



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of May 19, 2012

**DATE:** May 3, 2012

**SUBJECT:** U-3332-12-2 USE PERMIT for an outdoor cafe on an easement of public use for William Jeffrey's Tavern; located at 2301 Columbia Pike, Suite 100 (RPC# 25-017-098).

**Applicant:**

Vintage II Restaurant, Inc.,  
dba William Jeffrey's Tavern  
3127 Valley Lane  
Falls Church, Virginia 22044

**By:**

Kara M.W. Bowyer, AICP  
Walsh, Colucci, Lubeley, Emrich & Walsh P.C.  
2200 Clarendon Blvd., Ste. 1300  
Arlington, Virginia 22201

**C.M. RECOMMENDATIONS:**

Approve the use permit for an outdoor café on the Columbia Pike frontage only, subject to the conditions of the staff report, with a County Board review in one (1) year (May, 2013), but defer the request for an outdoor café on the S. Adams Street frontage to the July 21, 2012 County Board meeting.

**ISSUES:** This is a request for a use permit for an outdoor café located on a public easement at William Jeffrey's Tavern, and no issues have been identified with respect to the seating along Columbia Pike. Issues related to ADA access have been identified for the seating proposed on the S. Adams Street frontage, and staff is recommending deferral to allow additional time to work on identified issues.

County Manager:

*BMD/GA*

County Attorney:

*GA*      *OWM*

Staff: Matthew W. Pfeiffer, DCPHD, Planning Division  
Robert Gibson, DES, Development Services Bureau

11.

**SUMMARY:** This is a request for outdoor café seating at William Jeffrey’s Tavern located at 2301 Columbia Pike in the Siena Park project. This request was deferred from the April 21, 2012 County Board meeting to allow time for staff and the applicant to work on identified issues. The applicant is proposing seating along Columbia Pike and along S. Adams Street, however due to unresolved ADA issues identified at the S. Adams Street frontage, only seating on Columbia Pike was evaluated at this time. The applicant is proposing to locate seating along Columbia Pike, which would consist of six (6) tables and eighteen seats, including a removable barrier. A six (6)-foot clear sidewalk path for pedestrians would be maintained around the seating, however there would be one (1) jog in the path to provide for a row of four-top tables. In order to accommodate this seating arrangement, the applicant will need to remove one (1) existing bench from the Columbia Pike frontage and relocate another bench approximately two (2) feet closer to the curb. The project contains a number of benches along the streetscape. Relocation of the bench would continue to meet the Form Based Code. There are no issues with the applicant’s proposal. The applicant has agreed to standard conditions for outdoor café seating, including ensuring that all seating is removed seasonally. The proposal for seating on the Pike is consistent with the [Columbia Pike Initiative—A Revitalization Plan Update 2005](#) in that it implements the vision for Columbia Pike as a “Main Street” for South Arlington, which provides for a “lively mix of uses with shopfronts, *sidewalk cafes* [emphasis added], and other commercial uses at street level ...” No undue adverse impacts will result from approval of this use. The applicant is currently working closely with staff on a solution for outdoor seating on the S. Adams Street frontage, and has agreed to a deferral to the July 21 County Board meeting in order to allow time to resolve accessibility issues. Therefore, staff recommends approval of the use permit for an outdoor café on the Columbia Pike frontage only, subject to the conditions of the staff report, with a County Board review in one (1) year (May, 2013), and deferral of the request for an outdoor café on the S. Adams Street frontage to the July 21, 2012 County Board meeting.

**BACKGROUND:** . Siena Park is a new 188-unit rental apartment building which also contains 34,341 square feet of ground-floor retail space and 14,650 square feet of mezzanine-level office space. The project contains 408 spaces in three (3) levels of below-grade parking. The project was approved as a redevelopment site under the Columbia Pike Form-Based Code.

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

Site: The 67,065 square foot site is bound on the south by Columbia Pike, on the west by S. Adams Street, on the east by S. Wayne Street, and on the north by a 9<sup>th</sup> Road alley. The subject 6,400 square foot retail space is located at the corner of S. Adams Street and Columbia Pike, and contains frontage on both streets.

