

A Regular Meeting of the County Board of Arlington County, Virginia, was held in 2100 Clarendon Blvd. Room 307 on November 16, 2019 at 8:30 AM.

PRESENT: Christian Dorsey, Chair
Libby Garvey, Vice Chair
Katie Cristol, Member
Erik Gutshall, Member
Matt de Ferranti, Member

ABSENT: None.

ALSO PRESENT: Mark Schwartz, County Manager
Stephen MacIsaac, County Attorney
Mason Kushnir, County Deputy Clerk

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Christian Dorsey delivered a statement regarding his personal financial situation.

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County Manager Schwartz gave a presentation regarding Chain Bridge water main break.

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I. PUBLIC COMMENT

Rev. Ashley Goff noted the ribbon cutting at Gilliam Place and spoke on behalf of VOICE to advocate for investment in housing affordability via closeout appropriations.

Doris Cochran spoke in support of investment in affordable housing initiatives.

Audrey Clement voiced concerns about political signs being removed from polling locations by volunteers from opposing parties.

Ken Matzkin voiced concerns regarding public sector courtesy, noting a lack of response to applications submitted to serve on citizen advisory commissions.

Jim Hurysz requested that all items on consent be available for public comment during County Board Meetings, and requested the resignation of multiple Board members.

Annette Lang spoke to offer support for Chair Dorsey.

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ANALYSIS OF CONTINGENT ACCOUNTS

The Board received a Summary of Fiscal Year 2018 Contingent Accounts showing balances of \$250,000 in General, \$6,700,000 in Economic and Revenue Budget Stabilization, and \$13,982,358 in Affordable Housing Investment Fund as of November 14, 2019.

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II. CONSENT ITEMS (Items 1-36) Public testimony on removed items will occur at the Recessed Meeting on Tuesday, November 19, 2019, at 6:30 p.m. (No testimony taken on Saturday).

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A motion was made by LIBBY GARVEY, Vice Chair, seconded by KATIE CRISTOL, Member to approve the County Manager's recommendation for consent items #1-4, #6-24, and #26-36. The motion was adopted and carried by a vote of 5 to 0, the voting recorded as follows: CHRISTIAN DORSEY, Chair - Aye, LIBBY GARVEY, Vice Chair - Aye, KATIE CRISTOL, Member – Aye, ERIK GUTSHALL, Member - Aye, MATT DE FERRANTI, Member - Aye.

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Site Plans Requests, Amendments and Reviews

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1. PDSP #346, 3550 South Clark St.

- A. PDSP #346 Phased Development Site Plan Amendment to modify condition #4 related to retail and office density for Potomac Yard Land Bay E-West, and to modify condition #22 related to Center Park design on certain parcels of land known as Potomac Yard (RPC# 34-027-060, -061, -062, -063, -067, -068, -071, -072, -073 through -545, -549, -551, -553, -557, -558, -559, -560, -562, -563, -564, -566, -567, -568, -569, -570, -572, -573, -574, and -575);
- B. SP346-U-19-1 new use permit for a child care center for up to 160 children (Bright Horizons); located at 3550 South Clark St. (RPC# 34-027-567).
- C. SP346-U-19-2 Use Permit Associated with a site plan for a child care center for up to 160 children (Bright Horizons); located at 3550 South Clark Street (RPC# 34-027-567).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board adopted the Phased Development Site Plan Amendment Ordinance (PDSP #346), attached to the staff report, to modify condition #4 related to retail and office density for Potomac Yard Land Bay E-West, and to modify condition #22 related to Center Park design, subject to all previously approved conditions, and revised conditions #4 and #22, adopted the Site Plan Amendment Ordinance (SP #346), attached to the staff report, to modify condition #64 to allow retail-equivalent uses in Potomac Yard Land Bay E-West, to modify condition #80 related to Center Park design to allow for a playground, and to allow for 8,490 sq. ft. of retail space on the ground floor and 5,950 sq. ft. of office space on the second floor to be used for a child care use, subject to all previously approved conditions, and revised conditions #64 and #80, and new conditions #84 and #85, and approved the subject use permit associated with a site plan for a child care center for up to 160 children, subject to conditions of the staff report, and with a County Board review in one (1) year (November 2020).

[Board Report #1 \(Posted 11-13-2019\)](#)

[#1-Letter from the Public \(Posted 11-14-2019\)](#)

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2. SP #432 Site Plan Amendment to amend Condition #56. D of the approved site plan (Gables North Rolfe) related to the public park dedication; located at 1351 and 1353 N. Rolfe St., 1800 14th St. N. and 1723 Fairfax Drive (RPC# 17-024-031; -033, -034).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board adopted the below ordinance to approve a site plan amendment to amend Condition #56.D related to the public park dedication, subject to all previously approved conditions and revised Condition #56.D of the ordinance.

[Board Report #2](#)

The adopted ordinance reads as follows:

SITE PLAN AMENDMENT ORDINANCE

WHEREAS, an application for a site plan amendment dated September 13, 2019 was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in Staff Report prepared for the November 16, 2019 County Board meeting and through comments made at the public hearing before the County Board, the County Manager recommends that the County Board approve the Site Plan amendment subject to numerous conditions as set forth in the Staff Report; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan on November 16, 2019 and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning Administrator, that the improvements and/or development proposed by the Site Plan as amended:

- Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance; and
- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

NOW THEREFORE, BE IT ORDAINED that, as originally requested by an application dated September 13, 2019 for an amendment to Site Plan #432, and as such application has been modified, revised, or amended, for a Site Plan amendment to amend Condition #56.D., for the parcel of real property known as 1351 and 1353 N. Rolfe Street, 1800 14th Street N. and 1723 Fairfax Drive (RPC# 17-024-031; -033 and -034), approval is granted and the parcel so described shall be used according to the Revised Site Plan Application, subject to all previously approved conditions and Revised Condition #56.D.:

56. Public Park (Life of the Site Plan)

D. Conveyance: Consistent with the timing and submission requirements of Condition #23, the Developer agrees to transfer, to the County, in fee simple, for public park purposes, the Public Park as shown as "Parcel B" on the Plat of Resubdivision, recorded among the Land Records of Arlington, Virginia as instrument 20170100007478, recorded on April 13, 2017 as "Lot 3 Area = 6,418 6,253 Sq. Ft." ("Park Dedication") on Sheet C5.0 of the plans dated February 3, 2015 and reviewed and approved by the County Board and made a part of the public record on February 21, 2015. The final Park Dedication area will be as shown on Sheet C5.0, with restrictions or easements only as needed to allow for egress and fire separation required by the applicable Building Code as determined by the Arlington County Building Official. The restrictions or easements will in no way limit the use of the Public Park for park purposes. The developer agrees to subdivide the property subject to the Site Plan as necessary, to accomplish such dedication for public purposes. In addition, all required deeds of dedication, easement and/or covenants shall be approved as to form by the County Attorney and as to substance by the County Manager. All deeds related to such conveyance, dedication, easement and/or covenants shall not be recorded and the property interests subject to such deeds shall not be transferred to the County until the Public Park has been constructed consistent with this Condition above and Condition #20 and inspected and approved by DPR staff.

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Use Permit Requests, Amendments and Reviews

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3. SP194-U-19-3 Use Permit associated with a site plan for live entertainment (Renegade Coffee and Kitchen); located at 3100 Clarendon Blvd. (RPC# 19-002-007).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the subject use permit associated with a site plan for live entertainment subject to the proposed conditions of the staff report, with a County Board review in one (1) year (November 2020).

