



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of September 15, 2012

DATE: August 30, 2012

SUBJECT: SP-401-U-12-1 USE PERMIT associated with a site plan for live entertainment with dancing at Greene Turtle, 900 N. Glebe Road (RPC# 14-053-058).

Applicant:

Sattar Shaik
The Greene Turtle
900 N. Glebe Road
Arlington, VA 22203

C.M. RECOMMENDATION:

Approve the requested use permit for live entertainment with dancing at the Greene Turtle, subject to the conditions in the staff report and with a County Board review in one (1) year (September 2013).

ISSUES: This is a request for live entertainment with dancing at the Greene Turtle, and no issues have been identified.

SUMMARY: The Greene Turtle is requesting approval of live entertainment with dancing. The applicant is proposing live entertainment between the hours of 5 p.m. and 12 a.m. Sunday-Wednesday and 5 p.m. until 1:30 a.m. Thursday-Saturday and on the eves of all legal federal holidays as well as St. Patrick's Day, Cinco de Mayo, and Halloween. These hours are consistent with the live entertainment for the World of Beer located across Glebe Road from the restaurant, which was approved in March 2012. The live entertainment proposed includes deejays, karaoke, and live bands. The restaurant fronts on N. Glebe Road. No undue adverse impacts have been identified. Therefore, staff recommends approval of the requested live entertainment subject to the conditions of the staff report and with a County Board review in one (1) year.

County Manager:

BMD/GA

County Attorney:

[Signature] *[Signature]*

Staff: Sophia S. Fisher, DCPHD, Planning Division

PLA-6258

3.

BACKGROUND: The Peck/Staples site plan (SP #401) was initially approved on February 23, 2008 as a mixed-use development consisting of two (2) office buildings with ground floor retail, 28 townhouse style residential units and a mid-rise residential building consisting of 90 affordable housing units. This site plan amendment request concerns the Greene Turtle restaurant, which occupies retail space in the office building at 900 N. Glebe Road, known as the Virginia Tech Building for its main tenant.

The following provides additional information about the site and location:

Site: The site is approximately 44,463 sq. ft. and is developed with a 7-story office building.

To the North: Regent office building (portion of SP #331). The property is designated “Medium” Office-Apartment-Hotel on the General Land Use Plan (GLUP) and is zoned “C-O-2.5.”

To the east: North Glebe Road and the Gateway office building, Continental condominium building and a Westin hotel (portions of SP #331). The properties are designated “Coordinated” Mixed-Use Development District on the GLUP and zoned “C-O-A.”

