



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of March 10, 2012

**DATE:** February 22, 2012

**SUBJECT:** SP331-U-12-1 USE PERMIT ASSOCIATED WITH A SITE PLAN for Live Entertainment/Dancing and Outdoor Seating located at 901 N. Glebe Road (RPC# 14-051-358).

**Applicant:** MWB Development I, LLC

**By:**

M. Catharine Puskar  
Walsh Colucci Lubeley Emrich & Walsh PC  
2200 Clarendon Blvd, Arlington VA 22201

**C.M. RECOMMENDATION:**

Approve the requested use permit for live entertainment, dancing, and outdoor seating subject to the conditions listed in the staff report, and with a County Board review in one (1) year (March 2013).

**ISSUES:** This is a request by World of Beer for live entertainment and dancing, as well as outdoor café seating along the frontage of the Arlington Gateway office building on North Glebe Road. Staff recommended that the outdoor seating area maintain a minimum 8' clear width instead of the proposed 6' clear width due to the size and character of North Glebe Road. The applicant agrees with the staff recommendation; no further issues have been identified.

**SUMMARY:** MWB Development I, LLC is requesting approval of live entertainment with dancing and outdoor seating for the World of Beer restaurant, which will be located in the Arlington Gateway building at 901 N. Glebe Road. The applicant had initially proposed that the hours for the live entertainment run from 7:00 p.m. until 2:00 a.m. daily. In order to be consistent with other approvals in the County, staff recommended that the applicant amend the requested hours to end at 12:00 a.m. Sunday-Wednesday; and 1:30a.m. Thursday-Saturday (with extended hours the eve of holidays) and the applicant has agreed. The applicant is also requesting approval for an outdoor seating area adjacent to the business on North Glebe Road.

County Manager:

*BMD/GA*

County Attorney:

*AWK*      *GA*

Staff: Sophia S. Fisher, DCPHD, Planning Division  
Robert Gibson, DES

**7. B.**

The initial request showed a proposed 6' clear width sidewalk along the outdoor cafe; however, staff recommended that an eight 8' clear width be maintained due to the character of North Glebe Road as a high-volume commercial street. The applicant has agreed. Given that the business is located in a primarily commercial area and that there are no residences in the immediate vicinity, staff finds that this is an appropriate location for daily live entertainment. In addition, providing the outdoor seating will help to activate the streetscape in a largely commercial area. There is adequate space in the public sidewalk to accommodate both the requested outdoor seating and maintain an 8' clear width. Therefore, staff recommends that the County Board approve the live entertainment with dancing and outdoor seating requests subject to the conditions contained in the staff report and with a County Board review in one (1) year.

**BACKGROUND:** The applicant is requesting use permit approval of live entertainment with dancing and outdoor seating on North Glebe Road in the Arlington Gateway site plan project in Ballston.

**The following provides additional information about the site and location:**

Site: Located at 901 N. Glebe Road., the site is bound as follows:

To the north:	Fairfax Drive, high-rise office and residential buildings.
To the west:	North Glebe Road and the Arlington Gateway site plan (SP #331).
To the east:	Hotel, office, and residential uses.
To the south:	Hotel, office, and residential uses.

Zoning: The site is zoned "C-O 2.5" Commercial Office Building, Hotel, and Apartment District.