[Board Report #3](#)

The approved conditions read as follows:

1. The applicant agrees that live entertainment is permitted only from 6:00 p.m. to 1:30 a.m., Monday through Friday; and 12:00 p.m. to 1:30 a.m., Saturday and Sunday.
2. The applicant agrees to comply, by way of illustration and not limitation, with all applicable requirements of County Ordinances and State statutes, including the laws and regulations enforced by the Community Health Protection Bureau, and the Fire Marshal, the Police Department and the Virginia Alcohol Beverage Control Board (ABC).
3. The applicant agrees to comply with the Arlington County Code Chapter 15, Noise Control, as may be amended, and further agrees that under no circumstances shall live entertainment and dancing be permitted in a location outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors and windows shall remain closed and shall not be propped open during live entertainment and dancing.
4. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification (or equivalent training accepted by the Alcohol Beverage Control Board (ABC)). The applicant agrees to keep a record of TIPS training certification for all restaurant staff, including all new staff, and submit this information to the County upon the County's request.
5. The applicant agrees that dancing is not permitted unless and until a dance hall permit for dancing is obtained from the Zoning Office. No dance hall permit shall be issued until a use permit amendment is granted by the County Board to permit such use.
6. The applicant agrees to post signs in windows which inform patrons to respect the peace of residential neighborhoods and to avoid parking in the residential neighborhood where possible.
7. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
8. The applicant agrees to make customers aware of proximity to Metro, available parking and any special parking arrangements through postings in the restaurant and on their website.
9. The applicant agrees to clean the sidewalk and plaza in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
10. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.
11. The applicant agrees to participate in the established Clarendon Live Entertainment Neighborhood Advisory Group, consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Fire Marshal, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses. One (1) of the quarterly meetings will consist of an educational seminar to review requirements and regulations of various departments, codes, and policies. The applicant agrees to have a representative with management authority in the restaurant attend all such meetings.
12. The applicant agrees to designate and make available a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and dancing, an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the live entertainment and dancing. The name, telephone number, and electronic mail address (if available) of the neighborhood liaison shall be submitted to the Zoning Administrator and a copy sent to the Clarendon-Courthouse and Lyon Village Civic Association's prior to the issuance of a certificate of occupancy.
13. The applicant agrees that the approval for live entertainment at 3100 Clarendon Boulevard is valid only for the current tenant/owner of Renegade Coffee and Kitchen. In the event that any other tenant/owner

occupies the premises, the use permit shall be subject to review and renewal by the County Board at the time of such change in occupancy.

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4. East West Cafe, 3101 Wilson Blvd.

- A. SP #298 Site Plan Amendment Review for an outdoor cafe in the public right-of-way (American Tap Room); located at 3101 Wilson Blvd. (RPC# 15-071-031).
- B. SP298-U-19-2 Use Permit associated with a site plan for an outdoor cafe (East West Cafe) within a public easement; located at 3101 Wilson Blvd., (RPC# 15-071-031).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board adopt the ordinance for Site Plan #298 to discontinue the outdoor café in the public-right-of-way for American Tap Room, located at 3101 Wilson Blvd, and to approve the use permit associated with a Site Plan #298, subject to the proposed conditions of the staff report with a one (1) year County Board review (October 2020).

[Board Report #4](#)

[Addendum – Approved Site Plan Conditions and Site Plan Amendment Ordinance](#)

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5. U-2833-95-4 Use Permit Review for governmental facilities (the Arlington County leaf storage and mulch pile); located at 4634 and 4712 26th St. N. (RPC #03-063-006; -008).

This item was removed from the Consent Agenda and was heard on November 19, 2019.

[Board Report #5](#)

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6. U-3468-16-1 Use Permit Amendment to modify conditions related to the timing of occupancy requirements for The Heights (formerly known as Wilson School); located at 1601 Wilson Blvd. (RPC# 16-032-001).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the use permit amendment, subject to all previously approved conditions and modified conditions #19, 20, 22, and 47 as amended in the staff report.

[Board Report #6](#)

[Addendum – Amended Conditions](#)

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7. U-3525-18-1 Use Permit Review for a Vehicle Service Establishment (Marca Tire); located at 4615 Columbia Pike (RPC #23-037-004).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board renewed the use permit for a vehicle service establishment (Marca Tire); located at 4615 Columbia Pike, subject to the previously approved conditions and with an administrative review in one (1) month (December 2019) and another administrative review three (3) years (November 2022) with no further scheduled County Board review.

[Board Report #7](#)

The approved conditions read as follows:

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; and the Arlington County Health 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 to provide a minimum of four (4) parking spaces.
 - a. The applicant agrees to submit a parking layout to the Zoning Administrator prior to the issuance of a certificate of occupancy.
 - b. The applicant agrees that parking and storage of all vehicles on the site shall be consistent with the approved parking layout and there shall be no parking of vehicles in front of the garage service bays.
3. The applicant agrees that all repair services shall occur wholly within the building and no vehicle parts, tires or repair tools shall be stored or displayed outside of the building.
4. The applicant agrees that no "inoperative vehicles" as defined in the Zoning Ordinance, shall be stored on the site. Only vehicles fully equipped for safe operation including tires, wheels, and engine, shall be permitted to be stored on site. There shall be no open storage of vehicles for sale, nor automobile tires and/or other automobile parts.
5. The applicant agrees that no public-address system shall be used on the subject site.

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8. U-3565-19-1 Use Permit for a family day care home for up to 12 children (Maggie's House); located at 3232 13th St. S. (RPC# 32-017-025).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the use permit for a family day care home with up to 12 children (Maggie's House), subject to the proposed conditions of the staff report, and with a County Board review in one (1) year (November 2020).

[Board Report #8](#)

The approved conditions read as follows:

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 5:30 p.m., Monday through Friday.
3. The applicant agrees that parents and/or another authorized caregiver of children receiving care shall escort the 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.

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9. U-3566-19-1 Use Permit for a family day care home for up to 12 children (A for Apple Charmaine's Daycare); located at 5220 5th St. N. (RPC# 13-044-045).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the use permit for a family day care home with up to 12 children (A for Apple Charmaine's Daycare), subject to the proposed conditions of the staff report, and with a County Board review in one (1) year (November 2020).

[Board Report #9](#)

The approved conditions read as follows:

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 8 a.m. to 5 p.m., Monday through Thursday.
3. The applicant agrees that parents and/or another authorized caregiver of children receiving care shall escort the 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.

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10. U-3567-19-1 Use Permit for a veterinary clinic (Clarendon Animal Care @ Centro); located at 940 S. George Mason Drive (RPC# 23-034-017).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the use permit for a veterinary clinic, subject to the proposed conditions of the staff report, with a County Board review in one year (November 2020).

[Board Report #10](#)

The approved conditions read as follows:

1. The applicant agrees to comply, by way of illustration and not limitation, with all applicable requirements of County Ordinances and State statutes, including the laws and regulations enforced by Virginia State Code, and the Fire Marshal, and the Police Department.
2. The applicant agrees that the permitted hours of operation shall be from 7:30 a.m. to 7:30 p.m., Monday through Thursday; from 7:30 a.m. to 5:30 p.m. on Fridays; and 7:30 a.m. to 12:30 p.m. on Saturdays.
3. The applicant agrees that any alterations or modifications to the building's façade will be subject to further review by staff and shall only be permitted subject to the approval of an administrative change by the Zoning Administrator.