Zoning: The site is zoned [“C-1” Local Commercial Districts](#) and [“C-2” Service Commercial—Community Business Districts](#).

Land Use: The site is designated on the [General Land Use Plan \(GLUP\)](#) as Commercial and Industrial “Service Commercial,” is within the Columbia Pike Special Revitalization District, and is subject to the Columbia Pike Initiative – A Revitalization Plan (Update 2005).

Neighborhood: The site is located within the Penrose Civic Association. Staff contacted the Penrose and Columbia Heights Civic Associations and the Columbia Pike Revitalization Organization (CPRO). Letters have been received from the Penrose Civic Association and the CPRO in support of the applicant’s request for outdoor café seating (see attachments). The Columbia Heights Civic Association has not responded to staff request for comments as of the date of this report.



Source: Google Maps

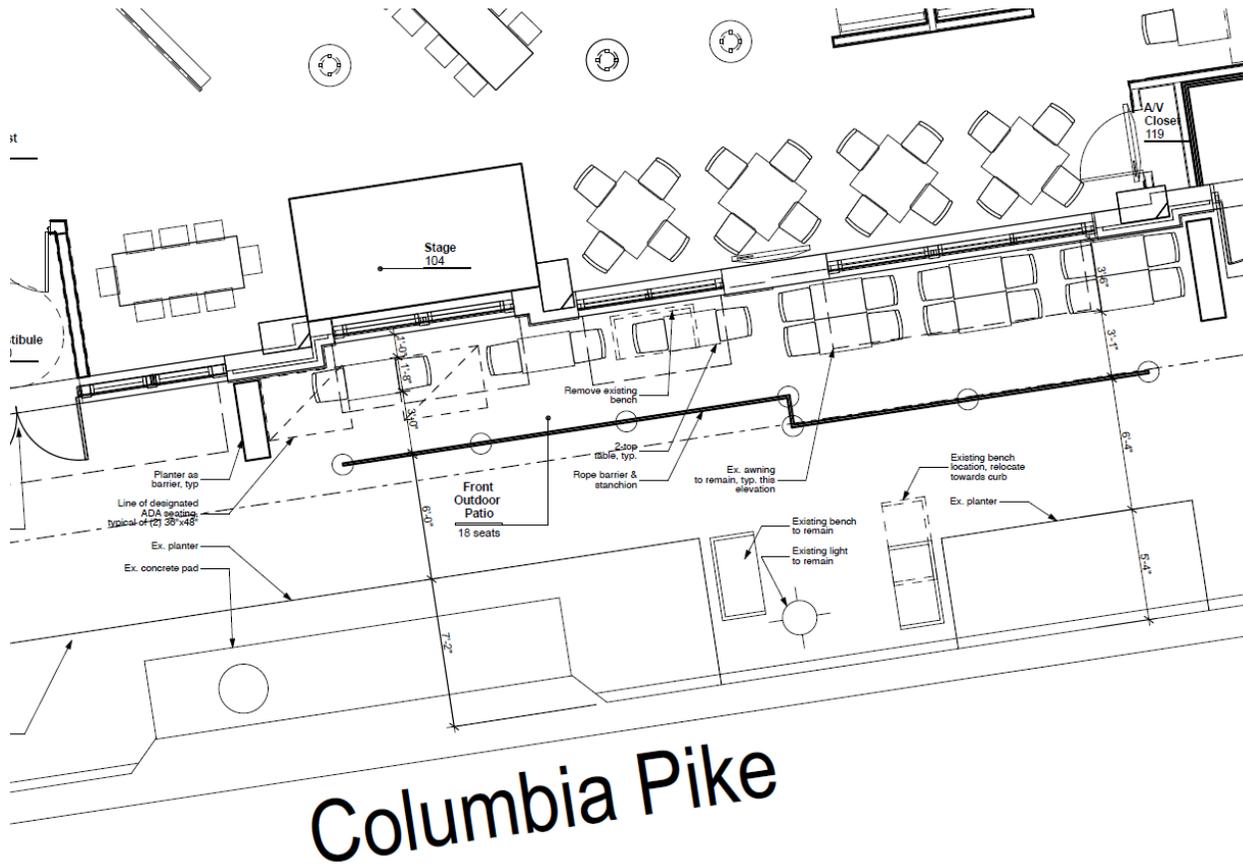
**DISCUSSION:** The applicant is requesting a use permit for an outdoor café within an easement of public use at 2301 Columbia Pike. William Jeffrey’s Tavern is located in Suite 100 at the Siena Park building. Suite 100 is a 6,400 square foot ground-floor retail space which has frontages on both Columbia Pike and South Adams Street. William Jeffrey’s Tavern is a new, 1920’s-themed American restaurant operated by the owners of Ragtime, located in Courthouse. The restaurant intends to provide outdoor café seating in the form of six (6) tables containing eighteen seats along the Columbia Pike frontage. As discussed below, the outdoor seating along S. Adams Street is recommended for deferral. The Columbia Pike seating arrangement would consist of three (3) “two-top” tables (tables designed to seat two (2) people), and three (3) “four-top” tables (tables designed to seat three (3) people).