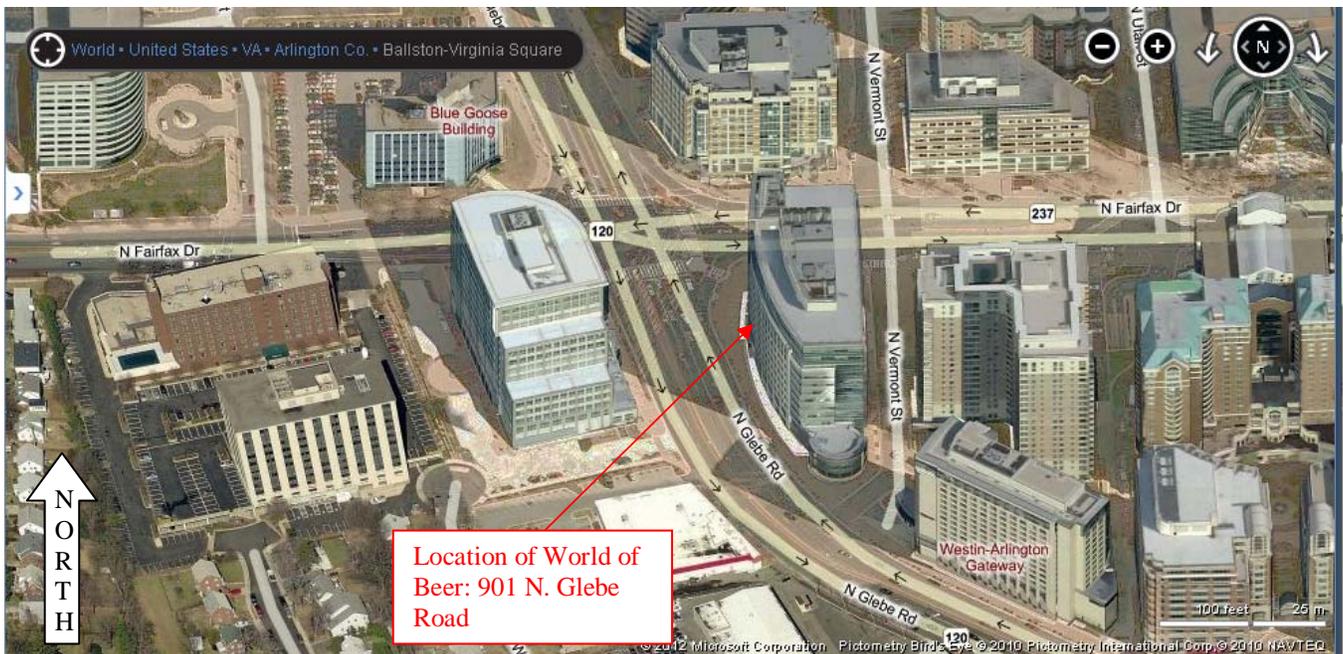
Land Use: The site is designated on the General Land Use Plan (GLUP) as mixed "High-Medium" Residential (up to 3.24 FAR)" and "Medium Office-Apartment-Hotel".

Neighborhood: The site is located within the Ballston-Virginia Square Civic Association, and is proximate to the Bluemont Civic Association. Both civic associations have been notified of the application; no comments have been received as of the date of this report. This project also falls within the Ballston BID, which has submitted a letter in support of this application.

**DISCUSSION:** The applicant is requesting live entertainment with dancing and outdoor seating for the World of Beer restaurant, which will be located in the Arlington Gateway Building at 901 N. Glebe Road. This restaurant has not opened. The applicant had initially requested live entertainment daily between 7 p.m. and 2 a.m. However, staff recommended that they amend their requested hours in order to be consistent with other live entertainment approvals in the County. The applicant agreed, and is now requesting the hours of 7 p.m. to 12 a.m. Sunday through Wednesday and 7 p.m. to 1:30 a.m. Thursday through Sunday and the eve of holidays (defined as both legal Federal holidays and the commonly celebrated holidays Halloween, Saint

Patrick's Day, and Cinco de Mayo). The Arlington Gateway site plan area consists of high-rise office and hotel, with other high-rise office, hotel, and residential buildings in the immediate vicinity, with the residential building on the opposite side of the Arlington Gateway office building from the restaurant (the restaurant faces west and the residential buildings are on the east side). The proposed live entertainment will not have an undue adverse impact on the surrounding community because the live entertainment hours are proposed after business hours, and the site is located within an office building and across the street from another office building, and because the site is not close to residential uses.

The applicant is also requesting outdoor seating in the public sidewalk easement on N. Glebe Road. The applicant initially proposed to maintain a 6' clear width along the outdoor seating area. However, due to the nature of North Glebe Road as a primary commercial corridor and because the sidewalk ranges from 21' to 26' along that section of North Glebe Road, staff recommended that the applicant maintain an 8' clear width. The applicant agreed and has revised the drawing accordingly. Staff finds that providing outdoor seating along this stretch of North Glebe Road is appropriate because it will help to provide an active and pedestrian friendly streetscape in an area that is primarily commercial and office.



Source: Bing Maps

**CONCLUSION:** Staff supports the applicant's request for live entertainment with dancing and outdoor seating. The proposed uses are located in an area that is primarily commercial in character, which will benefit from the increased activity on the sidewalk. In addition, the live entertainment will not cause an adverse impact due to noise because the live entertainment hours are proposed after business hours, and the site is located within an office building and across the street from another office building. The site is not close to residential uses. Therefore, staff recommends that the County Board approve the requested live entertainment (with dancing) and

outdoor seating subject to the conditions of this report and with a County Board review in one (1) year (March 2013).