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Vacations, Easements, Encroachments, Leases and Other Dispositions of Public Property

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- 11. Ordinance of vacation to vacate a portion of the right-of-way for Crystal Drive located on the western boundary of Crystal Drive near the intersection of Crystal Drive and 15th Street South, adjacent to the northeastern portion of Parcel 2A, Crystal Square, RPC# 34-020-273, with conditions.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board enacted the attached Ordinance of Vacation to vacate a portion of the right-of-way for Crystal Drive located on the western boundary of Crystal Drive near the intersection of Crystal Drive and 15th Street South, adjacent to the northeastern portion of Parcel 2A, Crystal Square, RPC# 34-020-273, with conditions, and 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 attached Ordinance of Vacation, subject to approval as to form by the County Attorney.

[Board Report #11](#)

[Addendum – Ordinance of Vacation](#)

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- 12. Deed of easement from Sarah A. Nedolast to The County Board of Arlington County, Virginia, granting to the County a permanent easement for sanitary sewer purposes on a portion of the property located at 4000 Vacation Lane, in Arlington County, Virginia (RPC# 05046023).**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the Deed of Easement from Sarah A. Nedolast to The County Board of Arlington County, Virginia, granting to the County a permanent easement for sanitary sewer purposes on a portion of the property located at 4000 Vacation Lane, in Arlington County, Virginia (RPC# 05046023), and authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept, on behalf of the County Board, the attached Deed of Easement, subject to approval as to form of all documents by the County Attorney.

[Board Report #12](#)

[Addendum – Deed of Easement](#)

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- 13. Deed of temporary easement and construction agreement and deed of utilities easement on property of Barcroft Number Ten, Incorporated designated as RPC# 27001005; Deed of temporary easements and construction agreement and deed of utilities easement Barcroft on property of Number Ten, Incorporated designated as RPC# 27001004; deed of temporary easements and construction agreement, deed of easement, and deed of utilities easement on property of Basil M. DeLashmutt, et al designated as RPC# 27002004; and deed of temporary easements and construction agreement, deed of easement, deed of utilities easement, and deed of utilities easement on property of Barcroft Associates designated as RPC# 27002001, all for the Columbia Pike Multi-modal Project.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the attached Deed of Temporary Easement and Construction Agreement, attached as Exhibit 1, and the attached Deed of Utilities Easement, attached as Exhibit 2, each from Barcroft Number Ten, Incorporated, to The County Board of Arlington County, Virginia, granting to the County a temporary easement and a permanent easement on portions of the property located at 4110 Columbia Pike, in Arlington County, Virginia (RPC# 27001005), approved the attached Deed of Temporary Easements and Construction Agreement, attached as Exhibit 3, and the attached Deed of Utilities Easement, attached as Exhibit 4, each

from Barcroft Number Ten, Incorporated, to The County Board of Arlington County, Virginia, granting to the County temporary easements and a permanent easement on portions of the property located at 4140 Columbia Pike, in Arlington County, Virginia (RPC# 27001004), approved the attached Deed of Temporary Easements and Construction Agreement, attached as Exhibit 5, the attached Deed of Easement, attached as Exhibit 6, and the attached Deed of Utilities Easement, attached as Exhibit 7, each from Basil M.

DeLashmutt, Jr., et al, to The County Board of Arlington County, Virginia, granting to the County temporary easements and permanent easements on portions of the property located at 4200 Columbia Pike, in Arlington County, Virginia (RPC# 27002004), approved the attached Deed of Temporary Easements and Construction Agreement, attached as Exhibit 8, the Deed of Easement, attached as Exhibit 9, the Deed of Utilities Easement, attached as Exhibit 10, and the Deed of Utilities Easement, attached as Exhibit 11, each from Barcroft Associates to The County Board of Arlington County, Virginia, granting to the County temporary easements and permanent easements on portions of the property located at 1100 South Thomas Street, in Arlington County, Virginia (RPC# 27002001),k and authorized the Real Estate Bureau Chief, or his designee, to accept and execute all the referenced attached Deeds, subject to the approval as to form of the such Deeds by the County Attorney.

[Board Report #13](#)

[Addendum – Deeds of Easements, Plats, Vicinity Maps](#)

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- 14. Deed of easements from (the) Unit Owners of the Ridge House, as Grantor, to The County Board of Arlington County, Virginia, as Grantee, granting to the County permanent easements on portions of the property located at 1301 S. Arlington Ridge Road, in Arlington County, Virginia (RPC# 35006007).**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the Deed of Easements between Unit Owners of the Ridge House and The County Board of Arlington County, Virginia, granting to the County permanent easements on portions of the property located at 1301 S. Arlington Ridge Road, in Arlington County, Virginia (RPC# 35006007), and authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept, on behalf of the County Board, the attached Deed of Easements, subject to approval as to form of all documents by the County Attorney.

[Board Report #14](#)

[Addendum – Deed of Easements, Plat, Vicinity Maps](#)

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- 15. Ordinance of encroachment to permit the encroachment of: 1) light pole foundations and arm areas and overhead strings of lights; and 2) fencing and associated tray tops, all into an existing easement for public street and utilities purposes in sidewalk area along the western side of South Hayes Street and associated with an outdoor cafe in front of Pentagon City Mall, on property known as Parcel C-2-B-5 Fashion Centre Associates, RPC #35-005-029, with conditions.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board enacted the attached Ordinance of Encroachment to permit the encroachment of: 1) Light Pole Foundations and Arm Areas and Overhead Strings of Lights; and 2) Fencing and Associated Tray Tops, all into an Existing Easement for Public Street and Utilities Purposes in Sidewalk Area Along the Western Side of South Hayes Street and Associated with an Outdoor Café in front of Pentagon City Mall, on Property Known as Parcel C-2- B-5 Fashion Centre Associates, RPC #35-005-029, with Conditions.

[Board Report #15](#)

[Addendum – Ordinance of Encroachment, Plat, Vicinity Maps](#)

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Ordinances, Plans and Policies

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- 16. Request to authorize advertisement of public hearings by the Planning Commission and County Board to consider proposed amendments to Articles 4, 6, 7, 12, 14, and 18 of the Arlington County Zoning Ordinance (ACZO) to permit the establishment of assisted living facilities, independent living facilities, nursing homes, and continuing care retirement communities in an additional 18 zoning districts, to establish new definitions for undefined terms and revise existing definitions, to establish new minimum parking standards for elder care uses, to add site plan criteria and findings for elder care uses to the Residential Use Standards, to revise and update the terminology used in the household living and group living residential use categories, and to make other editorial changes for purposes of clarity.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board adopted the below resolution to authorize advertisement of public hearings by the Planning Commission on December 2, 2019, and by the County Board on December 14, 2019, to consider proposed amendments to Articles 4, 6, 7, 12, 14, and 18 of the Arlington County Zoning Ordinance (ACZO) to permit the establishment of assisted living facilities, independent living facilities, nursing homes, and continuing care retirement communities in 14 zoning districts; to establish new definitions for undefined terms and revise existing definitions; to establish new minimum parking standards for elder care uses; to add site plan criteria and findings for elder care uses to the Residential Use Standards; to revise and update the terminology used in the household living and group living residential use categories; and to make other editorial changes for purposes of clarity.

