

BLUEMONT CIVIC ASSOCIATION

General Membership Meeting Wednesday, October 28, 2009, 7:30 p.m. Arlington Traditional School

Call to Order

President Judah dal Cais called the meeting to order at approximately 7:35 p.m. In attendance were Judah dal Cais, Mary Thorne, Sam Ferro, Carl Drummond, Judy Collins, Suzanne Sundburg, Bob Atkins, Jim Thorne, Talmadge Williams, Larry Smith, Henry McFarland, David Van Wagner, 28 Bluemont Civic Association (BCA) members and 6 nonmembers.

Holiday Inn Lighting Presentation

Megan Shilling (Planner, Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.), Don Caulkins (Holiday Inn Ballston, General Manager), and Chris Bruch (President, Donohoe Hospitality Services) explained the additional exterior lighting, which is proposed for the Holiday Inn on North Fairfax Drive. Several new exterior lights must be added by January 2010 in order to meet new company-wide standards and the hotel's licensing agreement with Holiday Inn. These new green incandescent lights (70 watt and 150 watt bulbs) would be installed on the front of the hotel and on the east side. The lights would be omitted from the west and south sides, which face residential neighborhoods. The new green lights would be installed in non-glare, fully shielded fixtures. The county classifies these lights as additional signage and therefore requires the hotel to apply for a site plan amendment. The site plan amendment will be presented to the County Board at its meeting in mid-November. County staff is recommending denial of the application (although no reason for this opposition was presented to the membership at the October meeting). The membership made and passed the following motion: "Based on the presentation this evening, BCA supports the site plan amendment."

Arlington County Police

Officers Phelan and Robbins attended the meeting in the absence of community liaison, Officer O'Daniel. There have been no major crimes in Bluemont recently. Officers are patrolling on bicycles every other week to discourage vandalism by school kids along the bike paths. Neighbors are asked to call the non-emergency police phone number to report graffiti or late-night party noise. The graffiti in Bluemont is not an indicator of gang activity. There is a new program coming that will make it possible for code enforcement staff to monitor excessive noise at commercial establishments at night and on weekends using a sound-measuring device. In answer to a question regarding the number of calls that are required to get police officers to respond to late-night party noise, the officer advised repeated phone calls.

Zoning Office Presentation

Zoning Administrator Melinda Artman and County Planner Melanie Jesick explained the Board of Zoning Appeals (BZA) use permits and variance process. Complete details of the process and necessary forms can be found at www.arlingtonva.us under "Zoning." A number of neighbors complained of situations they had witnessed where enforcement policies appeared to be inconsistent. Both builders and homeowners had witnessed these inconsistencies. Melinda Artman explained that she has only 2 inspectors to follow up on zoning complaints, and it can take up to a year to reach the point of penalizing a property owner for a violation. Much of the zoning language focuses on the effects on neighboring properties so the question was raised as to how exactly a "neighboring property" is defined. This is defined on a case-by-case basis. The BZA works on a case-specific and site-specific basis rather than relying on precedents.

The discussion wandered away from zoning to issues of noise and trash, which fall under code enforcement. In September 2008, Code Enforcement was removed from the Zoning division. Residents should consult the Arlington County Website for clarification as to what falls under code enforcement and what falls under zoning.

The question was raised as to the existence of a "grandfathering" clause to cover properties and uses that have existed outside the zoning rules for many years. Whereas there is no grandfathering per se, there is something called "nonconforming status" and "nonconforming uses" that seem to accomplish more or less the same purpose. Virginia law prevents a subsequent law or regulation from reducing a property owner's rights under existing law/regulation; thus property owners may continue exercising these "nonconforming" rights so long as they simply maintain the structure or use as is and do not make changes.

There was a lot of discussion in 2008 when the issue of legalizing accessory dwellings was raised. There have been three accessory dwelling permits (for new homes constructed in the county) requested and issued since the policy was changed in July 2008.

D&V Auto Service Center Motions from 9/30/09

1) BCA supports the mechanical automobile repair services being performed at the D&V Auto Service Center located at 5201 Wilson Boulevard.

2) BCA supports negotiations between D&V Auto Service Center (located at 5201 Wilson Boulevard) and nearby residents to determine a list of conditions that D&V would have to meet in order for BCA and residents to support the continued operation of the rental truck business.

There was some discussion of these motions (originally proposed at the September 2009 BCA meeting), which the membership then passed. Robbie Guenther's zoning appeal will be heard by the BZA in December. In the meantime, Paul Ducharme, a resident of the Carlisle Park townhouse development that abuts the D&V site, volunteered to contact nearby neighbors and set up a committee that will negotiate with

Guenther to develop a list of conditions under which the community would accept the rental truck business to continue operating. The committee will forward these conditions to the membership at the 11/18/09 meeting for discussion and a vote. Ducharme can be contacted at vaguy817@gmail.com.

Approval of Minutes for 6/24/09 and 9/30/09

Draft minutes for both the 6/24/09 and 9/30/09 meetings were distributed. The membership voted to approve the 6/24/09 minutes as drafted and the 9/30/09 minutes with edits. Both sets of minutes will be forwarded for posting to the BCA Website.

Old Business

A vote was taken to select first and second priority Neighborhood Conservation projects for the December '09 funding round. The first priority project is N. Frederick Street between I-66 and Wilson Boulevard. The membership voted to make the sidewalk, curb and gutter project for the 1000 block of N. Edison Street BCA's second priority project. Patrick Wegeng will be landscaping the berms in Bluemont Park, which were installed in the summer. There was a request that BCA follow up with David Seale, the Jordan Manor site contact at Clark Construction, regarding the use of the former Jordan Manor site as a construction staging area, the large amount of sediment flowing down Wilson Boulevard and onto N. Woodrow Street from the construction site, and the very narrow passage available to pedestrians on the sidewalk in front of the old Jordan Manor. Construction staging on the Jordan Manor site was not part of the approved site plan. Bob Atkins offered to contact the relevant county staff member to discuss the problems.

Adjournment

Judah dal Cais adjourned the meeting at approximately 9:25 p.m.