**CONDITIONS:**

*Note:*

*The following conditions, #77 through #86 are applicable only to the live entertainment, dancing and outdoor seating use permit located at 901 N. Glebe Road.*

For live entertainment:

77. The applicant agrees that live entertainment is permitted only from 7 p.m. to 12 a.m., Sunday through Wednesday, and 7 p.m. to 1:30 a.m. Thursday, Friday, Saturday, and the eve of all legal Federal Holidays, as well as St. Patrick's Day, Cinco de Mayo, and Halloween.
78. The applicant agrees to comply at all times with the Arlington County noise ordinance. The Applicant further agrees that the windows and doors shall remain closed during the times of live entertainment, except for servers coming and going from the outdoor café. The applicant agrees that, under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building.
79. The applicant agrees to comply with all requirements of applicable County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Alcohol Beverage Control Board.
80. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
81. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and 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 live entertainment. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Ballston-Virginia Square and Bluemont Civic Associations.

For outdoor seating:

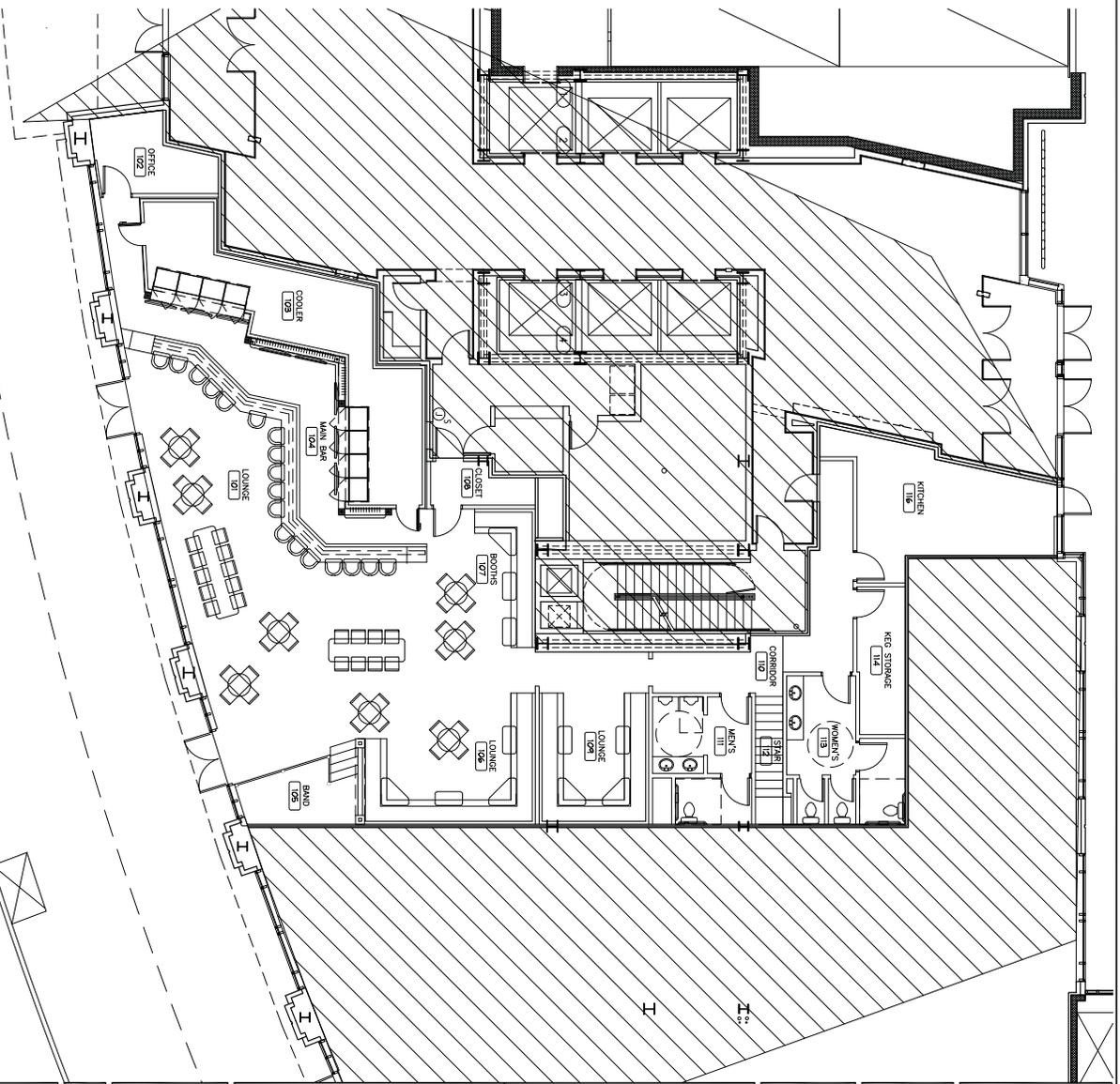
82. The applicant agrees that outdoor seating area is permitted on N. Glebe Road as shown on the "Proposed Seating Plan" dated February 16, 2012, and that the applicant shall not use the outdoor seating area until a certificate of occupancy has been obtained for that use. The applicant agrees to maintain shall leave a minimum of eight (8) feet of clearance width along all sidewalks for pedestrians.
83. The applicant agrees that any use of umbrellas in the outdoor seating area shall not