[Board Report #16](#)

RESOLUTION TO AUTHORIZE ADVERTISEMENT OF PUBLIC HEARINGS BY THE PLANNING COMMISSION ON DECEMBER 2, 2019 AND THE COUNTY BOARD ON DECEMBER 14, 2019 TO CONSIDER AMENDING, REENACTING, AND RECODIFYING ARTICLES 4, 6, 7, 12, 14, AND 18 OF THE ARLINGTON COUNTY ZONING ORDINANCE TO PERMIT THE ESTABLISHMENT OF ASSISTED LIVING FACILITIES, INDEPENDENT LIVING FACILITIES, NURSING HOMES, AND CONTINUING CARE RETIREMENT COMMUNITIES IN AN ADDITIONAL 18 ZONING DISTRICTS, TO ESTABLISH NEW DEFINITIONS FOR UNDEFINED TERMS AND REVISE EXISTING DEFINITIONS, TO ESTABLISH NEW MINIMUM PARKING STANDARDS FOR ELDER CARE USES, TO ADD SITE PLAN CRITERIA AND FINDINGS FOR ELDER CARE USES TO THE RESIDENTIAL USE STANDARDS, TO REVISE AND UPDATE THE TERMINOLOGY USED IN THE HOUSEHOLD LIVING AND GROUP LIVING RESIDENTIAL USE CATEGORIES, TO MAKE OTHER EDITORIAL CHANGES FOR PURPOSES OF CLARITY, AND FOR OTHER REASONS REQUIRED BY PUBLIC NECESSITY, CONVENIENCE, GENERAL WELFARE, AND GOOD ZONING PRACTICE.

The County Board of Arlington County hereby resolves to authorize advertisement of public hearings by the Planning Commission on December 14, 2019 and the County Board on December 14, 2019 to consider amending, reenacting, and recodifying the Arlington County Zoning Ordinance to permit the establishment of assisted living facilities, independent living facilities, nursing homes, and continuing care retirement communities in an additional 18 zoning districts, to establish new definitions for undefined terms and revise existing definitions, to establish new minimum parking standards for elder care uses, to add site plan criteria and findings for elder care uses to the Residential Use Standards, to revise and update the terminology used in the household living and group living residential use categories, to make other editorial changes for purposes of clarity, and for other reasons required by public necessity, convenience, general welfare, and good zoning practice, as shown in Attachment 1.

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- 17. Request to amend, reenact, and recodify Chapter 46 (Arlington County Employees Supplemental Retirement System--II) of the Code of Arlington County, Virginia to amend Article IV, Sections 46-1, 46-29 and 46-31, relating to Membership Service Credit to allow**

employees to purchase of up to 4 years prior public service as creditable service in the Arlington County Employees' Supplemental Retirement System (ACERS) and to incorporate minor technical clarifications regarding membership service credit.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board adopted an amendment to Chapter 46 (Retirement Ordinance) to allow employees the option to purchase up to 4 years of prior active duty military service, any local government service or public safety service in the ACERS and to incorporate minor technical clarifications regarding membership service credit.

[Board Report #17](#)

[Addendum – Code Amendment](#)

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Other

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18. This item was removed.

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19. Non-disclosure agreement between Arlington County and JBG Associates, L.L.C, for the purpose of sharing information, including about the ConnectArlington network, in connection with discussions regarding JBGs vision for a ubiquitous connectivity solution for wireless and fiber connectivity to public spaces and buildings within Arlington County.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the attached non-disclosure agreement ("NDA") between Arlington County and JBG Associates, L.L.C., and authorized the County Manager, or his designee, to execute the NDA on behalf of the County Board, subject to approval as to form by the County Attorney.

[Board Report #19 \(Posted 11-13-2019\)](#)

[Addendum – JBG Smith NDA](#)

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20. Preliminary Adoption of the Calendar Year 2020 County Board Meeting Schedule.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board tentatively adopted the Calendar Year (CY) 2020 County Board Meeting Schedule attached to the Board Report.

[Board Report #20 \(Posted 11-13-2019\)](#)

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Capital Projects

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21. Funding Request for Neighborhood Conservation (NC) Program projects.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the use of a total of \$3,015,078 of Neighborhood Conservation bond funds for the priority neighborhood projects listed in Attachment A as approved by the Neighborhood Conservation Advisory Committee (NCAC) for spring 2019, and authorize the County Manager to proceed with implementation of these projects.

[Board Report #21](#)

[Addendum – Recommended and Active Projects](#)

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- 22. Award of Contract No. 20-104-ITB to Juniper Construction Company, Inc. for construction services at the Bozman Government Center 3rd Floor County Manager Office (CMO) Suite renovation at 2100 Clarendon Blvd. Arlington, VA 22201.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the award of Contract Number 20-104-ITB between the Arlington County Board and Juniper Construction Company, Inc. to provide construction services for the Bozman Government Center 3rd Floor CMO Suite renovation at 2100 Clarendon Blvd. Arlington in an amount not to exceed \$631,535.17 plus a contingency of \$126,307 for a total contract authorization of \$757,842.17, and authorized the Purchasing Agent to execute the Contract, subject to legal review by the County Attorney.

[Board Report #22](#)

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Appropriations, Grant Applications and Other Contracts

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- 23. Administration of up to \$500,000 in Economic Development Incentive (EDI) Grant funds from Arlington County for the purpose of retaining the Public Broadcasting Service (PBS) in Arlington at 1225 S. Clark St. in Crystal City, subject to the terms and conditions of the local Agreement among Arlington County, the Industrial Development Authority (IDA and PBS.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved and authorized the County Manager to sign, on behalf of the Arlington County Board, the agreement attached to the staff report among Arlington County, the Industrial Development Authority (IDA) and PBS, which outlines the disbursement and management terms and conditions of the EDI Grant, subject to approval as to form by the County Attorney. In addition, the board allocated to PBS, subject to the terms and conditions of the Agreement, \$500,000 over a three-year period for the economic development purpose of retaining PBS at 1225 South Clark Street, retaining 500 jobs and 120,328 occupied square feet.

[Board Report #23](#)

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- 24. Acceptance and allocation of \$450,000 from the Commonwealth Opportunity Fund (COF) of the Commonwealth of Virginia to be transferred to the Industrial Development Authority of Arlington County, Virginia (the Authority) and then to Incentive Technology Group, LLC (ITG), subject to the terms and conditions of the COF Agreement among Arlington County, the Authority, the Virginia Economic Development Partnership (VEDP) and ITG.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board authorized the County Manager to sign, on behalf of the Arlington County Board, the agreement attached to the staff report among Arlington County, the Authority, VEDP and ITG, which outlines the disbursement and management terms and conditions of the COF Grant, subject to approval as to form by the County Attorney, authorized Arlington County to accept \$450,000 from the COF, which will be transferred to the Authority and to ITG, subject to the terms and conditions of the Agreement among Arlington County, the Authority, VEDP and ITG, and allocated to ITG, subject to the terms and conditions of the Agreement, \$450,000 received from the COF for inducing the company to expand to Arlington, make a capital investment of \$5,085,000, retain its 224 existing full-time jobs, and create 128 new jobs in Arlington County, at an average annual wage of \$122,405.

[Board Report #24](#)

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25. Resolution of support for NOVA Parks application to the Northern Virginia Transportation Authority (NVTa) for the Fiscal Year (FY) 2024 and FY 2025 NVTa Six Year Program (SYP) Update for regional transportation funding.

This item was removed from the Consent Agenda and was heard on November 19, 2019.