In order to accommodate the seating design, the applicant would need to remove one (1) bench from the Columbia Pike frontage, and relocate another. The Form Based Code defines the number of benches required at a Main Street site as one (1) bench for every 50-feet of frontage along the Required Build-To Line (RBL). Given the Siena Park project contains 640 feet of frontage, the number of benches required is thirteen. Currently, there are 22 benches along the

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2301 Columbia Pike  
PLA-6194

building frontages; the removal of one (1) bench is compliant with Form Based Code regulations. The applicant has agreed to revise the landscape plan for the project to reflect the changes regarding benches.

### Proposed Columbia Pike Seating Plan



The proposed seating plan would maintain a six (6)-foot clear sidewalk path, however would contain one (1) “jog” where the path would bend to accommodate four-tops and the café railing. The applicant has agreed to a condition whereby the railing would be shifted closer to the tables when the café is not in use to allow for a larger clear sidewalk path. The applicant has agreed to standard condition language to require seasonal removal of tables, chairs, and railings. Finally, the applicant has agreed to limit the hours of operation for the café to no later than 11:30 pm week nights, and no later than 12:30 am Thursdays, Fridays, Saturdays, and nights before Federal holidays. No undue adverse impacts will result from the applicant’s proposal.

Staff supports outdoor café seating at this location. The use is consistent with the goals of the Columbia Pike Initiative—A Revitalization Plan (2005). The plan encourages the creation of a “main street” along Columbia Pike that would serve to create a “regional draw through its entertainment, cultural, restaurant and retail destinations.” Specifically, the plan envisions a “lively mix of uses with shopfronts, *sidewalk cafes* [emphasis added], and other commercial uses

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at street level ...” along the Columbia Pike Main Street. A sidewalk café would serve to activate the street in this location and implement the plan’s vision for a main street.

The applicant has agreed to defer the request for outdoor café seating along the S. Adams Street frontage to the July County Board meeting. The applicant and staff are working closely on finding a solution to accommodate Americans with Disabilities Act (ADA) compliant seating along this frontage given the grade change.

**CONCLUSION:** Staff supports the applicant’s request for outdoor café seating along Columbia Pike as it will serve to bring street activity to this portion of the Pike, which is a goal of the Columbia Pike Initiative—A Revitalization Plan (2005). The applicant has agreed to standard conditions regarding outdoor café seating, including ensuring a six (6)-foot clear sidewalk path, and requiring that all café furniture is temporary and removed seasonally. No undue, adverse impacts will result from this use. Therefore, staff recommends approval of the use permit for an outdoor café on the Columbia Pike frontage only, subject to the conditions set forth below, with a County Board review in one (1) year (May, 2013), and deferral of the request for an outdoor café on the S. Adams Street frontage to the July 21, 2012 County Board meeting.

