On motion by Katie Cristol, Chair seconded by Christian Dorsey Vice Chair to approve the amendments to the employment agreements with the County Manager, the County Attorney, the County Auditor, and the Clerk to the Board, and authorize the Chairman to sign each of the aforesaid amendments on behalf of the County Board. 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.

[#First Amendment to the Agreement with The County Auditor \(Posted 01-27-2018\)](#)

[#Ninth Amendment to the Agreement with the Clerk to The County Board \(Posted 01-27-2018\)](#)

[#Second Amendment to the Agreement with the County Manager \(Posted 01-27-2018\)](#)

[#Seventeenth Amendment to the Agreement with the County Attorney \(Posted 01-27-2018\)](#)

ooooo0ooooo

#### **VERIZON BZA APPEAL**

On motion by Katie Cristol, Chair seconded by Christian Dorsey Vice Chair to authorize the County Attorney to appeal to the Arlington County Circuit Court the Board of Zoning Appeal's reversal of the Zoning Administrator's determination, in Item #V-11329-17-APP-1, heard during the BZA's December 20, 2017 meeting.

Without objection, at 8:55 p.m., the Board adjourned.

---

KATIE CRISTOL, Chair

ATTEST:

---

HOPE L. HALLECK, Clerk