[Board Report #25](#)

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26. Application to the Northern Virginia Transportation Authority (NVTa) for the Fiscal Year (FY) 2024 and FY 2025 Six-Year Program Update for regional transportation funding

On the Consent Agenda vote, after a duly advertised public hearing, the County Board adopted the below resolution authorizing Arlington County's application to the NVTa for funding in an amount of \$33,510,000 for one project under the FY 2024 and FY 2025 SYP Update for regional transportation funding, and authorized the County Manager, or his designee, to execute a Standard Project Agreement for the approved project, subject to approval of such agreement as to form by the County Attorney.

[Board Report #26 \(Posted 11-13-2019\)](#)

[#26-Letter from the Public \(Posted 11-13-2019\)](#)

**RESOLUTION AUTHORIZING AN APPLICATION TO THE
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY
FY 2024 – FY 2025 SIX YEAR PROGRAM UPDATE**

WHEREAS, the County Board of Arlington County, Virginia ("County Board") desires to submit an application to the Northern Virginia Transportation Authority ("NVTa") for one project totaling \$33,510,000 as part of the FY 2024 – FY 2025 Six Year Program Update; and

WHEREAS, \$33,510,000 of these funds will be requested for the Ballston-MU Metrorail West Entrance (TransAction Project Title and ID: Ballston-MU Additional Entrance, 63); and

WHEREAS, since the County Board last applied for NVTa funding for this project in December 2017 for the FY 2018 – FY 2023 Six Year Program Update the County has completed the following milestones on the project; and

WHEREAS, on December 6, 2017 the Commonwealth Transportation Board ("CTB") approved the transfer of State Route 237, comprised of Fairfax Drive and 10th Street North, located in Arlington County, from the primary system of state highways to Arlington County's local road system, effective July 1, 2018 or upon the Commissioner's execution of the State Route 237 MOA; and

WHEREAS, the planned location of the Ballston-MU Metrorail West Entrance is 4420 North Fairfax Drive; and

WHEREAS, on March 16, 2019, the County Board approved an amendment to site plan #331 for 4420 North Fairfax Drive that amend the permitted circumstances whereby the developer is not responsible for portions of Metro station entrance construction and may make the contribution in cash to the County; and

WHEREAS, these two above approvals mean that the County can proceed with design and construction of the Ballston-MU Metrorail West Entrance independent of the site plan development project, which would be more efficient considering differing time frames for completion of the developer's project

and the transit improvement; and without requiring access to Virginia Department of Transportation ("VDOT") right-of-way; and

WHEREAS, the County has general support for the Ballston-MU Metrorail West Entrance project timeline from the Washington Metropolitan Area Transit Authority ("WMATA"), and continues to work with WMATA to complete a project design support agreement, complete a project coordination agreement, and to advance the project into the WMATA Capital Improvement Program; and

WHEREAS, the County has issued a task order to an on-call architecture and engineering ("A&E") firm to update the previous set of 35% design plans for the project and to provide bridging documents for a design-build procurement, now in progress, and

WHEREAS, the Ballston-MU Metrorail West Entrance project provides a second entrance to the station at North Fairfax Drive and North Vermont Street, greatly expanding multimodal access to the station and the surrounding regional activity center, adding greater capacity to and efficiency for Metrorail, and providing congestion relief on Interstate 66 ("I-66"), which directly parallels the Metrorail line served by the station; and

WHEREAS, the County Board recognizes the value of this transportation improvement to travelers in the Commonwealth, Northern Virginia, the National Capital Region, and the County; and

WHEREAS, the County Board has demonstrated its financial commitment to the Ballston-MU Metrorail West Entrance by identifying an additional \$25 million in local funding that will be programmed to the Ballston-MU Metrorail Station West Entrance during the FY 2021 – FY 2030 update to the County's Capital Improvement Program ("CIP").

NOW, THEREFORE, BE IT RESOLVED THAT the County Board hereby supports the making of applications and authorizes and directs the County Manager to make an application to the Northern Virginia Transportation Authority for \$33,510,000 for the above described project as part of the FY 2024 – FY 2025 Six Year Program Update, and further authorizes the County Manager, or his designee, to execute a Standard Project Agreement for each approved project subject to approval of such agreement as to form by the County Attorney.

BE IT FURTHER RESOLVED THAT the County Board hereby identifies this project as a top priority for the allocation of the Commercial and Industrial ("C&I") Tax under the County's Transportation Capital Fund ("TCF") for the exclusive purpose of developing the County's FY 2021 – FY 2030 CIP and directs the County Manager to use the above guidance when preparing the proposed CIP.

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27. Approval of Virginia Department of Transportation (VDOT) Project Administration Agreement for Capital Bikeshare Capital Maintenance.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board accepted \$750,000 in Congestion Mitigation and Air Quality (CMAQ) funding from VDOT, approved the attached resolution indicating County Manager authority to execute all documents related to the project agreement (Attachment A), approved the project agreement between the County of Arlington and VDOT (Attachment B), appropriated \$600,000 in CMAQ grant funds from VDOT's federal funds (330.371454.43520.BS02.V958) to DES (330.483010.43520.BS02.V958) for Capital Bikeshare Capital Maintenance, and appropriated \$150,000 in CMAQ grant funds from VDOT's state funds (to the DES (330.371454.43520.BS02.V958) for Capital Bikeshare Capital Maintenance).

[Board Report #27](#)

[Addendum – Resolution, Project Agreement, Supporting Documents](#)

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28. Memorandum of Agreement (MOA) between the Arlington County Department of Human Services (DHS) and Meals on Wheels of Northern Virginia, Inc. (MOW) for the operation of the Home-Delivered meals program.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the MOA (Attachment A) between the Arlington County Department of Human Services and Meals on Wheels of Northern Virginia, Inc. to operate the Home-Delivered meals program, and authorized the County Manager or his designee to execute the MOA on behalf of the County Board in a form approved by the County Attorney.

[Board Report #28](#)

[Addendum - MOA](#)

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29. Acceptance and appropriation of a 2019 Virginia Department of Criminal Justice Services (DCJS) Byrne/JAG Grant.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board authorized the County Manager or his designee to accept \$65,225 in competitive grant funds under a 2019 Commonwealth of Virginia Department of Criminal Justice Services (VA DCJS) Byrne/Justice Assistance Grant (JAG) Program, and to execute any required grant agreements in a form approved by the County Attorney, and appropriated \$65,225 in federal grant funds in FY 2020 from the VA DCJS (101.374900) to the Arlington County Police Department (101.31202) for costs associated with approved Byrne/JAG grant activities in FYs 2020 and 2021.

[Board Report #29 \(Posted 11-13-2019\)](#)

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30. Deed of easement and subordination from Bo-Bud Acquisitions, LLC, granting to the County Board of Arlington County, Virginia a permanent easement on a portion of the property located at 2370 N. Taylor St., Arlington, VA (RPC# 05-026-013).

On the Consent Agenda vote, after a duly advertised public hearing, the County Board accepted the Deed of Easement and Subordination, attached as Attachment 1, from B-Bud Acquisitions, LLC ("Owner"), granting to the County Board of Arlington County, Virginia a permanent easement for sidewalk and utilities on the property located at 2370 N. Taylor St., Arlington, VA (RPC# 05-026-013), and authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept the attached Deed of Easement and Subordination, on behalf of the County Board, subject to approval as to form of the Deed of Easement and Subordination by the County Attorney.

