



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of May 14, 2011

DATE: May 5, 2011

SUBJECT: SP #194 SITE PLAN AMENDMENT for outdoor café in the public right of way/
on public access easement; located at 3100 Clarendon Blvd. (RPC# 19-002-007).

Applicant:

Mad Rose, Inc.
3100 Clarendon Boulevard, PL-15
Arlington, Virginia 22201

By:

Nan E. Walsh, Esq., and Megan Rappolt
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Adopt the attached ordinance for a site plan amendment for outdoor café seating subject to all previously approved conditions and the new conditions of the staff report, with a County Board review in one (1) year (May 2012).

ISSUES: The applicant is proposing a site plan amendment for outdoor café seating at 3100 Clarendon Blvd., and no issues have been identified.

SUMMARY: The owners of Mad Rose, located within the building at 3100 Clarendon Boulevard (SP #194), are proposing an outdoor café on the sidewalk along Clarendon Boulevard, and wrapping around the corner onto Washington Boulevard. The proposal includes 77 seats with a removable barrier located in a public sidewalk easement. The proposed hours of operation would be from 11 am to 1 am seven (7) days per week, which is consistent with hours approved for other outdoor cafes in Clarendon. The proposal would maintain a clear sidewalk zone of eight (8) feet on Clarendon Boulevard and six (6) feet on Washington Boulevard, which is consistent with the requirements of the Clarendon Sector Plan. Staff supports the applicant's proposal because an outdoor café in this location would serve to activate the streetscape at this major intersection. The proposal would not result in an adverse impact to the surrounding

County Manager:

BMD/GA

Staff: Matthew Pfeiffer, DCPHD, Planning Division
Melanie Jesick, DES, Transportation Division

2.

PLA-5879

neighborhood as it is located in a major commercial corridor and separated from residential uses. Therefore, staff recommends adoption of the attached ordinance for a site plan amendment for outdoor café seating on a public sidewalk easement subject to all previously approved conditions and the new conditions of the staff report, with a County Board review in one (1) year (May 2012).

BACKGROUND: The applicant is proposing a site plan amendment for an outdoor café located on a public sidewalk easement. The site is located at 3100 Clarendon Blvd., and is described as follows:

Site: The site is located on the triangular-shaped block bound on the west by Clarendon Boulevard, on the south by Washington Boulevard, and on the east by N. Highland Street.

Zoning: The site is zoned “C-O” Commercial Office Building, Hotel, and Multiple-Family Dwelling Districts.

Land Use: The site is designated on the General Land Use Plan (GLUP) as “High Office-Apartment-Hotel,” Up to 3.8 FAR Office Density, up to 4.8 FAR Apartment Density, and up to 3.8 FAR Hotel Density. The site is also located within the Clarendon Revitalization District.

Neighborhood: The site is located within the Clarendon-Courthouse Civic Association. The Lyon Village and Lyon Park civic associations were also notified of this request. The applicant held a site visit with members of the surrounding communities on April 26, 2011. Members of the surrounding communities indicated that they support the applicant’s proposal, but would like the County to condition the type of removable barrier used and would like the applicant to depict the dimensions of all pinch points on the plan. The applicant has agreed to both of these requests.

The restaurant has an existing outdoor café located in the courtyard of the building at 3100 Clarendon Boulevard adjacent to the main entrance to the restaurant. This café consists of 55 seats and a removable barrier, and was approved by an administrative change to SP #194. The subject café did not require a site plan amendment as it is located entirely on private property. The administrative approval required a six (6)-foot clear sidewalk path between the subject café and the adjacent outdoor café for SoBe.

DISCUSSION: The applicant, Mad Rose, Inc., is proposing an outdoor café located on the public sidewalk easement on Clarendon Boulevard in front of the restaurant, and wrapping around the corner onto Washington Boulevard along the building façade (see attached plan). The café would consist of 77 seats. The applicant has agreed to hours of operation for the outdoor seating between 11 a.m. to 1 a.m. seven (7) days per week, which is consistent with the hours of operation for other outdoor cafes in Clarendon. The outdoor café is proposed to be temporary and would include a two (2)-inch removable barrier separating the café from the clear sidewalk zone. The barrier preserves the demarcation of the outdoor café and maintains an appropriate clear sidewalk.

The applicant's proposal is consistent with the Clarendon Sector Plan section on sidewalks. The proposal includes maintaining an eight (8)-foot clear sidewalk zone along the Clarendon Boulevard sidewalk, and maintaining this width around the corner onto Washington Boulevard. On the Washington Boulevard side, the applicant would maintain a clear sidewalk zone of six (6) feet. The plan also includes a two (2)-foot path within the barriers in front of the tables for servers to maneuver within the café.