New Conditions (outdoor café Columbia Pike frontage only):

1. The applicant agrees that outdoor café seating is permitted for nine months of the year along Columbia Pike, but not along S. Adams Street unless otherwise approved by the County Board. The applicant further agrees that it shall not use the outdoor seating area until a Certificate of Occupancy has been obtained for that use. The applicant agrees that outdoor café seating is permitted as set forth on the plan dated 4/17/2012 revised 4/30/2012 and entitled “Patio Plan for Columbia Pike Seating.” The applicant agrees that outdoor café seating and related equipment is permitted only in accordance with the plan approved for issuance of the Certificate of Occupancy.
2. The applicant agrees to submit a revised landscape plan for review and approval by the County Manager or her designee prior to the issuance of the Certificate of Occupancy for the outdoor café seating. This plan shall show the revised number and location of benches along the project frontage.
3. The applicant agrees to maintain a minimum of six (6) feet of clear sidewalk width at all times along the sidewalk on Columbia Pike. The applicant further agrees that the railing associated with the café seating along Columbia Pike shall be relocated during the hours in which the café is not in use so that it is flush with the seating.
4. The applicant agrees that the hours of operation for outdoor café seating shall be limited to no later than 11:30 pm Sunday through Thursday and no later than 12:30 am Thursdays, Fridays and Saturdays, and the eve before all Federal Holidays (for the purposes of this condition Federal Holidays are defined as all legal Federal Holidays as well as St. Patrick’s Day, Cinco de Mayo, and Halloween).

5. The applicant agrees that any use of umbrellas in the outdoor seating area shall be done in a manner that does not interfere with pedestrian movement along the sidewalk.
6. The applicant agrees that there shall be no music or audio system sound piped outside to the outdoor seating area at any time.
7. The applicant agrees that all outdoor seating, including without limitation 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.

**PREVIOUS COUNTY BOARD ACTIONS:**

August 1961	Designated as “Undetermined Uses” on the General Land Use Plan
December 1964	Designated “General Commercial” on the General Land Use Plan
November 15, 1986	General Land Use Plan amended to include the Columbia Pike Special Revitalization District. Designated as “Service Commercial”.
December 17, 2002	Columbia Pike Special Revitalization District boundaries amended on the General Land Use Plan
February 25, 2003	Columbia Pike Form Based Code (Section 20 of the Zoning Ordinance) adopted
February 10, 2004	Columbia Pike Street Space Plan adopted and Form Based Code amended to include new Required Building lines.
December 10, 2005	U-3144-05-1 deferred to May 20, 2006
May 20, 2006	U-3144-05-1 deferred to October 14, 2006
October 14, 2006	U-3144-05-1 approved in accordance with Columbia Pike Form Based Code for a new 188 unit residential building with 34,341 square feet of ground floor retail and 14,650 square feet of office.
April 21, 2012	U-3332-12-2 approved for live entertainment and dancing subject to a County Board review in one (1) year (April 2013).

Approved Conditions (Live Entertainment and dancing):

1. The applicant agrees that live entertainment and dancing at 2301 Columbia Pike Suite 100 shall be permitted only between the hours of 11:00 a.m. and 1:30 a.m.
2. The applicant agrees to comply with, by way of illustration and not limitation, all applicable requirements of County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department, and the Alcohol Beverage Control Board (ABC).
3. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
4. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights when live entertainment and/or dancing is permitted. The on-site security may consist of “in-house” staff, so long as that staff is dedicated to only security during the hours of live entertainment and/or dancing.
5. The applicant agrees to comply with the Arlington County Noise Ordinance and further agrees that the restaurant’s windows and doors shall remain closed during the times of live entertainment and/or dancing except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment and/or dancing be permitted outside of the building or broadcast over loudspeakers outside the building. The applicant agrees that doors shall not be propped open during live entertainment and/or dancing.
6. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification. The applicant agrees to keep a record of TIPS training certification for all restaurant staff, including all new staff, and submit this information upon the County’s request.
7. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
8. The applicant agrees to designate and make available a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to live entertainment and dancing 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 and dancing. The name, telephone number, and electronic mail address (if one is established) shall be submitted to the Zoning Administrator and a copy sent to the Columbia Heights Civic Association, and the Penrose Neighborhood Association.