[Board Report #30](#)

[Addendum – Deed of Easement and Subordination](#)

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31. Deed of temporary easement and construction agreement from Linden R. Hill, granting to the County Board of Arlington County, Virginia two (2) temporary construction easements on a portion of the property located at 18th Street North and North Glebe Road, RPC # 07-006-342.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board accepted the Deed of Temporary Easement and Construction Agreement from Linden R. Hill, granting to the County Board of Arlington County, Virginia two (2) temporary construction easements on a portion of the property located at 18th Street North and North Glebe Road, RPC # 07-006-342, and authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept the Deed of Temporary Easement and Construction Agreement, on behalf of the County Board, subject to approval as to form of the Deed of Temporary Easement and Construction Agreement by the County Attorney.

[Board Report #31](#)

[Addendum – Deed of Temporary Easement and Construction Agreement](#)

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Requests to Advertise

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- 32. This item was removed.**

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- 33. Request to authorize advertisement of an amendment to the Master Transportation Plan (MTP) Map to remove a section of 14th Road South, east of South Elm Street.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board adopted the below resolution to authorize advertisement of public hearings to be held at the December 2, 2019, Planning Commission meeting and the December 14, 2019, County Board meeting to consider an amendment of the Master Transportation Plan (MTP) Map to remove a section of 14th Road South, east of South Elm Street.

[Board Report #33](#)

[#33-Letter from the Public \(Posted 11-14-2019\)](#)

[Addendum – Map Revision](#)

The resolution reads as follows:

MASTER TRANSPORTATION PLAN RESOLUTION

RESOLUTION TO AUTHORIZE ADVERTISEMENT OF PUBLIC HEARINGS BY THE PLANNING COMMISSION ON DECEMBER 2, 2019, AND BY THE COUNTY BOARD ON DECEMBER 14, 2019, TO CONSIDER AN AMENDMENT TO THE MASTER TRANSPORTATION PLAN (MTP) MAP TO DELETE A SECTION OF 14TH ROAD SOUTH EAST OF SOUTH ELM STREET.

The County Board of Arlington hereby resolves that the Master Transportation Plan (MTP) Map amendment to delete a section of 14th Road South, east of South Elm Street, shall be advertised for public hearings to be held by the Planning Commission on December 2, 2019 and by the County Board on December 14, 2019.

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- 34. Request to authorize advertisement of a public hearing to consider an ordinance to Amend, Reenact, and Recodify Chapter 62 (Pawnbrokers and Precious Metals Dealers, Dealers in Firearms, Itinerant Merchants, and Dealers in Secondhand Articles) of the Code of Arlington County, Virginia, to amend Section 62-1 through 62-47 and consider changes to the application and renewal fees.**

On the Consent Agenda vote, after a duly advertised public hearing, the County Board authorized advertisement of a public hearing to be held December 14, 2019, to consider a proposed amendment to Chapter 62 (Pawnbrokers and Precious Metals Dealers, Dealers in Firearms, Itinerant Merchants, and Dealers in Secondhand Goods and Articles) of the Code of Arlington County, Virginia, to amend Sections 62-1 through 62-54 pursuant to the authority of Virginia Code § 15.2-1232.1; §§ 59.1-116.1-136.7; and Chapters 40 and 41 of Title 54.1, of the Code of Virginia, 1950, as amended, and changes to the ACPD Pawnbrokers, Precious Metals Dealers, and Dealers in Secondhand Articles application and renewal fees.

[Board Report #34 \(Posted 11-13-2019\)](#)

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Other (Housing Loans, Minutes, etc.)

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35. Amendment of the County Board's June 2, 2016, Affordable Housing Investment Fund Loan Agreement with Columbia Hills East Limited Partnership in order to account for and prioritize the monthly loan payments on a subordinate Virginia Housing Trust Fund financed \$750,000 loan to Columbia Hills East Limited Partnership from Arlington Partnership for Affordable Housing, Inc.

On the Consent Agenda vote, after a duly advertised public hearing, the County Board Authorized and Directed the County Manager to Execute, on behalf of the County Board, the attached First Amendment to the Arlington County Affordable Housing Investment Fund Loan Agreement with Columbia Hills East Limited Partnership, subject to approval as to final form by the County Attorney.

[Board Report #35](#)

[Addendum – First Amendment to AHIF Loan Agreement](#)

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36. Minutes

On the Consent Agenda vote, after a duly advertised public hearing, the County Board approved the minutes from the September October 19th and 22nd Regular and Recessed County Board meetings.

[#36-Minutes from the County Board October 19, 2019 Meeting](#)

[#36-Minutes from the County Board October 22, 2019 Recessed Meeting](#)

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III. REGULAR HEARING ITEMS

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37. Harris Teeter, North Thomas Street and North Glebe Road

- A. GP-347-19-1 General Land Use Plan Amendment from "Low-Medium" Residential (16-36 units per acre) to "High-Medium Residential Mixed-Use" (up to 3.24 FAR including associated office and retail activities) for an area at 525 North Thomas Street; and identified as RPC# 20-012-009.
- B. Z-2612-19-1 Rezoning from "S-D" Special Development District, "RA8-18" Multiple-family Dwelling District, "C-2" Service Commercial-Community Business District, and "C-O-2.5" Mixed Use District to "R-C" Multiple-family Dwelling and Commercial District; located at 525 North Thomas Street, 640 North Glebe Road, 624 North Glebe Road, 616 North Glebe Road, and 600 North Glebe Road, identified as RPC# 20-012-009, -018, -019, -020, -021, and -024.
- C. SP #72 Site plan amendment to remove site area from the subject site plan; for the parcels located at 600 north glebe Road and 525 North Thomas Street (RPC# 20-012-021, and 20-012-009).
- D. SP #315 Site Plan Amendment to incorporate approximately 255,939 sq. ft. of site area into the site plan; to permit up 3.24 FAR of retail and residential uses, with modifications of zoning ordinance requirements including: reduced loading, reduced parking ratios, and other modifications as necessary to achieve the proposed development plan; located at 525 North Thomas Street, 640 North Glebe Road, 624 North Glebe

Road, 616 North Glebe Road, and 600 North Glebe Road (RPC# 20-012-009, -018, -019, -020, -021, and -024).

- E. SP315-19-1 Use Permit associated with a site plan for a new public open space in the "R-C" Multiple-family Dwelling and Commercial District; located at 525 North Thomas Street, and a portion of 624 North Glebe Road and 616 North Glebe Road (RPC# 20-012-009, -019, -020).
- F. Ordinances of vacation to vacate: 1) a portion of a 10-foot storm sewer easement; and 2) a 15-foot public water service easement, both on property known as 600 N. Glebe Road, RPC# 20-012-021, with Conditions.

