



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 11, 2009**

SUPPLEMENTAL REPORT #2

DATE: July 10, 2009

- SUBJECTS:** A. Z-2546-09-1 REZONING from “R-5” One Family Dwelling Districts to “CP-FBC” Columbia Pike – Form Based Code Districts; 1036, 1100, and 1106 S. Highland Street (Axumite Village) (RPC: #32-007-167, -168, and -022).
- B. U-3224-09-1 USE PERMIT REQUEST for approval under the Columbia Pike Form Based Code, 1036, 1100, and 1106 S. Highland Street (Axumite Village) (RPC: #32-007-167, -168, and -022).

DISCUSSION: This report provides an updated Condition #44 to correct an error in the termination clause.

REVISED CONDITION:

Emergency Vehicle Access Easement

44. The developer agrees that, prior to the issuance of any Clearing, Grading, and Demolition Permit for the project that is the subject of this Use Permit, the developer shall obtain and record an easement, running to the County Board, for emergency vehicle, fire and police vehicle access (“Easement”). Such Easement shall provide access from the subject property upon which this Use Permit is located (“Property” to a public right of way, across the property to the west of the site, RPC No. 32-007-014, which property presently is owned by Lucille B. Lambert and Bruce E. Lambert, deceased and ground leased to “Brown Automotive Group”. The Easement shall be at a location and of dimensions acceptable to the Fire Marshal and further shall be acceptable in substance to the County Fire Marshal and the County Manager, and subject to approval as to form to the County Attorney. The developer further agrees that the Easement shall include, among other items, the following provisions:

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- b. The Easement shall **not** terminate upon the earlier of: i) such time that a deed conveying the County Board alternative ingress and egress for fire, police and other emergency vehicles to the Property is approved by the County Fire Marshal, accepted on behalf of the County Board and recorded in the Arlington County

County Manager: _____

Staff: Jennifer Smith, DCPHD, Planning Division
Dolores Kinney, DES, Division of Transportation

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land records; or ii) the County Board enacts an ordinance vacating the Easement and such ordinance is effective.

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