



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of July 9, 2011

DATE: June 20, 2011

SUBJECT: U-3265-10-1 USE PERMIT to renew an outdoor cafe in the public right-of-way; located at 1025 N. Fillmore Street (Screwtop Wine Bar) (RPC# 18-024-020).

Applicant:

Wendy Buckley
Screwtop Wine Bar
1025 N. Fillmore Street
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Renew, subject to all previously approved conditions, with a County Board review in three (3) years (July 2014).

ISSUES: This is a use permit review for an outdoor café in the public right-of-way. One neighbor has submitted a statement in opposition to the outdoor café use due to patron noise.

SUMMARY: This is a one (1) year review of a use permit for an outdoor café in the public right-of-way for Screwtop Wine Bar located at 1025 N. Fillmore Street in Clarendon. The applicant is compliant with the conditions of approval. Therefore, staff recommends renewal of the use permit for an outdoor café in the public right-of-way, subject to all previously approved conditions, with a County Board review in three (3) years (July 2014).

BACKGROUND: This use permit for an outdoor café in the public right-of-way was approved by the County Board in July 2010.

DISCUSSION: The applicant currently has a certificate of occupancy for eight (8) seats in the outdoor café. The applicant is compliant with the conditions of approval, which require a minimum six-foot clear path for the public sidewalk, and closure of the café by 9 p.m. Sunday through Thursday and 10 p.m. Fridays and Saturdays. No radio or live entertainment is permitted in the outdoor café area.

County Manager:

BMD/GA

Staff: Peter Schulz, DCPHD, Planning Division

PLA-5929

21. B.

Since Use Permit Approval (July 10, 2010):

Use Permit Conditions: The applicant is in compliance with the condition of the use permit.

Community Code Enforcement: The Code Enforcement Office states that it has no issues regarding this use.

Police Department: The Police Department states that it has no issues regarding this use.

Fire Marshal's Office: Staff has not received any concerns regarding this use from the Fire Marshal's office.

Civic Associations: The applicant is located in the Clarendon-Courthouse Civic Association area. The Civic Association has been notified of the renewal but as of this date has not given comments to staff. The Lyon Park Civic Association was also notified of this renewal, and to date no comments have been received. Staff has received one (1) letter from a resident of the condominiums across the street complaining about noise from the outdoor cafe. Staff shared the resident's concern with the applicant.

CONCLUSION: The outdoor café in the public right-of-way operates in compliance with the approved use permit conditions. Therefore, staff recommends renewal of the use permit for an outdoor café in the public right-of-way, subject to all previously approved conditions, with a County Board review in three (3) years (July 2014).

PREVIOUS COUNTY BOARD ACTIONS:

July 13, 2004 Approved a rezoning (Z-2508-03-1) of the subject property from “C-3” to “C-TH” subject to certain proffers as set forth in a document entitled “The Fillmore Proffers revised July 6, 2004” (“Proffers”).