interfere with pedestrian movement along the sidewalk.

84. The applicant agrees that there shall be no music or audio system piped outside to the outdoor seating area at any time.
85. 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. The applicant further agrees that no permanent furniture, including tables, chairs, railings or umbrellas, shall be installed as part of the outdoor seating.
86. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and 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 live entertainment. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Ballston-Virginia Square and Bluemont Civic Associations.



November 16, 1999	Deferred a major site plan amendment (SP #331) request for a mixed-use office, retail, residential and hotel development consisting of one office building containing first floor retail, one residential building and one hotel building, at 801-941 North Glebe Road, and the intersection of North Glebe Road, North Fairfax Drive and North Vermont Street.
December 15, 1999	Approved a major site plan amendment (SP #331) request for a mixed-use office, retail, residential and hotel development consisting of one office building containing first floor retail, one residential building and one hotel building, at 801-941 North Glebe Road, and the intersection of North Glebe Road, North Fairfax Drive and North Vermont Street.
May 18, 2002	Deferred a major site plan amendment to convert the approved hotel to residential use.
July 24, 2002	Deferred a major site plan amendment to convert the approved hotel to residential use.
September 14, 2002	Deferred a major site plan amendment to convert the approved hotel to residential use.
October 19, 2002	Deferred a major site plan amendment to convert the approved hotel to residential use.
December 7, 2002	Deferred a major site plan amendment to convert the approved hotel to residential use.
April 26, 2003	Deferred a request to incorporate Site Plan #133 into Site Plan #331, modify the approved hotel to reduce parking and exclude GFA from density calculations, and to construct a new office building.
June 17, 2003	Approved a request to incorporate Site Plan #133 into Site Plan #331, modify the approved hotel to reduce parking and exclude GFA from density calculations, and to construct a new office building.
October 15, 2005	Approved a request for a rooftop sign at 901 N. Glebe Rd.



**FLOOR PLAN OPTION 3B**  
SCALE: NTS

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**JOB NO :**  
**DRAWN BY :** MB  
**DATE :**  
**SHEET TITLE:**  
**FLOOR PLAN**  
**OPTIONS**  
**SHEET NUMBER**  
**A10**