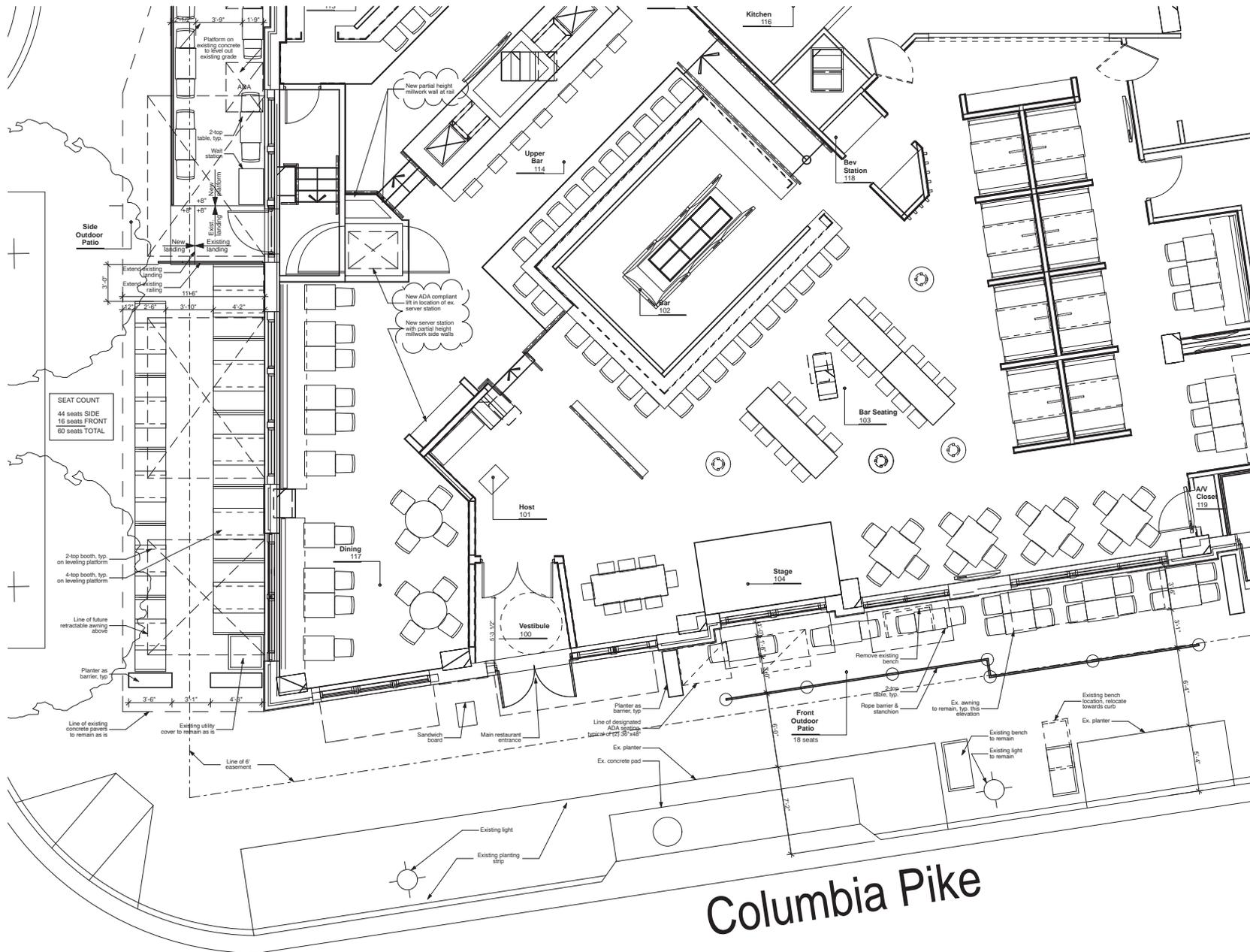
Client:  
William Jeffrey's Tavern  
2301 Columbia Pike  
Arlington, VA

Contact:  
Adam Lubar  
703/963.2769

Date:  
04/17/2012

Revision:  
04/30/2012

William Jeffrey's Tavern  
2301 Columbia Pike



SEAT COUNT  
44 seats SIDE  
16 seats FRONT  
60 seats TOTAL

Patio Plan for Columbia Pike Seating

3/16" = 1'-0"

Patio Plan  
S.1



President's Circle Members:

Arlington County  
 E.G. Reinsch Companies  
 Fraser Forbes Land Sales  
 Clarence W. Gosnell, Inc.  
 Fillmore Garden Apartments  
 Silverwood Companies  
 Walsh Colucci Lubeley.  
 Emrich & Walsh PC  
 Washington Forrest Foundation