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

1. Adopt the attached resolution to amend the General Land Use Plan from "Low-Medium" Residential (16-36 units per acre) to "High-Medium Residential Mixed-Use" (up to 3.24 FAR including associated office and retail activities) for an area at 525 North Thomas Street; and identified as RPC# 20-012-009.
2. Adopt the attached ordinance to rezone the properties known as 525 North Thomas Street, 640 North Glebe Road, 624 North Glebe Road, 616 North Glebe Road, and 600 North Glebe Road (RPC# 20-012-009, -018, -019, -020, -021, and -024) from "S-D" Special Development District, "RA8-18" Multiple-family Dwelling District, "C-2" Service Commercial-Community Business District, and "C-O-2.5" Mixed Use District to "R-C" Multiple-family Dwelling and Commercial District, and related update to ACZO Map 13-1 to amend Line A to encompass the property.
3. Adopt the attached ordinance to amend Site Plan #72 to remove site area from the subject site plan; for the parcels located at 600 North Glebe Road and 525 North Thomas Street (RPC# 20-012-021, and 20-012-009), subject to the conditions of the ordinance.
4. Adopt the attached ordinance to amend Site Plan #315 to incorporate approximately 255,939 sq. ft. of site area into the site plan; to construct up to 3.24 FAR of retail and residential uses; with modifications of zoning ordinance requirements including: reduced loading, reduced parking ratios, and other modifications as necessary to achieve the proposed development plan; located at 525 North Thomas Street, 640 North Glebe Road, 624 North Glebe Road, 616 North Glebe Road, and 600 North Glebe Road (RPC# 20-012-009, -018, -019, -020, -021, and -024), subject to the conditions of the ordinance.
5. Approve the subject use permit (SP315-U-19-1) for a new public park/open space in the "R-C" Multiple-family Dwelling and Commercial District, subject to the conditions of the staff report, with no further scheduled County Board review.
6. Enact the attached Ordinances of Vacation to Vacate: 1) a Portion of a 10' Storm Sewer Easement; and 2) a 15' Public Water Service Easement, both on property known as 600 N. Glebe Road, RPC# 20-012-021 (the "Property"), with Conditions; and
7. Authorize the Real Estate Bureau Chief, Department of Environmental Services, to execute, on behalf of the County Board, the Deed(s) of Vacation and any other documents necessary to effectuate the Ordinances of Vacation set forth in Attachments 1 and 2 attached hereto, subject to approval of all such documents as to form by the County Attorney.

In addition, as part of the motion, the applicant committed to modify the 4.1 drawings with their post 4.1 submission to increase the area of green roofs on the site by 10,000 square feet.

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

[# 37 Staff Presentation](#)

[#37. A-E.-Supplemental Report \(Revised Subject, Recommendation, Ordinance and Conditions-Posted 11-15-2019\)](#)

[Board Report #37. A.-E. \(Posted 11-13-2019\)](#)

[Board Report #37 A-E. -Attachment \(4.1 Drawings\)](#)

[#37-Letter from the Planning Commission \(Posted 11-13-2019\)](#)

[#37-Letters from the Public \(Posted 11-13-2019\)](#)

[Board Report #37. F.](#)

[Addendum – Site Plan Amendment Ordinance \(SP #72, SP#315\)](#)

[Addendum – Ordinances of Vacation](#)

The adopted Resolutions read as follows:

RESOLUTION ADOPTING AN AMENDMENT TO THE GENERAL LAND USE PLAN (GLUP) MAP

WHEREAS, the County Board of Arlington County has been presented with a proposed amendment of the General Land Use Plan (GLUP) Map, which is part of the County's Comprehensive Plan to amend the General Land Use Plan (GLUP) map from "Low-Medium Residential" to "High-Medium Residential Mixed-Use" (up to 3.24 FAR including associated office and retail activities) for an area located at 525 North Thomas Street Generally located on the South Central Portion of the Block bounded by North Carlin Springs Road, North Thomas Street, Henderson Road, and North Glebe Road.

WHEREAS, the proposed GLUP amendment is consistent with the land use designation for the surrounding area and with recommendations of the North Quincy Street Plan Addendum, which was adopted by the County Board in November 2013; and

WHEREAS, the County Board of Arlington County authorized a request to advertise the proposed GLUP amendment on July 13, 2019.

WHEREAS, the County Manager has recommended that the proposed amendment be adopted; and

WHEREAS, the Planning Commission recommended adoption of the proposed GLUP amendment at its November 6, 2019 meeting; and

WHEREAS, the County Board of Arlington County has considered the foregoing recommendations and the purposes of the GLUP and Comprehensive Plan as set forth in these documents, the Arlington County Zoning Ordinance, and the Code of Virginia; and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed amendment to the GLUP on November 16, 2019.

NOW, THEREFORE, be it resolved that, based on the aforementioned considerations, deliberations and all public comments, the County Board of Arlington County hereby adopts the proposed amendment to the GLUP as shown in Attachment B.

REZONING ORDINANCE

WHEREAS, the County Board of Arlington County ("County Board") finds that SEHT North Glebe, LLC has requested a rezoning from "S-D" Special Development District, "RA8-18" Multiple-family Dwelling District, "C-2" Service Commercial-Community Business District, and "C-O-2.5" Mixed Use District to "R-C" Multiple-family Dwelling and Commercial District for the properties located at 525 North Thomas Street, 640 North Glebe Road, 624 North Glebe Road, 616 North Glebe Road, and 600 North Glebe Road (RPC# 20-012-009, -018, -019, -020, -021, and -024) ("Property"); and

WHEREAS, the County Board finds that the rezoning to "R-C" Multiple-family Dwelling and Commercial District will be consistent with the General Land Use Plan designation for the Property; and

WHEREAS, the County Board finds that the rezoning to "R-C" Multiple-family Dwelling and Commercial District is supported 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 proposed rezoning to "R-C" Multiple-family Dwelling and Commercial District requires the extension of Line A around the proposed "R-C" Multiple-family Dwelling and Commercial District as shown in the attached map (Attachment C, Sign Map Update); and

WHEREAS, the Planning Commission recommended the County Board adopt the rezoning to "R-C" Multiple-family Dwelling and Commercial District at its meeting on November 6, 2019; and

WHEREAS, the County Manager recommends approval of the rezoning to "R-C" Multiple-family Dwelling and Commercial District; and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed rezoning on November 16, 2019.

THEREFORE, be it further ordained, that Map 13-1 of Article 13 of the Zoning Ordinance is hereby amended to extend Line A as shown on the attached map (Attachment C, Sign Map Update).

NOW THEREFORE, be it further ordained that the Property located at 525 North Thomas Street, 640 North Glebe Road, 624 North Glebe Road, 616 North Glebe Road, and 600 North Glebe Road (RPC# 20-012-009, -018, -019, -020, -021, and -024), shown on the Rezoning Plat (Sheet C-03 of the 4.1 plans, entitled "600 N. Glebe Rd. / Harris Teeter", prepared by Lisa M. Goodwin, dated 11/6/2019) attached to this Board Report prepared for the November 16, 2019 Arlington County Board meeting is hereby rezoned from "S-D" Special Development District, "RA8-18" Multiple-family Dwelling District, "C-2" Service Commercial-Community Business District, and "C-O-2.5" Mixed Use District to "R-C" Multiple-family Dwelling and Commercial District.

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Items Related to Jennie Dean Park (#38 & 39)

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38. Jennie Dean Park

- A. GP348-19-1 Amendment to the General Land Use Plan to change the land use designation from Service Industry to Public and to add a General Location for Open Space triangle at Jennie Dean Park;
- B. Master Transportation Plan Amendment to remove a portion of 27th Street South between South Nelson Street and the point where the west boundary line of the WETA property (RPC #29-002-001) and the southern edge of 27th Street South intersect;
- C. Certification of Transferable Development Rights by the County Board for the purpose of preserving open space on six County-owned parcels totaling an area of 133,550 square feet (RPC #29-022-002, -006, -008, -009, -010, and a portion of 29-002-003) and the former right-of-way for 27th Street South from the street

centerline to the northern edge of the right-of-way totaling an area of approximately 3,814 square feet, with a combined total area of 137,364 square feet; and

- D. Z-2610-19-1 Rezoning from the M-1 Light Industrial District and the S-3A Special District to the P-S Public Service District for seven parcels (RPC #29-002-003, -004, 29-022-002, -006, -008-, -009, -010).
- E. Ordinance of Vacation for the vacation of a portion of 27th Street South

Following a duly advertised public hearing, at which there were speakers, a motion was made by ERIK GUTSHALL, Member, seconded by LIBBY GARVEY, Vice Chair, to adopt the attached resolution to amend the Master Transportation Plan to remove a portion of 27th Street South, located between South Nelson Street and the point where the west boundary line of the WETA property (RPC #29-002-001) and the southern edge of 27th Street South intersect (Attachment 2), to enact the attached Ordinance of Vacation to vacate a portion of 27th Street South from South Nelson Street to the west boundary line of the property owned by Greater Washington Educational Telecommunications Association (WETA), and to authorize the Real Estate Bureau Chief, Department of Environmental Services, to execute, on behalf of the County Board, all deeds and other documents necessary to effectuate the Ordinance to Vacate a portion of 27th Street South, subject to approval of such documents as to form by the County Attorney.