The applicant's proposal meets County practice and policies for outdoor cafes located on public sidewalks, and will not result in adverse impacts to pedestrians using the subject sidewalks, or to surrounding communities. The proposed outdoor café is located in a mixed-use high density area and will contribute to activate the streetscape in the locations proposed. In particular, staff supports uses that would help bring out more activity along the subject stretch of Washington Boulevard, which contains few storefronts and could be made more attractive to pedestrians. As the site is not located directly adjacent to residential uses the proposal will not result in an adverse impact to residential properties.

CONCLUSION: The applicant's proposal is consistent with County practice and policies concerning outdoor cafés located on public sidewalks, including the Clarendon Sector Plan. Staff supports the applicant's proposal because it will serve to activate the streetscape at the locations proposed, and will not result in an adverse impact to the surrounding community. Therefore, staff recommends adoption of the attached ordinance for a site plan amendment for outdoor seating, subject to all previously approved conditions and the new conditions of the staff report, with a County Board review in one (1) year (May 2012).

Site Plan Amendment Ordinance

WHEREAS, an application for a Site Plan Amendment dated February 23, 2011, for Site Plan # 194, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in the Staff Report(s) provided for the May 14, 2011 County Board meeting 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 numerous conditions as set forth in the Staff Report; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on May 14, 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:
 - Outdoor café on a public sidewalk easement; and
- 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 originally requested by an application dated February 23, 2011 for Site Plan #194, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition #1 below (which drawings, are hereafter collectively referred to as “Revised Site Plan Application”), for a Site Plan Amendment for an outdoor café in located on a public sidewalk easement, for the parcel of real property known as 3100 Clarendon Blvd., RPC# 19-002-007 approval is granted and the parcel so described shall be used according to the Revised Site Plan Application, subject to the following conditions, with a County Board review in one (1) year (May, 2012).

Conditions:

1. The outdoor seating area is permitted on Clarendon Boulevard and Washington Boulevard as shown on the plans entitled “Outdoor Seating Plan (Mad Rose Restaurant),” dated April 17, 2011 and attached to this report. The applicant agrees to maintain a minimum of eight (8) feet of clear sidewalk width along Clarendon Boulevard and a minimum of six (6) feet of clear sidewalk width along Washington Boulevard. Clear sidewalk width shall be measured from the outer surface of the removable barrier. The outdoor seating shall be limited to a maximum total seating capacity of 77 seats.
2. The applicant agrees that any use of umbrellas in the outdoor seating area shall not contain any signs or interfere with pedestrian movement along the sidewalk. No outdoor fixtures shall display any sign messages unless a sign permit has been approved by the Zoning

Office.

3. The applicant agrees that all outdoor seating including tables, chairs, and removable barriers, shall be removed from the sidewalk annually during the winter months. No outdoor seating equipment shall be stored on the sidewalk.
4. The applicant agrees that the barrier, as depicted on the plan and as required by code, shall be installed so that it is not permanently affixed to the sidewalk and cannot easily be moved by patrons; however it shall be able to be removed by the applicant seasonally.
5. The applicant agrees that the site plan amendment for an outdoor café shall be reviewed by the County Board upon any change of tenancy of the subject space currently occupied by Mad Rose.

PREVIOUS COUNTY BOARD ACTIONS:

July 8, 1995	Approved site plan amendment for live entertainment at La Cantinita Restaurant.
July 20, 1996	Approved site plan amendment for live entertainment at Blue-N-Gold Brewing.
July 19, 1997	Renewed site plan amendment for live entertainment at Blue-N-Gold Brewing for three (3) years.
March 14, 1998	Approved site plan amendment for a comprehensive sign plan for the Olmstead Building.
October 17, 1998	Continued a request for the Endependance Center of Northern Virginia to occupy ground floor space at 3100 Clarendon Blvd.
November 18, 1998	Approved request for the Endependance Center of Northern Virginia to occupy ground floor space at 3100 Clarendon Blvd.
July 22, 2000	Renewed site plan amendment for live entertainment for Mister Days for one (1) year.
December 18, 2000	Deferred site plane amendment for Mister Days to amend hours of live entertainment.
January 27, 2001	Approved site plan amendment for Mister Days to amend hours of live entertainment subject to a review in one (1) year.
January 26, 2002	Renewed site plan amendment for live entertainment at Mister Days for 10 months.
October 19, 2002	Renewed site plan amendment for live entertainment at Mister Days subject to a review in one (1) year.
October 18, 2003	Renewed site plan amendment for live entertainment at Mister Days subject to a review in one (1) year.
May 15, 2004	Deferred site plan amendment for Mister Days
June 26, 2004	Approved site plan amendment for an outdoor café for Mister Days subject to a County Board review in