Joseph V. Belluccia, AIA  
VA 401014898

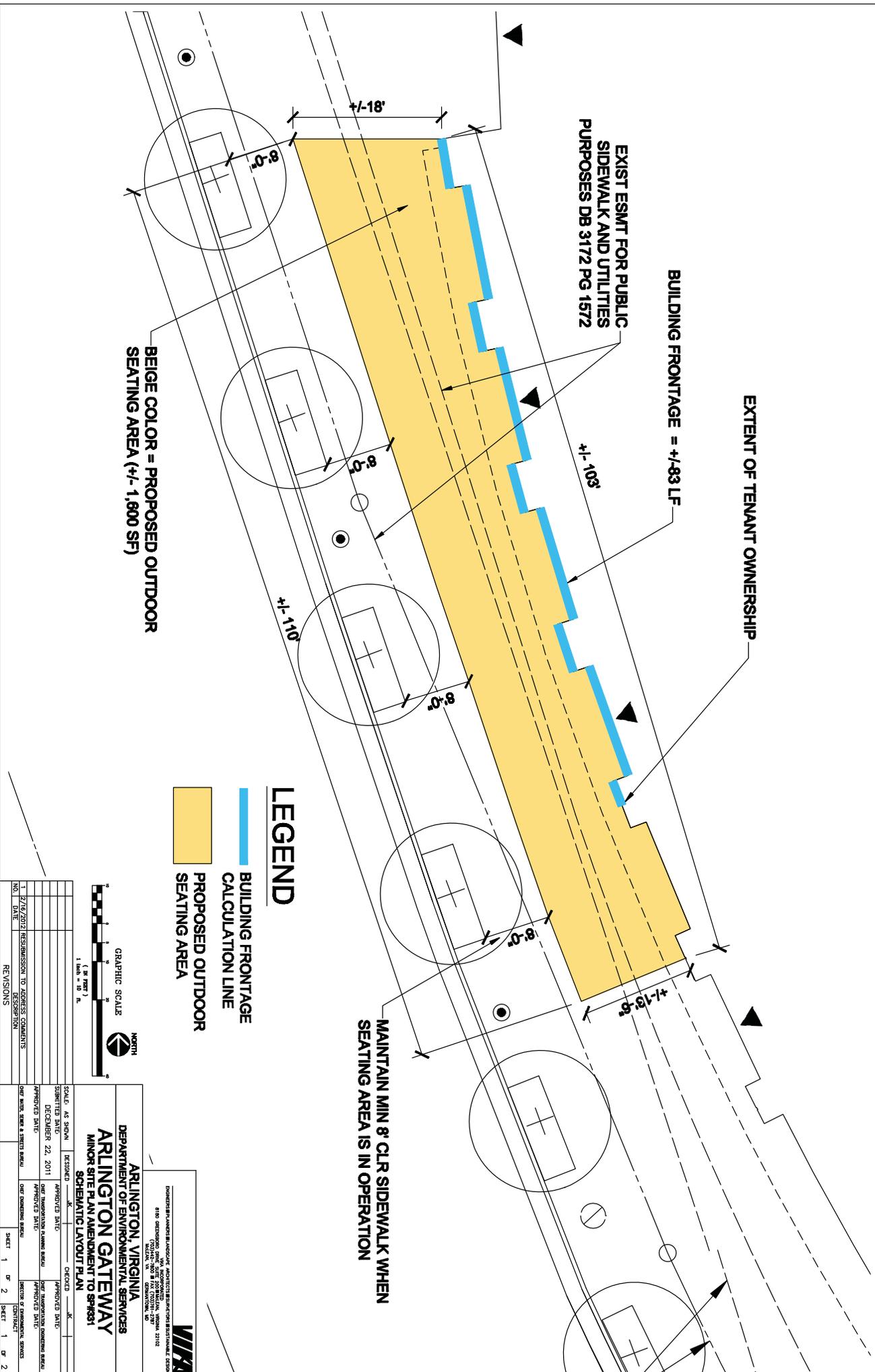
**WORLD OF BEER**  
**ARLINGTON, VIRGINIA**

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**REVISIONS**

**JOSEPH V. BELLUCCIA**  
**ARCHITECT**  
Architects • Interior Designers  
AIA • NCARB • USGBC  
1719 N. Howard Avenue  
Tyngsboro, MA 01462  
Tel: 978.228.2233  
Fax: 978.228.2236  
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EXTENT OF TENANT OWNERSHIP

BUILDING FRONTAGE = +/-83 LF

EXIST ESMT FOR PUBLIC  
SIDEWALK AND UTILITIES  
PURPOSES DB 3172 PG 1572

BEIGE COLOR = PROPOSED OUTDOOR  
SEATING AREA (+/- 1,600 SF)