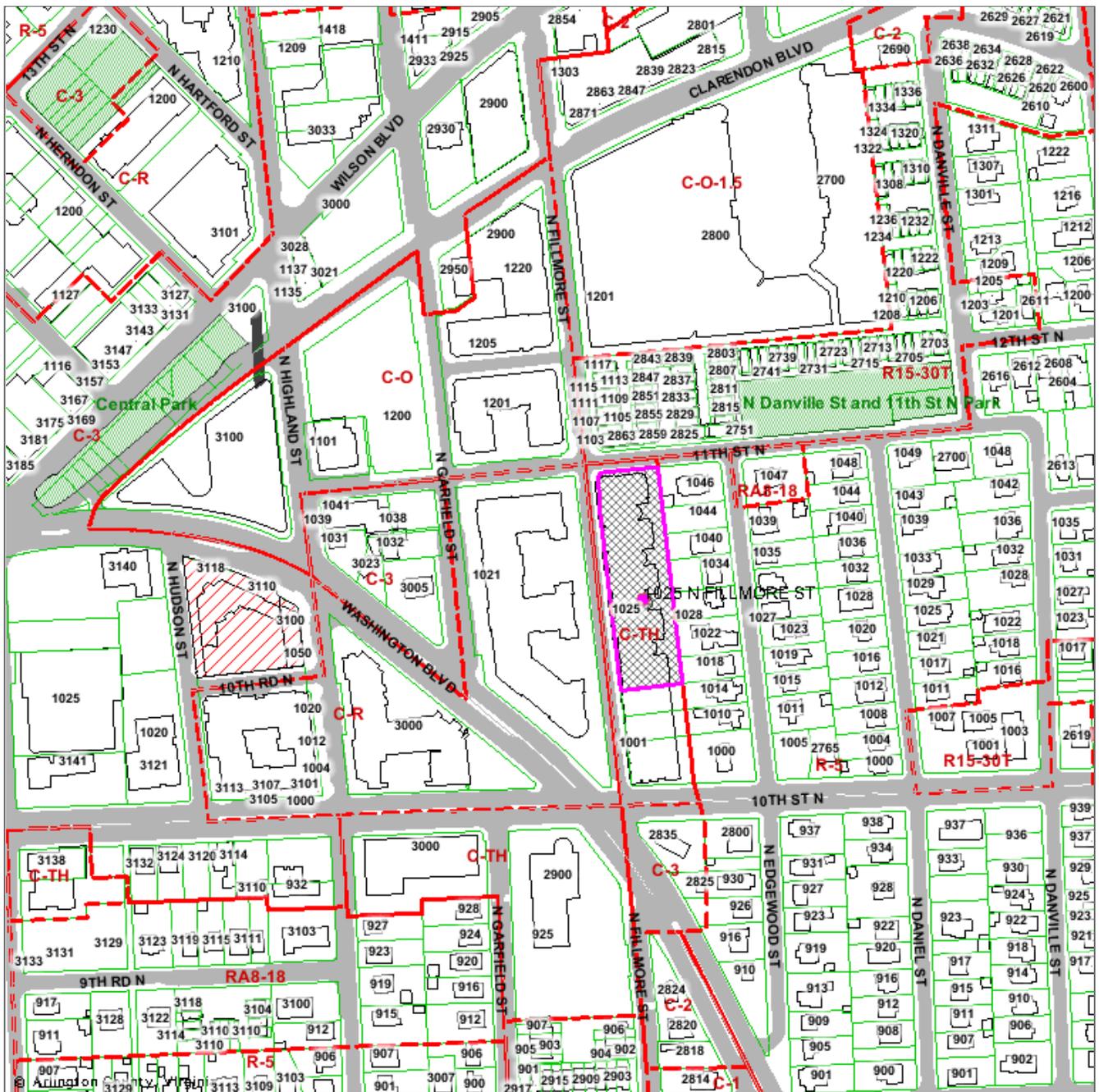
July 10, 2010 Approved an amendment to the proffers (Z-2508-03-1) to permit outdoor cafes in the public right-of-way in two (2) locations.

Approved use permit (U-3265-10-1) for an outdoor café in the public right-of-way (Screwtop), subject to conditions, with a County Board review in one (1) year (July 2011).

Approved use permit (U-3258-10-1) for an outdoor café in the public right-of-way (American Flatbread), subject to conditions, with a County Board review in one (1) year (July 2011).

Approved Conditions:

1. The applicant (as used in these conditions, the term “applicant” shall mean the owner, the tenant “Screwtop” and all successors and assigns) agrees that, in building or using any outdoor café on the property at 1025 N. Fillmore Street, it will comply with the conditions set forth below and the drawings referenced below.
2. The applicant agrees that the outdoor café shall be in the same general location as shown on the attached drawing dated June 8, 2010, and as approved by the County Board on July 10, 2010. The applicant further agrees to maintain a minimum of six (6) feet of clear unobstructed sidewalk width at all times.
3. The applicant agrees that the outdoor café shall close at 9 p.m. Sunday through Thursday, and 10 p.m. on Friday and Saturday.
4. The applicant agrees that there shall be no speakers, radio, or live entertainment in any outdoor seating area.
5. The applicant shall designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the outdoor seating and an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the outdoor cafe. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Clarendon-Courthouse Civic Association.

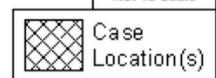


u3265
1025 N. Fillmore Street (ZOSO Screwtop)
RPC: 18-024-020

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



Not To Scale



Department of Community Planning, Housing and Development

Planning Division