



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of July 9, 2011

DATE: June 30, 2011

SUBJECT: U-3043-02-1 USE PERMIT REVIEW of antiques and collectibles market; 2000 block of North 15th Street.

Applicant:

Clarendon Alliance
3195 Wilson Boulevard
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Renew, subject to all previously approved conditions, with an administrative review in three (3) months (October 2011), and with a County Board review in five years (July 2016).

ISSUES: This is a five (5)-year review of the Clarendon Antiques and Collectibles Market. The applicant has been operating the market without a valid right-of-way permit.

SUMMARY: The Saturday antiques and collectibles market has been operating in the 2000 block of North 15th Street since December 2002. During review of the use permit it was discovered that the applicant did not possess a valid right-of-way permit to operate the market on a public street on Saturdays. The applicant was informed of the need to obtain a right-of-way permit and has agreed to do so prior to the County Board meeting. As there have been no issues with the use of the market, staff is recommending that the use permit be renewed but that there be a short administrative review to ensure that the applicant has obtained the necessary right-of-way permit. Therefore, staff recommends the use permit be renewed subject to all previous conditions, with an administrative review in three (3) months (October 2011), and with a County Board review in five years (July 2016).

BACKGROUND: The subject open-air market began operations in September 2001, at 2900 Wilson Boulevard. During the year that the use operated at 2900 Wilson Boulevard, it operated in compliance with the use permit conditions and with minimal complaints to County agencies. The County Board approved a use permit allowing the Market to relocate to the Courthouse Metro area. The applicant presented the subject proposal to the County's Special Events Committee and became operational at the new location in December 2002. The use permit was renewed in July 2003 and July 2006.

County Manager: *BMD/GA*
Staff: Matthew Pfeiffer, DCPHD, Planning Division

PLA-5937

15.

DISCUSSION: Since the last County Board Review (July 2006):

Use Permit Conditions: The applicant does not possess a valid right-of-way permit for the use, as it is located in the public right- of- way and requires street closure. The applicant has been made aware of the need for a right-of-way permit and has agreed to acquire the necessary permit for the use prior to the July 9, 2011 County Board meeting.

Civic Associations: Staff contacted the Clarendon-Courthouse Civic Association. The civic association has responded that they consider the market an asset for the vibrancy of the community.

CONCLUSION: It was discovered during the course of review that the applicant does not possess a valid right-of-way permit for closing 15th Street N. to traffic on Saturdays. The applicant has been informed of the need to obtain a right-of-way permit, and has agreed to do so prior to the County Board meeting. Staff is recommending a short administrative review to monitor the situation. Therefore, it is recommended the use permit be renewed, subject to all previous conditions, with an administrative review in three (3) months (October 2011), and with a County Board review in five years (July 2016).

PREVIOUS COUNTY BOARD ACTIONS:

November 19, 2002

Approved use permit (U-3043-02-1) for operation of an open air antiques and collectibles market located in the 2000 block of 15th Street North with a review in eight (8) months. (July 2003)

July 19, 2003

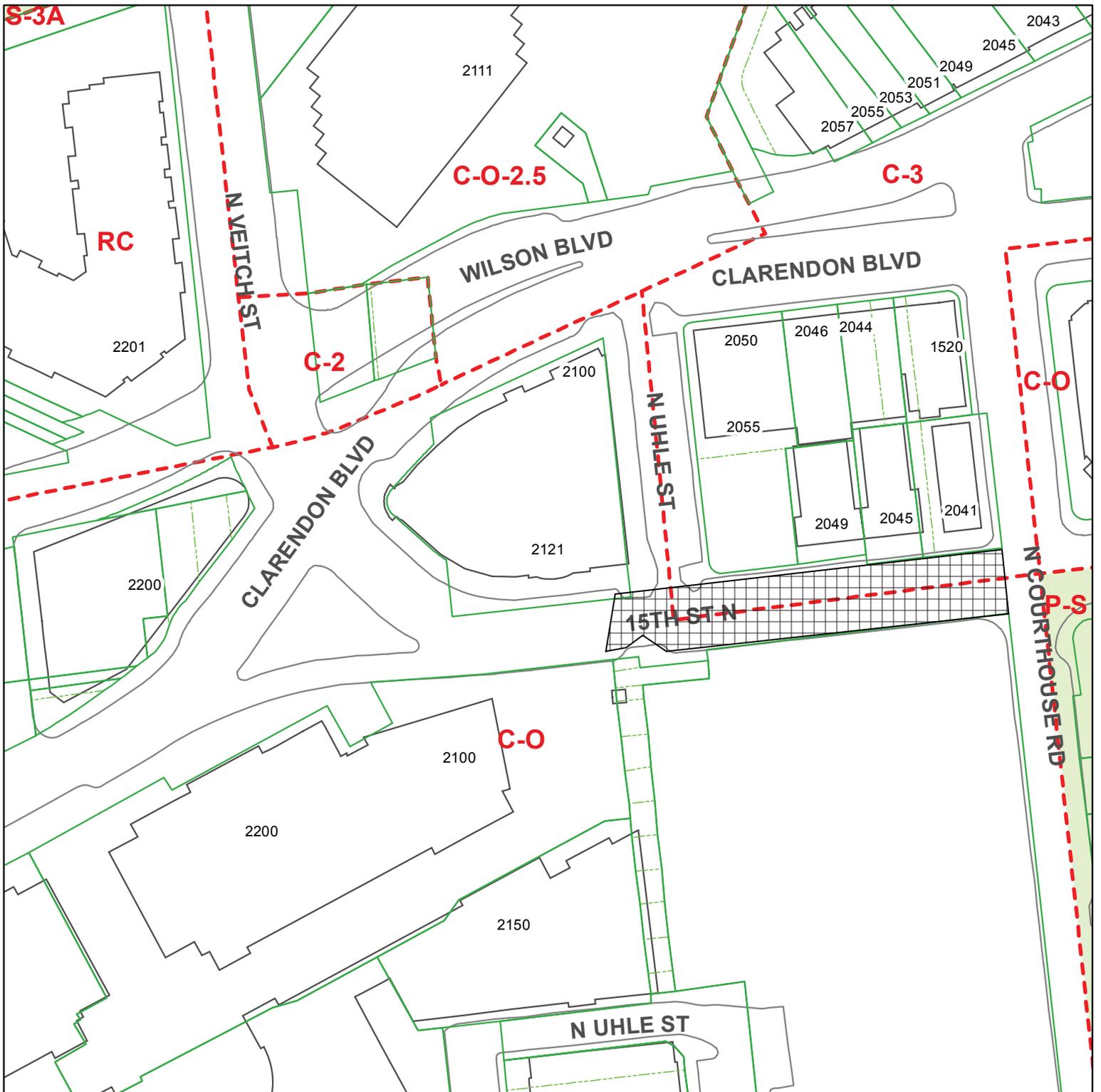
Continued use permit (U-3043-02-1) for operation of an open air antiques and collectibles market located in the 2000 block of 15th Street North with a review by the County Board in three (3) years (July 2006).