MAINTAIN MIN 8' CLR SIDEWALK WHEN  
SEATING AREA IS IN OPERATION

**LEGEND**

- BUILDING FRONTAGE
- PROPOSED OUTDOOR SEATING AREA

GRAPHIC SCALE  
1" = 10' (SEE NOTE)  
NORTH

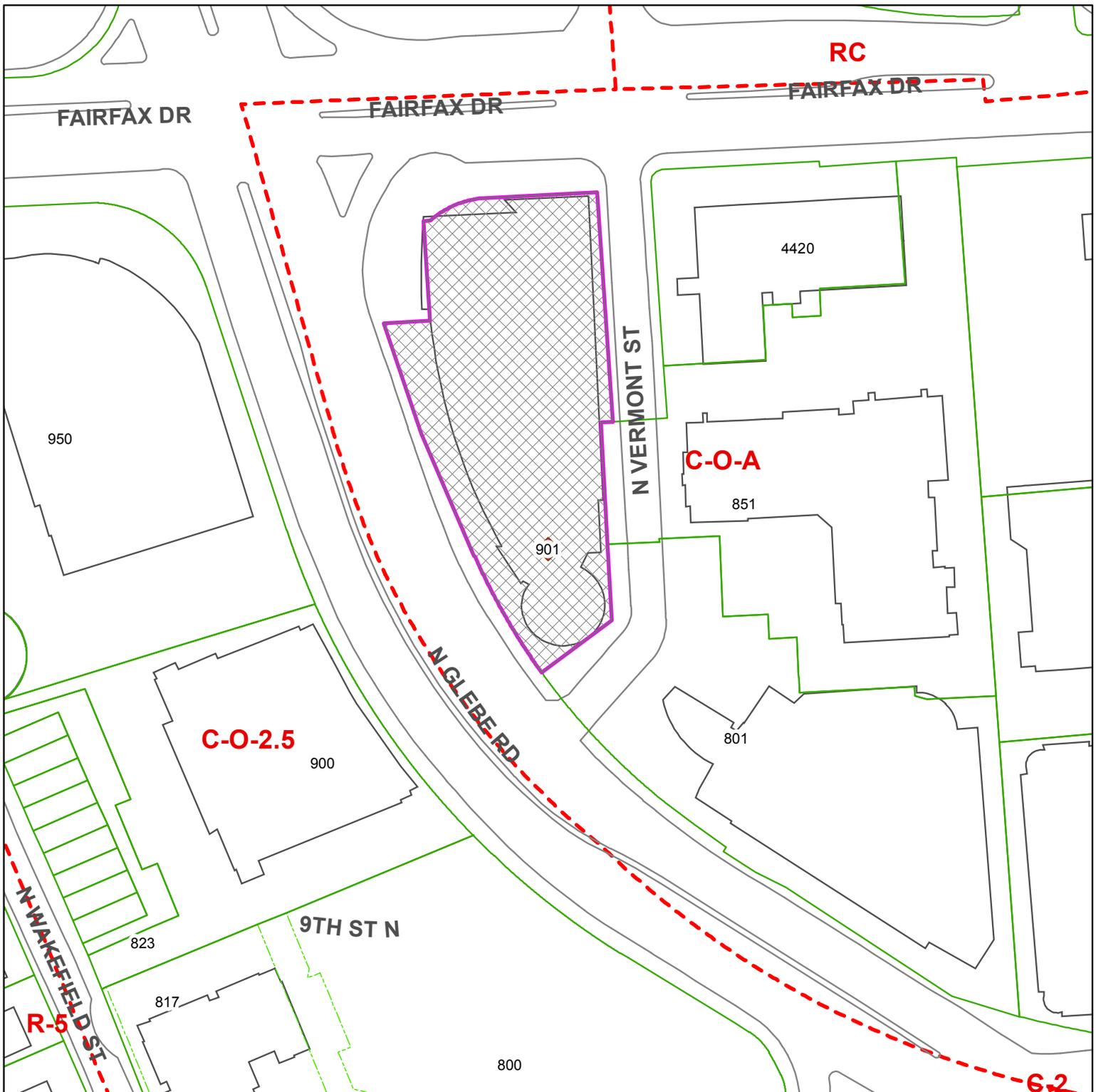
NO.	DATE	REVISIONS
1	7/16/2012	RESUBMISSION TO ADDRESS COMMENTS

ARLINGTON VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL SERVICES  
ARLINGTON GATEWAY  
MINOR SITE PLAN AMENDMENT TO SPK331  
SCHEMATIC LAYOUT PLAN

SCALE: AS SHOWN	REVISION: _____	CHECKED: _____
SUBMITTED DATE: DECEMBER 22, 2011	APPROVED DATE: _____	APPROVED DATE: _____
PREPARED BY: _____	DESIGNER: _____	APPROVED DATE: _____
DATE: _____	REVISIONS: _____	APPROVED DATE: _____

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FALLS CHURCH, VA 22028-3299  
TEL: 703.441.1100  
WWW.VIRGINIAENGINEERS.COM

**VIRA**



**SP# 331**

**901 N. Glebe Road**

**RPC# 14-051-358**



 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.