



## ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item  
Meeting of February 12, 2011

### SUPPLEMENTAL REPORT – REVISED CONDITIONS

**DATE:** February 9, 2011

**SUBJECT:** SP #298 SITE PLAN AMENDMENT to approve an outdoor café in the public right-of-way, modify the facade and modify comprehensive sign plan for American Tap Room, located at 3101 Wilson Blvd., (RPC# 15-071-031).

**DISCUSSION:** This report revises two conditions submitted in the report dated January 25, 2011. Condition #41 is revised to permit 274.5 square feet of sign area, instead of 271 square feet. Staff incorrectly calculated the size of the applicant's proposed blade sign. The correct size of the proposed blade sign is 42 square feet. The sign chart is also corrected to show the correct size. Staff has also revised proposed Condition #62, addressing comments from the Lyon Village Civic Association. Due to an error in staff records, notification of this site plan amendment request was not sent to the correct contact at the Lyon Village Civic Association, and Association members were not aware of the pending request until last week. Staff has updated contact information for the civic association and the information has been provided to the current civic association president. The two condition changes are: That the applicant agrees to install the required railings in a way that they cannot be moved by patrons, but are also removable when the outdoor café season ends. Furthermore, the applicant agrees that the site plan amendment will be reviewed by the County Board upon the change of ownership of the restaurant.

The revised chart of signs is as follows:

County Manager:	<i>BMD/GA</i>	<i>BMD/GA</i>
County Attorney:	<i>CRW</i>	<i>AM</i>
Staff:	Peter Schulz, DCPHD, Planning Division	
PLA-5825		6.

Item	Total Area (s.f.)	Width (feet)	Height (feet)	Total Square Footage (ea.)	Quantity	Consistent with Zoning Ordinance?	Consistent w/ Sign Guidelines? (All signs are inconsistent with regard to total number of signs)
Awning Sign	170	8.5	5	42.5	4	N	Y
Awning Sign	<del>36.5</del> 35	<del>7.3</del> 7	5	<del>36.5</del> 35	1	N	Y
Entry Sign (also referred to in the drawings as canopy sign)	22.5	15	1.6	22.5	1	N	Y
Entry Sign (also referred to in the drawings as "fire bowl")	5	2.5	2	5	1	N	Not addressed
Blade sign—base	<del>47</del> 23.13	6.167	<del>2.75</del> 3.75	<del>47</del> 23.13	1	N	Y
Blade sign-blade	<del>49.5</del> 18.56	2.25 (avg.)	<del>8.66</del> 8.25	<del>49.5</del> 18.56	1	N	Y
<b>Total sign area proposed:</b>	<del>270.5</del> <b>274.2</b> s.f.						
<b>Total sign area permitted (total linear frontage):</b>	<b>274.5</b> s.f.						

The revised Site Plan Amendment Ordinance, with the revised conditions, follows:

## **Site Plan Amendment Ordinance**

WHEREAS, an application for a Site Plan Amendment dated November 5, 2010 for Site Plan #298 was filed with the Office of the Zoning Administrator: and

WHEREAS, as indicated in Staff Report dated January 25, 2011 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 all previous conditions and new conditions #62 and #63 and #64 and revised condition #41 (as follow below); and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on February 12, 2011 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 modified as follows:
  - Section 34.H of the Zoning Ordinance (Modifications of zoning ordinance sign regulations for number of signs, limits on sign projection, size of proposed blade sign, and moving signs), Section 31.A.11 (regulations for outdoor cafes), “C-R” Commercial Redevelopment Districts.
- 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 requested by an application dated November 5, 2010 for Site Plan #298, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements attached to the staff report, the special exception approval that was last approved on September 16, 2006 and on file in the office of Zoning Administration (which drawings, etc... are hereafter collectively referred to as “Revised Site Plan Application”), is amended to permit an outdoor café in the public right of way, to modify the facade and to modify the comprehensive sign plan, Therefore, for the parcel of real property known as RPC: 15-071-031 at 3101 Wilson Blvd. approval for the Site Plan Amendment is granted and the parcel so described shall be used according to the Revised Site Plan Application as so amended, subject to all existing conditions (Conditions #1 – 61) with Condition #41 modified as follows, and to new conditions #62 and #63 and #64:

Proposed amended condition #41:

41. The developer agrees to develop a comprehensive sign plan and all exterior signs shall be consistent with the guidelines contained in "Sign Guidelines for Site Plan Buildings" and with Section 34 of the Zoning Ordinance. The Zoning Administrator shall determine whether the signs meet the standards of the Guidelines and the Ordinance. No sign permits will be issued until a comprehensive sign plan is approved. The comprehensive sign plan shall be approved before issuance of the final building permit. All proposed rooftop signs shall require a site plan approval or amendment.

Furthermore, the developer agrees that the signs for "American Tap Room" shall be consistent with the location, design and lighting as shown on the drawings prepared by Chatelain Architects, titled "American Tap Room Project Number 2010.351", dated January 25, 2011 as attached to the staff report and approved by the County Board on February 12, 2011. The developer agrees that the total sign area allowed for the tenant "American Tap Room" and all successors and assigns shall be no more than ~~271~~ 274.5 square feet.

Minor changes to the approved signs may be approved administratively by the Zoning Administrator. For the purposes of the preceding sentence, minor changes shall include only the following: (i) a minor adjustment in the location of the sign to meet field conditions (less than 1 foot in any direction); or (ii) a minor change in the area of the sign (less than 5%). All other changes to the comprehensive sign plan will require site plan approval or amendment.

Proposed new conditions:

62. The developer agrees that the proposed North Highland Street outdoor café in the public right-of-way for "American Tap Room" shall be as shown on the drawings prepared by Chatelain Architects, titled titled "American Tap Room Project Number 2010.351", dated January 25, 2011 as attached to the staff report and approved by the County Board on February 12, 2011. The final number and arrangement of tables and chairs shall be determined by the Certificate of Occupancy. There must be a minimum of 8.5 feet of clear sidewalk width. The developer also agrees that the required barriers or fencing around the outdoor café must be installed in such a way that café patrons will not be able to move the barriers, but that they can be removed at the end of the outdoor seating season. The developer also agrees that there shall be a review by the County Board of this site plan amendment upon a change of ownership of the restaurant tenant.

63. The developer agrees that the proposed façade changes shall be as shown on the drawings prepared by Chatelain Architects, titled “American Tap Room Project Number 2010.351”, dated January 25, 2011 as attached to the staff report and approved by the County Board on February 12, 2011. The developer agrees that the non-permanent façade overlay shall be removed within 30 days of “American Tap Room” vacating the premises.
64. The developer further agrees that a building permit for the proposed revolving door and canopy must be issued before issuance of a certificate of occupancy for the restaurant space. Prior to the issuance of said building permit for the proposed revolving door and canopy, the developer ~~shall~~ agrees to provide the Zoning Office with a letter from the County Manager or designee, stating either that the proposed revolving door and entrance canopy will not encroach into the County’s 5-foot sidewalk easement, or that the developer has obtained all approvals necessary to permit such encroachment. The developer agrees that it will have all responsibility to obtain any necessary approvals for such encroachment.