



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of July 9, 2011

SUPPLEMENTAL REPORT—REVISED CONDITION

DATE: July 6, 2011

SUBJECT: SP #397 SITE PLAN AMENDMENT to condition #65, for the project located at 1200 North Garfield Street, related to outdoor cafes, to provide for removal of the outdoor seating and barriers, including the insertion of plugs in the barrier sleeve holes, from some of the outdoor cafes that front on streets that abut the project, for the months of December, January and February, and other amendments that provide for seasonal use of outdoor cafes located on sidewalks around the project (RPC# 18-013-011).

C. M. RECOMMENDATION:

Adopt the attached ordinance approving a site plan amendment to SP #397 to require removal of the outdoor café located in the public right-of- way, including the fencing tables, and chairs, and the fence sleeve holes be capped, in the months of December, January and February, subject to the conditions of the ordinance applicable only to this site plan amendment, with a County Board review in one (1) year (July 2012).

DISCUSSION: This report is to add to the proposed revised Condition #65 a requirement that the plugs in the barrier sleeve holes be flush with the sidewalk and shall not constitute a tripping hazard.

County Manager: *BMD/GA*

County Attorney: *[Signature]*

Staff: Peter Schulz, DCPHD, Planning Division

PLA-5942

9.

Site Plan Amendment Ordinance

WHEREAS, an application for a Site Plan Amendment dated June 10, 2011 for SP #397, was filed with the Office of the Zoning Administrator: and

WHEREAS, as indicated in Staff Report provided to the County Board for its July 9, 2011 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 July 9, 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 the General Land Use Plan, and with the uses permitted and use regulations of the C-O Districts as set forth in the Zoning Ordinance; 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 June 10, 2011 for SP #397, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition 1 of the site plan (which drawings, etc. are hereafter collectively referred to as “Revised Site Plan Application”), for the parcels of real property known as RPC # 18-013-011 and 3030 Clarendon Boulevard and 1200 North Garfield Street, approval is granted and the parcels so described shall be used according to the Revised Site Plan Application, subject to all previously approved conditions (numbers 1 through 87) with Condition #65 amended as follows:

65. Outdoor cafés shall be permitted in the public right-of-way or within public easements along Clarendon Boulevard, Wilson Boulevard, North Highland Street, North Garfield Street, 11th Street North and for the plaza area at the southwest corner of the intersection of Clarendon Boulevard and North Garfield Street (the “Plaza”) in accordance with the applicable provisions of the Zoning Ordinance, with a maximum seating area and all other applicable requirements as set forth in the Zoning Ordinance and as determined by the Zoning Administrator. Unless otherwise specified by the Clarendon Sector Plan, in effect at the time of the issuance of the Clearing and Grading Permit, the following minimum sidewalk widths, which may not include a two foot shy zone adjacent to the buildings, shall be maintained even where outdoor cafes are established: A minimum of 8

feet of clear sidewalk width must be maintained along Wilson Boulevard, Clarendon Boulevard, and North Highland Street (with the exception of the sidewalks in front of the Underwood Building and the Old Dominion Building). A minimum of 6 feet of clear sidewalk width must be maintained along North Garfield Street and 11th Street North (with the exception of sidewalks in front of the Old Dominion Building). A minimum of 6 feet of clear sidewalk width must be maintained adjacent to the public art in the Plaza and a minimum of 6 feet of clear sidewalk width must be maintained between the building and the Plaza easement. With the exception of outdoor seating areas existing at the time of site plan approval, a minimum of 6 feet of clear sidewalk width must be maintained along the sidewalks fronting the Underwood Building and the Old Dominion Building. Plans for all outdoor cafes shall be subject to prior administrative approval by the Zoning Administrator for consistency with County ordinances, regulations and policies. Any outdoor café shall be administratively reviewed one year following its approval to evaluate it after a season of operation. At that time and at any time thereafter, the Zoning Administrator may review the approval, and the County Board may impose conditions on the operation of the outdoor café, or revoke the prior approval. The applicant further agrees that the outdoor tables and seating, and the fencing and other barriers located in the public right-of-way along Clarendon Boulevard must be completely removed from the Clarendon Boulevard frontage, and plugs shall be inserted in the barrier sleeve holes, each year during the months of December, January and February. Said plugs shall be flush with the sidewalk grade, and shall not constitute a tripping hazard.