

## Arlington Heights Civic Association, November 10, 2020, Meeting Minutes

The November 10, 2020 Arlington Heights Civic Association Meeting was held via Zoom with Bill Potapchuk facilitating.

### Attendees:

Matthew Ambrose, Richard Bullington-McGuire, Jose Ceballos, Nick Carrasco, Maureen Critchley, Martha Duggan, Mahender Dudani, Greta, Paula Henstridge, Stephen Hughes, David Ibinson, Alison's iPhone, Eileen Janas, Katelyn Knezic, Marilyn Marton, Habte Michael, Aaron Miller, Catherine O'Malley, Morton Posner, Bill Potapchuk, James Rohal, Tia Scales, Kristi Sawert, Susan Scott, Brian Sigritz, Sally Snead, Tsehaye Teferra, Alyssa Tope, Nikki Toyama-Szeto, Jay Vennett, Tom Wacker, Jay Jacob Wind, Scott Winn

### Guests:

Libby Garvey, Arlington County Board, Stephen A. MacIsaac, Arlington County Attorney

Kristi Sawert, President, convened the meeting at 7:00.

Minutes of the February 11, 2020 meeting were approved.

### Reports:

Eileen Janas, Neighborhood Conservation Advisory Committee representative, asked attendees to reconfirm our two priority projects for the spring 2021 funding round. Traffic calming for 1st Road South and walkability improvements for 2nd St South were approved. Eileen will send an email to Kristi Sawert to confirm to Tim McIntosh, NCAC project manager.

Habte Michael reported reduced activity at the Ethiopian Community Development Council due to Covid19. Few of the usual functions are occurring.

Nick Carrasco reported on the mailing list.

Kristi Sawert reported that the Purple Lounge voluntarily gave up its ABC license.

Kristi told attendees about a new county program, Dialogues on Race and Equity, <https://topics.arlingtonva.us/equity/dre/> AHCA representative is Dave Priddy [david.priddy@gmail.com](mailto:david.priddy@gmail.com). Please email Dave if you can participate.

Kristi requested volunteers to help with social events. We hope to have a fall festival in fall 2021.

Kristi asked for a volunteer for the newsletter, Over the Fence, since Claudia Winkler moved away. Tom Wecker agreed to help. Richard Burlington-McGuire said templates should be available from Claudia or Rebecca Mashaw. Kristi will provide guidance.

Kristi asked for volunteers to replace Maureen Critchley, Eileen Janas, and Ruhan Mahender as AHCA representatives to the Arlington County Civic Federation, which holds a monthly meeting from 7-9 PM on the third Tuesday of the month (currently via Zoom.) Richard Burlington-McGuire agreed to be a representative, replacing Maureen.

Matthew Ambrose, Treasurer, reported AHCA balance of \$1151.00. 2021 dues of \$20 per individual/family, \$25 business are payable now. Drop them off at Matt's house at 218 S. Jackson St or pay via Venmo.

Stephen Hughes conducted the election of officers for 2021, thanking the current officers for being willing to serve another term:

Kristi Sawert, President  
Nick Carrasco, First Vice President  
Jay Vennett, Second Vice President  
Matt Ambrose, Treasurer,  
Eileen Janas, Secretary

Kristi asked for a volunteer to replace Dave Priddy as a school liaison. As a School Board member, Dave can no longer serve as AHCA liaison. There are still issues at Fleet (parking and problems with disability access) and changes occurring at the Career Center. Please contact Kristi

#### **General discussion:**

Jay Vennett said there would be no caroling this year. The Irving St sidewalk project between 6th and 7th St appears to be delayed. Fields at TJ have also been delayed, probably due to Covid19. Stephen Hughes reported that the Westmont Shopping Center asked for a change to the use permit to allow a small format grocery store (such as Trader Joe's). As soon as the agreement is signed we will probably hear who the leasee will be.

#### **Purple Lounge (3111 Columbia Pike) discussion with Libby Garvey, Arlington County Board and Stephen A. MacIsaac, County Attorney:**

Stephen MacIsaac outlined the different governmental roles: the State of Virginia issues permits for the sale of alcohol and enforces through the ABC Board; the Dept of Health has responsibilities for regulating food services. Arlington County also has a food ordinance and a noise ordinance. County authorities mainly reside with the County zoning ordinance. Criminal activity is a local police responsibility.

Ms Garvey said that the County does not have the authority to close the Purple Lounge. As a Dillon Rule state the County authority is limited by the state code. The County Board is working with our state legislators to attempt to obtain additional authority. The County issues permits for live entertainment and has revoked the Purple Lounge's permit. They can have music from CDs but cannot have a DJ.

The C-2 zoning code allows restaurant activity. It defines set-backs and parking requirements but does not place restrictions on hours of operation. No one wants to burden all restaurants with additional regulations as a way to address the problems caused by one establishment. The county can't do something to a single building; it has to be done to the whole class of establishments. For example, the County is attempting to manage the noise problems in Clarendon through zoning regulation.

Clearly the proximity to residences is an important factor, so additional requirements could be layered on "by-right" establishments if they are within a certain distance from residences.

Attendees asked what it would take to condemn the property. Property can only be condemned for public use and there is currently no public use defined for that location. Virginia is a state that strongly supports property rights. The Board is extremely reluctant to exercise condemnation power.

The current business model of being open from 2:00 AM - 5:00 AM doesn't seem to make any economic sense. The agreement the tenant made with ABC to have security people in the parking part became null when the tenant gave up their alcohol license. The clientele know the place and don't seem to care what it is called. The problems proceeded this establishment and could continue if this one fails and a new tenant leases the property.

Attendees asked about the nuisance law. Mr MacIsaac responded that the case law for nuisance factors primarily is about toxic materials—not rowdy establishments.

Attendees asked if we could have increased lighting which might discourage the parking lot activity.

Attendees asked what we as neighbors can do to help. Ms. Garvey asked us to continue to report any problems and is happy to hear our ideas. We can send her an email “can we talk” and she'll make time for a conversation. Kristi said she would appreciate more frequent communication about the actions the county is taking. A participant said we could do Freedom of Information Act requests using <https://www.muckrock.com>

The meeting adjourned at 8:50 PM.

Respectfully submitted,

Eileen Janas  
Secretary