	October 2004.
October 2, 2004	Renewed site plan amendment for live entertainment and outdoor seating at Mister Days.
June 21, 2005	Deferred site plan amendment for SoBe
October 18, 2005	Renewed site plan amendments for live entertainment for SoBe and live entertainment and outdoor seating for Mister Days, subject to a review in seven (7) months.
May 20, 2006	Renewed site plan amendments for SoBe and Mister Days.
May 17, 2008	Deferred site plan amendments for SoBe and Mister Days to the September 2008 CB meeting.
September 16, 2008	Deferred site plan amendments for SoBe and Mister Days to the November 15, 2008 CB meeting.
November 15, 2008	Renewed site plan amendments for SoBe and Mister Days subject to four (4) new conditions and with a County Board review in two (2) years (November, 2010).
November 13, 2010	Renewed site plan amendments for SoBe and Mister Days with an administrative review in one (1) year and a County Board review in two (2) years (November 2012).

- NOTES:
1. PROPERTY ADDRESS: 3100 CLARENDON BOULEVARD
 2. RPC # 19002007
 3. EXISTING USE: RESTAURANT (MAD ROSE)
 4. THIS IS NOT A BOUNDARY SURVEY
 5. NO TITLE SURVEY CONDUCTED BY THIS FIRM
 6. ALL THE EASEMENTS, DEDICATIONS REMAIN IN FULL EFFECT

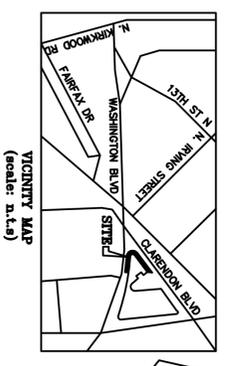
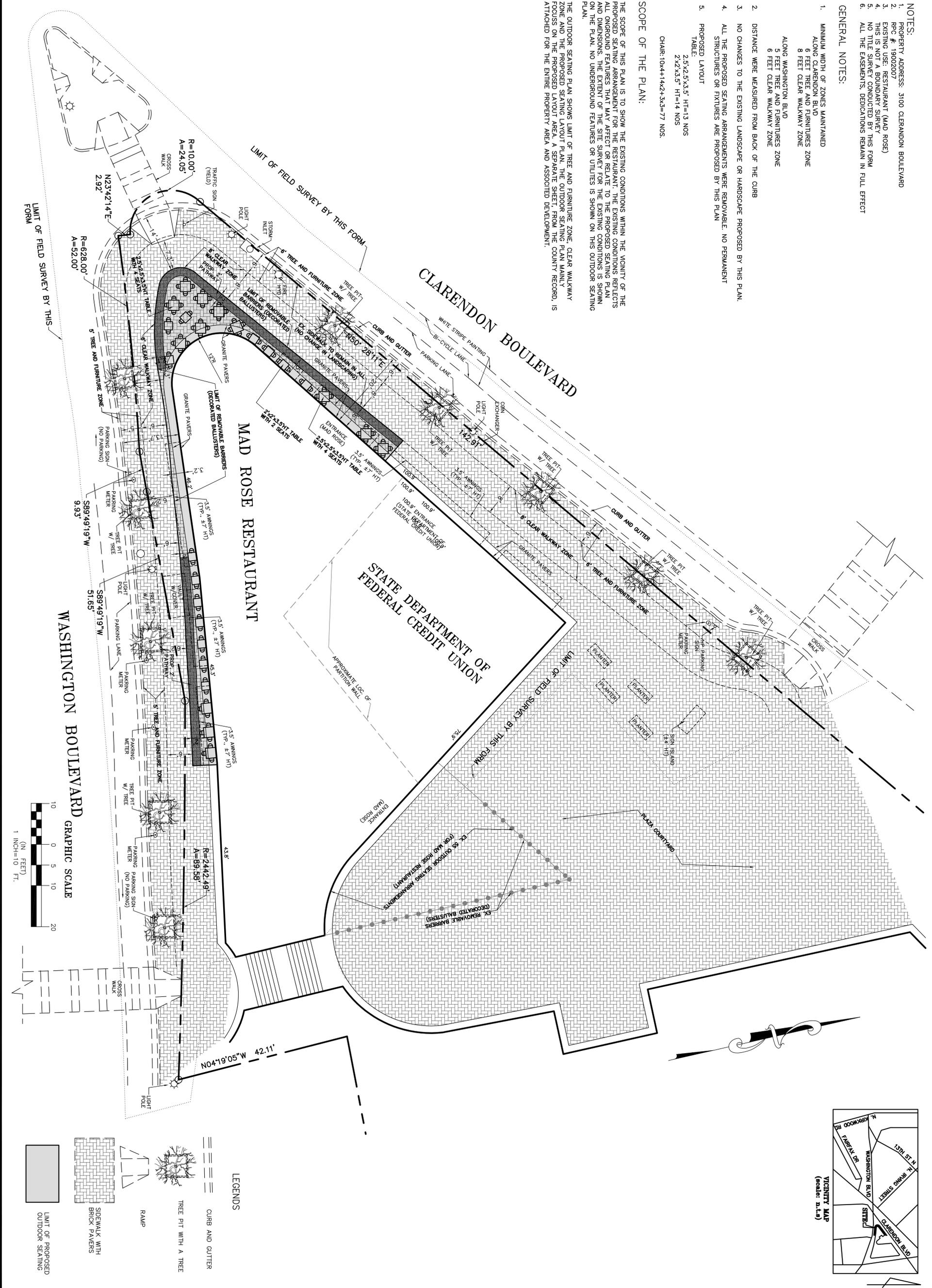
GENERAL NOTES:

1. MINIMUM WIDTH OF ZONES MAINTAINED
ALONG CLARENDON BLVD
8 FEET TREE AND FURNITURES ZONE
8 FEET CLEAR WALKWAY ZONE
ALONG WASHINGTON BLVD
5 FEET TREE AND FURNITURES ZONE
6 FEET CLEAR WALKWAY ZONE
2. DISTANCE WERE MEASURED FROM BACK OF THE CURB
3. NO CHANGES TO THE EXISTING LANDSCAPE OR HARDSCAPE PROPOSED BY THIS PLAN.
4. ALL THE PROPOSED SEATING ARRANGEMENTS WERE REMOVABLE. NO PERMANENT STRUCTURES OR FIXTURES ARE PROPOSED BY THIS PLAN
5. PROPOSED LAYOUT
TABLE:
2.5'x2.5'x3.5' HT=13 NOS
2'x2'x3.5' HT=14 NOS
CHAIR: 10x44+14x2+3x3=77 NOS.

SCOPE OF THE PLAN:

THE SCOPE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS WITHIN THE VICINITY OF THE PROPOSED SEATING ARRANGEMENT FOR THE RESTAURANT. THE EXISTING CONDITIONS, REFLECTS ALL ON-GROUND FEATURES THAT MAY AFFECT OR RELATE TO THE PROPOSED SEATING PLAN AND DIMENSIONS. THE EXTENT OF THE SITE SURVEY FOR THE EXISTING CONDITIONS IS SHOWN ON THE PLAN. NO UNDERGROUND FEATURES OR UTILITIES IS SHOWN ON THIS OUTDOOR SEATING PLAN.

THE OUTDOOR SEATING PLAN SHOWS LIMIT OF TREE AND FURNITURE ZONE, CLEAR WALKWAY ZONE AND THE PROPOSED SEATING LAYOUT PLAN. THE OUTDOOR SEATING PLAN MAINLY FOCUSES ON THE PROPOSED LAYOUT AREA. A SEPARATE SHEET, FROM THE COUNTY RECORD, IS ATTACHED FOR THE ENTIRE PROPERTY AREA AND ASSOCIATED DEVELOPMENT.



LEGENDS

- CURB AND GUTTER
- TREE PIT WITH A TREE
- RAMP
- SIDEWALK WITH BRICK PAVERS
- LIMIT OF PROPOSED OUTDOOR SEATING

NO.	DATE	DESCRIPTION
REVISION BLOCK		

AMA
ENGINEERS, LLC

4308 WAKEFIELD CHAPEL ROAD
ANNANDALE, VA-22003
TEL: 703-655-2151
amaengineers@yahoo.com

COMMONWEALTH OF VIRGINIA
PREM K BHANDARI
Lic. No. 042492
PROFESSIONAL ENGINEER

OUTDOOR SEATING PLAN
(MAD ROSE RESTAURANT)
OLMSTED'S ADDN TO CLARENDON ADDITION CC MANORS
3100 CLARENDON BLVD
ARLINGTON COUNTY, VIRGINIA

RPC# 19002007	
JOB NO.: 11-25	SCALE: 1"=10'
DESIGN BY:	DATE: 04/17/2011
DRAWN BY:	SHEET: 1 OF 1
CHECKED BY:	