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

A motion was then made by ERIK GUTSHALL, Member, seconded by MATT DE FERRANTI, Member, to adopt the attached resolution certifying 206,046 square feet of gross floor area as transferable development rights on County-owned property located within Jennie Dean Park ("Sending Site") for the purpose of open space and developing community recreation facilities (Attachment 3).

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

A motion was then made by ERIK GUTSHALL, Member, seconded by MATT DE FERRANTI, Member, to adopt the attached resolution to amend the General Land Use Plan from Service Industry to Public for the general area between South Four Mile Run Drive, Shirlington Road, South Nelson Street, and 27th Street South, and to add a General Location for Open Space triangle at Jennie Dean Park (Attachment 1), and to Adopt the attached ordinance to rezone from the M-1 Light Industrial District and the S-3A Special District to the P-S Public Service District (RPC #29-002-003, -004, 29-022-002, -006, -008-, -009, -010) (Attachment 4).

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

[# 38 Staff Presentation](#)

[Board Report #38. A-D.](#)

[#38-Letter from the Planning Commission \(Posted 11-13-2019\)](#)

[#38-Letters from the Public \(Posted 11-14-2019\)](#)

[Board Report #38 E.](#)

[Addendum – Supporting Documents](#)

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39. Award of Contract No. 19-173-RFP to MCN Build, Inc. for Construction Management at Risk services for Phase 1 Renovations of Jennie Dean Park, located at 3630 27th St. S.

Following a duly advertised public hearing, at which there were speakers, a motion was made by ERIK GUTSHALL, Member, seconded by LIBBY GARVEY, Vice Chair, to approve the Award of Contract No. 19-173-RFP between the Arlington County Board and MCN Build, Inc. to provide Construction Management at Risk (CMAR) services for pre-construction and construction services for Phase 1 renovations to Jennie Dean Park at 3630 27th St. S. at the not to exceed Guaranteed Maximum Price (GMP) of \$13,842,000, plus a County-held contingency amount of \$1,661,040 for a total authorization of \$15,503,040, and to authorize the Purchasing Agent to execute the contract documents, subject to legal review by the County Attorney.

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

[#39-Staff Presentation](#)

[Board Report #39](#)

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40. ZOA-2019-10 and GP-349-19-1 Adoption of amendments to Articles 7, 9, 12, 15, and 18 of the Arlington County Zoning Ordinance (ACZO) and the General Land Use Plan Map and Booklet to:

- A. Modify the bonus density and height provisions to facilitate implementation of the Arlington County Comprehensive Plan, and make other associated changes for clarification and organizational purposes; and
- B. Modify the "Low- or Moderate-Income" definition.

Following a duly advertised public hearing, at which there were speakers, a motion was made by LIBBY GARVEY, Vice Chair, seconded by ERIK GUTSHALL, Member, to adopt the attached ordinance to amend, reenact, and recodify Articles 7, 9, 12, 15 and 18 of the Arlington County Zoning Ordinance (ACZO) (as shown in Attachment 1A) and the attached resolution to amend the General Land Use Plan Map and Booklet (as shown in Attachment 2) to modify bonus density and height provisions and make other changes for clarification, consistency, and organizational purposes to facilitate implementation of the Arlington County Comprehensive Plan, and modify the "Low- or Moderate-Income" definition to provide greater flexibility in facilitating affordable housing.

A substitute motion was then made by KATIE CRISTOL, Member, seconded by MATT DE FERRANTI, Member, to adopt the revised ordinance as shown in attachment 1B with modifications to sections pertaining to approved building heights.

The motion failed by a vote of 2 to 3, the voting recorded as follows: CHRISTIAN DORSEY, Chair - Nay, LIBBY GARVEY, Vice Chair - Nay, KATIE CRISTOL, Member – Aye, ERIK GUTSHALL, Member - Nay, MATT DE FERRANTI, Member - Aye.

A motion was then made by LIBBY GARVEY, Vice Chair, seconded by ERIK GUTSHALL, Member, to adopt guidance directing the County Manager to report back to the County Board on a general scope for a review of the Crystal City Sector Plan and C-O Crystal City zoning district regulations with regard to increase in building height for individual major special exception site plan applications AND to include specific details about the trade-offs within the Planning division work plan that would be required to execute such a scope.

The motion was adopted and carried by a vote of 4 to 1, the voting recorded as follows: CHRISTIAN DORSEY, Chair - Nay, LIBBY GARVEY, Vice Chair - Aye, KATIE CRISTOL, Member – Aye, ERIK GUTSHALL, Member - Aye, MATT DE FERRANTI, Member - Aye.

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

[#40 Staff Presentation](#)

[Board Report #40](#)

[#40-Letter from the Planning Commission \(Posted 11-13-2019\)](#)

[#40-Letters from the Public \(Updated 11-14-2019\)](#)

[Addendum – Attachment 1A](#)

[Addendum – Attachment 1B](#)

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41. Amendments to Chapter 14.2, Article II of the Arlington County Code regulating riding and parking of motorized scooters, motorized skateboards and power-assisted bicycles on County streets, sidewalks and multi-use trails, and the addition of Article X (Shared Micro-Mobility Services For-Hire, Permit Program) a permit system for the regulation of private companies offering motorized scooters, motorized skateboards or power-assisted bicycles for-hire on County street rights-of-way.

Following a duly advertised public hearing, at which there were speakers, a motion was made by MATT DE FERRANTI, Member, seconded by KATIE CRISTOL, Member, to enact amendments to Chapter 14.2 (Motor Vehicles and Traffic) of the Arlington County Code relating to the use of Micro-Mobility Devices and issuance of permits for the use of County right-of-way and public rental of such Devices, to be effective on December 31, 2019, approving option 1 of section 14.2-64-A and option 1 of 14.2-64-D, and to authorize the County Manager to allow Micro-Mobility Device Companies who have submitted permit applications by the effective date of the ordinance to operate pending the County Manager or designee's determination on the application.

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

[#41 Staff Presentation](#)

[Board Report #41](#)

[#41-Letters from the Public \(Posted 11-13-2019\)](#)

[Addendum –Amendments to Chapter 14.2](#)

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42. Presentation of the 2020 General Assembly Session legislative proposals.

Following a duly advertised public hearing, at which there were speakers, a presentation was made concerning the County's 2020 General Assembly Session legislative proposals, to be voted on at the December County Board Meeting.

[Board Report #42](#)

[#42-Letters from the Public \(Posted 11-14-2019\)](#)

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IV. ADDITIONAL ITEMS

Without objection, at 6:10 PM, the Board recessed the November 16, 2019 meeting.

ATTEST:

Christian Dorsey, Chairman

Kendra Jacobs, Clerk

Approved: