

LEGISLATIVE UPDATE

Actions of the City Council for August 11, 2014

The following legislation was considered and acted upon by the City Council of the City of Falls Church. Copies of legislation are available from City Clerk Celeste Heath, cityclerk@fallschurchva.gov or 703-248-5014.

Legislation

- (1) **(TO14-27)** ORDINANCE TO AMEND CHAPTER 35 “STORMWATER,” ARTICLE I “STORMWATER MANAGEMENT” OF THE FALLS CHURCH CITY CODE (*Director of Public Works Mike Collins*)
 - **Motion to adopt (TO14-27) on first reading, schedule public hearing and second reading for September 8, 2014, and to advertise the same according to law PASSED on roll call vote, unanimously 7-0.**
- (2) **(TR14-29)** RESOLUTION TO AMEND THE COMPREHENSIVE PLAN OF THE CITY OF FALLS CHURCH, VIRGINIA, TO CHANGE THE DESIGNATION OF APPROXIMATELY 3.9 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF 110, 112, 112A, 212 & 212A NORTH WEST STREET, 920, 922, 924, 926, 928, 930, 932 & 934 WEST BROAD STREET AND 919, 921 & 925 PARK AVENUE (REAL PROPERTY CODE NUMBERS 51-202-009 THROUGH 51-202-015, 51-202-004, 51-202-005, 51-202-028 AND 51-202-028 OUTLOT) FROM “BUSINESS” AND “LOW DENSITY RESIDENTIAL (6.0)” TO “MIXED USE” ON THE CITY’S FUTURE LAND USE PLAN MAP, ON APPLICATION BY SPECTRUM DEVELOPMENT COMPANY LLC. (*Development Services Director James Snyder*)
- (3) **(TO14-28)** ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF FALLS CHURCH, VIRGINIA, BY REZONING A TOTAL OF APPROXIMATELY 2.12 ACRES OF LAND FROM B-3, GENERAL BUSINESS DISTRICT, TO B-1, LIMITED BUSINESS DISTRICT, AT 110, 112, 112A, 212 & 212A NORTH WEST STREET AND 928, 930, 932 & 934 WEST BROAD STREET (REAL PROPERTY CODE NUMBERS 51-202-009 THROUGH 51-202-012, 51-202-028 AND 51-202-028 OUTLOT) AND APPROXIMATELY 0.78 ACRES OF LAND FROM R-1B, MEDIUM DENSITY RESIDENTIAL DISTRICT, TO B-1, LIMITED BUSINESS DISTRICT, FOR RESIDENTIAL PROPERTIES AT 919, 921 & 925 PARK AVENUE (REAL PROPERTY CODE NUMBERS 51-202-013, 51-202-014, AND 51-202-015), ON APPLICATION BY SPECTRUM DEVELOPMENT COMPANY LLC. (*Development Services Director James Snyder*)
- (4) **(TR14-28)** RESOLUTION TO GRANT A SPECIAL EXCEPTION ON THE APPLICATION OF SPECTRUM DEVELOPMENT COMPANY LLC FOR RESIDENTIAL USES WITHIN A MIXED USE DEVELOPMENT PROJECT AND

TO INCREASE THE BUILDING HEIGHT WITH A BONUS OF THIRTY (30) FEET TO A MAXIMUM HEIGHT OF EIGHTY- FIVE (85) FEET FOR A MIXED-USE DEVELOPMENT PROJECT ON APPROXIMATELY 3.9 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF 110, 112, 112A, 212 & 212A NORTH WEST STREET, 920, 922, 924, 926, 928, 930, 932 & 934 WEST BROAD STREET AND 919, 921 & 925 PARK AVENUE (REAL PROPERTY CODE NUMBERS 51-202-009 THROUGH 51-202-015, 51-202-004, 51-202-005, 51-202-028 AND 51-202-028 OUTLOT) KNOWN AS “ BROAD AND WEST ” BY SPECTRUM DEVELOPMENT COMPANY LLC. (*Development Services Director James Snyder*)

- **Motion to approve on first reading (TO14-28) and refer (TR14-29), (TR14-28), and (TO14-28) to all boards and commissions, the Greater Falls Church Chamber of Commerce, CATCH, and Village Preservation and Improvement Society (VPIS), to schedule a public hearing and second reading for Council action for December 8, 2014, and to advertise the same according to law and, as part of my motion, I am requesting City Council to state on the record that it has the understanding that the applicant will undertake certain actions between now and the time of the public hearing on this application on December 8, that the applicant understands that, should it fail to undertake the actions set forth below, that failure will seriously impair its ability to have the project approved by City Council, and that the actions in question are as follows:**
 1. **That in addition to the commitment to the hotel in Voluntary Concessions, the applicant shall also have in place, prior to second reading, a written contract with an additional anchor acceptable to the City Council;**
 2. **That the applicant commits to adjusting the residential density and massing of the proposed project to levels that are acceptable to City Council;**
 3. **That the applicant will work in good faith and in a timely manner to satisfactorily address the comments it receives from City staff including, but not limited to, the 31 areas identified in the staff report.**
 4. **That the applicant will work in good faith and in a timely manner with the Planning Commission, City boards and commissions and the City Council to satisfactorily address the comments it receives from the public and the City to improve the project including, but not limited to, those relating to traffic impacts, aesthetics and massing, location of residential density, compatibility with the surrounding area, walkability, quality of development, quality of**

retailers and any other legitimate issue that may arise during the public review process; and

- 5. That the applicant will continue to meet with the adjacent neighborhood.**

PASSED on roll call vote, unanimously 7-0.

- (5) **(TR14-30)** RESOLUTION CREATING A TASK FORCE TO REFINE THE PLAN FOR CITY HALL AND PUBLIC SAFETY FACILITY IMPROVEMENTS
(Assistant City Manager Cindy Mester)

- **Motion to adopt (TR14-30). PASSED on roll call vote, unanimously 7-0. (Res. 2014-24)**

- (6) **(TR14-33)** RESOLUTION AMENDING RESOLUTION 2014-01
“RESOLUTION ADOPTING RULES OF PROCEDURE OF THE CITY COUNCIL OF THE CITY OF FALLS CHURCH, VIRGINIA AS OF JANUARY 1, 2014” (City Clerk Celeste Heath)

- **Motion to adopt (TR14-33). PASSED on roll call vote, unanimously 7-0. (Res. 2014-25)**

- (7) **(TR14-34)** RESOLUTION APPOINTING CAROL W. MCCOSKRIE AS CITY ATTORNEY AND SETTING COMPENSATION FOR THAT POSITION

- **Motion to adopt (TR14-34). PASSED on roll call vote, unanimously 7-0. (Res. 2014-26)**

Consent Calendar

- (1) AUTHORIZE THE CITY MANAGER ON BEHALF OF THE CITY TO AMEND THE CONTRACTS FOR STORMWATER CURED-IN-PLACE PIPING SERVICES WITH PLEASANTS CONSTRUCTION, INC. AND AM-LINER EAST, INC. TO EXPEND UP TO \$400,000 ANNUALLY, AND TO AUTHORIZE THE CITY MANAGER TO RENEW THE CONTRACTS FOR THREE (3) ADDITIONAL ONE-YEAR TERMS, SUBJECT TO ANNUAL APPROPRIATION OF FUNDS. (Director of Public Works Mike Collins)

- (2) AUTHORIZE THE CITY MANAGER ON BEHALF OF THE CITY TO AWARD A CONTRACT FOR SANITARY SEWER AND STORM SEWER SERVICES TO UTILITIES UNLIMITED, LLC IN AN AMOUNT UP TO \$800,000 ANNUALLY, AND TO RENEW THE CONTRACT ANNUALLY FOR FOUR (4) ADDITIONAL ONE-YEAR TERMS, SUBJECT TO ANNUAL APPROPRIATION OF FUNDS. (Director of Public Works Mike Collins)

(3) **APPOINTMENTS:**

- a) New Appointment: Andrew Crawford - Environmental Services Council - (03/01/12) – 02/28/15 (Unexpired Term)

b) Reappointment: Nancy Bentrup - Library Board of Trustees - 7/1/14 – 6/30/18

- **MOTION TO APPROVE CONSENT ITEMS PASSED unanimously 7-0.**

Other Business – None.

Approval of Minutes – None.

Closed Session pursuant to Va. Code Section 2.2-3711(A)7: “[c]onsultation with legal counsel and briefings by staff members . . . pertaining to . . . probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body” and “consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.” [Claim of Ghulam M. and Noorsama Ahmadzai; installation of water line outside easement boundaries on property located at 7634 Shreve Road]

Adjournment

Upon proper motion and unanimous voice vote, the meeting was ADJOURNED at 11:27 p.m.

Check List

	Legislation	Done
Agendas-Notices-Legislative Updates	Res. 2014-24 Res. 2014-25 Res. 2014-26	
Update Code Book		

The City of Falls Church is committed to the letter and spirit of the Americans with Disabilities Act. This document will be made available in alternate format upon request.
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