



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of May 14, 2011**

SUPPLEMENTAL REPORT—REVISED CONDITIONS

DATE: May 11, 2011

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

C.M. RECOMMENDATION:

Adopt the attached ordinance for a site plan amendment for Mad Rose 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).

DISCUSSION: This report revises Conditions #1 and #3 provided in the report dated May 5, 2011. The original Condition #1 allowed a maximum of 77 seats to be located on the sidewalk on Clarendon and Washington Boulevards. Given that the restaurant has 55 existing seats at an outdoor café located on their property, the request for 77 seats would bring the number of outdoor café seating to 132 seats, thereby exceeding the number of seats permitted inside the restaurant (129 seats allowed by the Certificate of Occupancy for the interior of the restaurant). This would result in the outdoor seating becoming the primary use at the site. As a result, the applicant has agreed to reduce the total number of seats proposed for the sidewalk along the restaurant's frontage on Clarendon and Washington Boulevards to 73 seats. The outdoor café is an accessory use subordinate to the restaurant. Staff is also recommending a revision to Condition #3 specifying the months in which the outdoor café and associated equipment will be removed annually. The original condition required the applicant to remove the outdoor café from the sidewalk during the winter months; new language specifies that these months include December, January, and February.

County Manager:

BMD/GA

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

2.

PLA-5879

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, revised through May 12, 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~~ 73 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 (December, January, and February). 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 CLERANDON BOULEVARD
2. RPC #: 19002007
3. EXISTING USE: RESTAURANT (MAD ROSE)
4. THIS IS NOT A BOUNDARY SURVEY
5. NO TITLE SURVEY CONDUCTED BY THIS FORM
6. ALL THE EASEMENTS, DEDICATIONS REMAIN IN FULL EFFECT

GENERAL NOTES:

1. MINIMUM WIDTH OF ZONES MAINTAINED ALONG CLERANDON BLVD
6 FEET TREE AND FURNITURES ZONE
8 FEET CLEAR WALKWAY ZONE

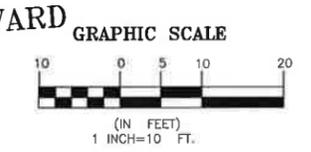
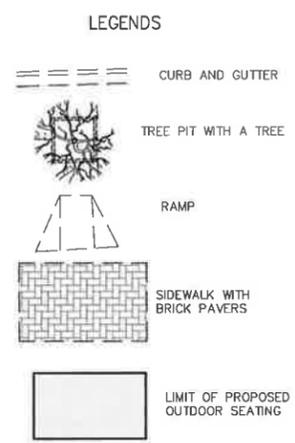
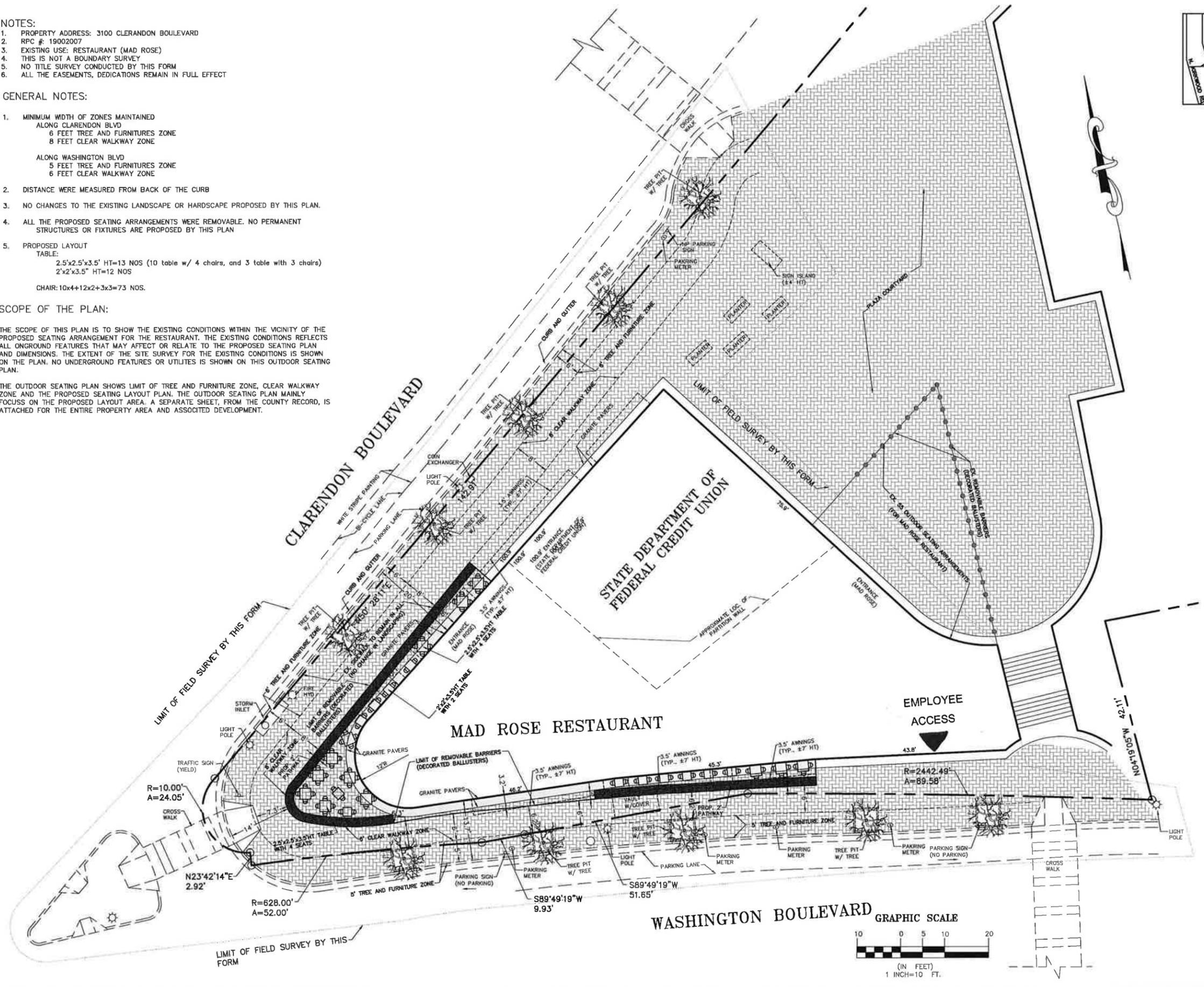
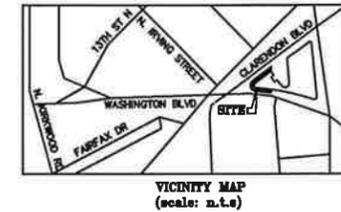
ALONG WASHINGTON BLVD
5 FEET TREE AND FURNITURES ZONE
6 FEET CLEAR WALKWAY ZONE
2. DISTANCE WERE MEASURED FROM BACK OF THE CURB
3. NO CHANGES TO THE EXISTING LANDSCAPE OR HARDSCAPE PROPOSED BY THIS PLAN.
4. ALL THE PROPOSED SEATING ARRANGEMENTS WERE REMOVABLE. NO PERMANENT STRUCTURES OR FIXTURES ARE PROPOSED BY THIS PLAN
5. PROPOSED LAYOUT
TABLE:
2.5'x2.5'x3.5' HT=13 NOS (10 table w/ 4 chairs, and 3 table with 3 chairs)
2'x2'x3.5' HT=12 NOS

CHAIR: 10x4+12x2+3x3=73 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 ONGROUND 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 FOCUS ON THE PROPOSED LAYOUT AREA. A SEPARATE SHEET, FROM THE COUNTY RECORD, IS ATTACHED FOR THE ENTIRE PROPERTY AREA AND ASSOCIATED DEVELOPMENT.



RPC# 19002007
JOB NO.: 11-26 SCALE: 1"=10'
DESIGN BY: DATE: April 17 Rev. - May 12
DRAWN BY: CHECKED BY:
SHEET: 1 OF 1

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

AJMA
ENGINEERS, LLC
PREM K BHANDARI
Lic. No. 042692
PROFESSIONAL ENGINEER
COMMONWEALTH OF VIRGINIA

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

NO.	DATE	DESCRIPTION	REVISION BLOCK