Approved Conditions:

1. The applicant agrees that the hours of operation for the antique and collectibles market will be limited to Saturdays, only between the hours of 7:30 a.m. (vendor arrival time); the market will not open to the public until at least 9 a.m. and will close to public use at 5 p.m. Vendor clean up and departure shall be completed no later than 6 p.m.
2. The applicant agrees to work with the neighborhoods, and the County, to provide adequate signs at appropriate locations identifying the location of the Antiques and Collectibles Market and directing vendors and patrons into the Courthouse Plaza's underground parking garage. Such signage shall be approved by the County Manager or his designee prior to issuance of a certificate of occupancy.
3. The applicant agrees to submit a parking plan (to scale) delineating the parking layout and table layout for the vendors. The applicant agrees that the plan shall include the location of the public parking located in the Courthouse Plaza garage. The Zoning Administrator shall approve the plan prior to the issuance of a certificate of occupancy.
4. The applicant agrees to identify a person who will serve as liaison to the community throughout the operation of the Antiques and Collectibles Market use. The liaison's name shall be submitted to the Zoning Administrator and shared with the Clarendon-Courthouse and the Radnor/Fort Myer Heights civic associations, the Lyon Village Citizens Association, and the Farmer's Market manager prior to the issuance of a certificate of occupancy.
5. The applicant agrees to meet all applicable County requirements and work cooperatively with the Police Department, the Fire Department, the Community Code Enforcement Office, the Department of Environmental Services and the Department of Public Works in doing so.
6. The applicant agrees to identify a site manager prior to issuance of a certificate of occupancy. The name of the site manager shall be submitted to the Zoning Administrator and shared with the Clarendon-Courthouse and Radnor/Fort Myer Heights civic associations, Lyon Village Citizens Association, and the Farmer's Market manager prior to the issuance of a certificate of occupancy.
7. The applicant agrees to ensure that the 15th Street North public right-of-way, at the location of the Market is maintained properly at all times of the Antiques and Collectibles operation and that the site is clean and all trash and debris is removed from the site by 6 p.m. each Saturday. Interior space shall be provided for the collection and storage of

trash and for the recycling of reusable materials as defined by the County. The applicant agrees to include the location of such space on the proposed parking plan (Condition #3).

8. The applicant agrees to provide all vendors associated with the Market with a document that lays out the preferred approach routes for vehicles and identifying major arterial roadways to avoid the use of neighborhood residential streets. This document shall be provided to the Zoning Administrator for approval and then shall be provided to the Clarendon-Courthouse and Radnor/Fort Myer Heights civic/citizens associations prior to the issuance of a certificate of occupancy.
9. The applicant agrees that the Market shall take all practical measures, to encourage the use of the Metro and also to encourage customer parking in adjacent parking facilities as designated in the parking plan required by Condition #3. The applicant agrees that such measures will include, but will not be limited to verbal and written documents (including maps) directing patrons to the Metro access points and to public parking garages in the area.
10. The applicant agrees to comply with the requirements of the County's Noise Ordinance. The applicant agrees to ensure that no amplified sound that can be heard beyond the perimeter of the market site shall be allowed at any time. In any case, no amplified sound of any kind, including music or announcements shall be used prior to 10 a.m. on the day of operation of the antiques and collectibles market.
11. The applicant agrees to develop a coordinated plan with the Department of Public Works, the Police Department and the Fire Department to ensure that all requirements of these departments are adhered to upon closing 15th Street North. Documentation of the coordinated plan shall be submitted to the Zoning Administrator for approval, prior to the issuance of a certificate of occupancy.
12. The applicant agrees to layout the vendor spaces substantially in accordance with the attached Clarendon Alliance Open Air Market Layout Plan dated September 27, 2002.
13. The applicant agrees to operate under the conditions of the staff report and under the two (2) additional attached documents, as submitted by the applicant, entitled "Clarendon Antiques & Collectibles Market (CACM) Rules of Operation and Compliance" and the "Special Use Permit Conditions and Narrative for a Clarendon Open Air Market (COAM)" dated July 12, 2002, both which are incorporated herein.



U-3043-02-1

2000 block of N. 15th Street


 Case
 Location(s)
 Scale: 1:1,200

Note: These maps are for property location assistance only.
 They may not represent the latest survey and other information.