February 23, 2012

Sustaining Members:

55 Hundred Apartments  
 Virginia Geoffrey & John Andelin  
 Arlington Cinema 'N' Draffhouse  
 BB&T Bank  
 B.M. Smith & Associates, Inc.  
 Bowman Consulting  
 Carbon Thompson Development  
 Dittmar Company  
 Edgemoor Real Estate Services  
 Heritage Property Company, LLC  
 The Holladay Corporation  
 Snell Construction Corporation  
 The DSF Group  
 Three Peaks, Inc.  
 Vornado/Charles E. Smith  
 Virginia Commerce Bank  
 WDG Architecture, Inc.  
 Washington Workplace  
 Westmont Shopping Center  
 Woodfield Investments

Civic Group Members:

Alcova Heights Citizens Assoc.  
 Amer. Red Cross Arl. Chapter  
 Arlington Career Center  
 Arlington Free Clinic  
 Arlington Heights Civic Assoc.  
 Arlington Presbyterian Church  
 Arlington View Civic Assoc.  
 Barcroft School and Civic League  
 Barkley Condominium  
 Business Development  
 Assistance Group (BDAG)  
 Buyers & Renters Arlington Voice  
 Carlyle House Condominium  
 Columbia Heights Civic Assoc.  
 Columbia Heights West  
 Columbia Pike Artist Studios  
 Ethiopian Community  
 Development Council  
 Douglas Park Civic Assoc.  
 Foxcroft Heights Nbhhd. Assoc.  
 Kiwanis Club of South Arlington  
 Master Gardeners of No. Va.  
 Penrose Neighborhood Civic Assoc.  
 Rebuild Warehouse  
 Trinity Episcopal Church  
 Volunteers of America

Re: William & Jeffrey's Tavern – Outdoor seating permit application

To whom it may concern,

I'm writing on behalf of the Board of Directors, the members and the stakeholders of the Columbia Pike Revitalization Organization in support of the application of William and Jeffrey's Tavern to allow for outdoor seating on South Adams Street.

Outdoor seating is consistent with Arlington County's and the Columbia Pike Community's vision of a vibrant pedestrian friendly destination corridor.

The proposed outdoor seating project adds a much needed amenity to the public space. Together with the practical entirety of the Pike Community we see this project as an enhancement of the public space at the corner of South Adams St. and Columbia Pike to the benefit of all residents, visitors and neighboring businesses.

If approved this will be the first such project located on a sidewalk built to the newer Columbia Pike Streetscape standards. These specifications were conceived and approved with the desire to enhance pedestrian activity. We believe that the proposal serves this purpose very well.

Last but not least, there is little doubt that outdoor seating contributes to the overall profitability and viability of restaurants. The owners of William and Jeffrey's took significant risks by choosing to open their restaurant in the Columbia Pike Town Center. By allowing them to offer outdoor seating we help them succeed as much as they help us to successfully revitalize Arlington's second most populous urban corridor.

Sincerely,

A handwritten signature in black ink that reads 'Takis Karantonis'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Takis Karantonis  
 Executive Director

January 25, 2012

County of Arlington  
Department of Community Planning, Housing and Development  
2100 Clarendon Blvd, Suite 100  
Arlington, VA 22201

RE: Permit for Live Entertainment, William Jeffrey's Tavern

To Whom It May Concern,

I am writing today to support William Jeffrey's Tavern's application for a Live Entertainment permit. The attendees at the January 17<sup>th</sup> 2012 Penrose Civic Association voted unanimously in support of this application. Comments at the meeting expressed that the neighborhood is excited to have William Jeffrey's Tavern in the neighborhood and understands that the Live Entertainment permit will provide additional entertainment opportunities to the neighborhood as well as helping ensure the long-term financial viability of the Tavern.

Please contact me at [chris@dodgersden.com](mailto:chris@dodgersden.com) if you require any further information regarding this permit application.

A handwritten signature in black ink that reads "Christopher G. Slatt". The signature is written in a cursive style with a large, prominent initial "C".

Christopher Slatt  
Secretary, Penrose Civic Association