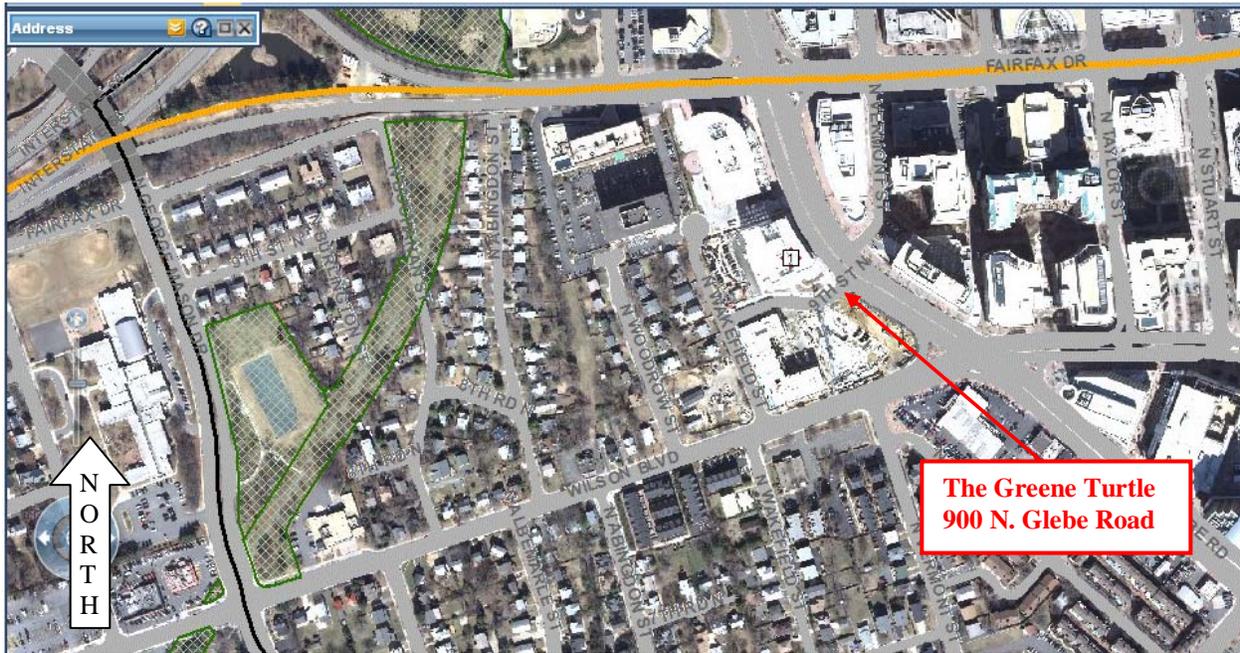
To the south: 9th Street North and a portion of SP #401. The property is designated “Medium” Office-Apartment-Hotel on the General Land Use Plan (GLUP) and is zoned “C-O-2.5.”

To the west: North Wakefield Street, North Woodrow Street and single-family detached dwellings designated “Low-Medium” Residential on the GLUP and zoned “R-5.”

Zoning: The site is zoned “[C-O 2.5](#),” commercial office, hotel, and apartment districts.

Land Use: Identified as “Medium Office-Apartment-Hotel” (up to 2.5 FAR office; up to 115 units/acre apartments; up to 180 units/acre hotel) on the [General Land Use Plan](#).

Neighborhood: The site is located within the Bluemont Civic Association. The Ballston-Virginia Square Civic Association is located across North Glebe Road to the east of the site. The Bluemont Civic Association is supportive of the requested live entertainment; no comments have been received from the Ballston-Virginia Square Civic Association as of the date of this report.



Source: AC Maps

DISCUSSION: The Greene Turtle, a sports themed restaurant, is requesting live entertainment with dancing daily between the hours of 5 p.m. and 12 a.m. Sunday-Wednesday and 5 p.m. until 1:30 a.m. Thursday-Saturday and on the eves of all legal federal holidays as well as St. Patrick’s Day, Cinco de Mayo, and Halloween. The proposed live entertainment includes deejays and karaoke as well as live acoustic music. There is no formal dancing planned; however, since dancing may occur during the live entertainment, dancing has been included. The applicant has agreed to the standard conditions for live entertainment, including keeping all doors and windows shut during live entertainment except for patrons entering and exiting, in order to minimize noise impacts. Staff finds that, as conditioned, the proposed live entertainment will not cause undue adverse impacts on the surrounding community, and that the proposed live entertainment is located in an area designated for commercial office development, which anticipates restaurants with live entertainment.

CONCLUSION: The applicant’s proposal for live entertainment, as conditioned, should not have an undue negative impact on adjacent properties. The applicant has agreed to comply with all applicable requirements of County and State Ordinances, per the proposed use permit conditions. Therefore, staff is recommending approval subject to the conditions listed in the staff report, with a County Board review in one (1) year.

Proposed Conditions:

1. The applicant agrees that live entertainment is permitted only from 5 p.m. to 12 a.m. Sunday through Wednesday, and 5:00 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.
2. 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 permitted to be broadcast over loudspeakers outside of the building.

3. 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.
4. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
5. 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 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.

PREVIOUS COUNTY BOARD ACTIONS:

February 23, 2008

Approved a) an amendment to the GLUP to change the designation of the property from “Service Commercial” to “Medium” Office-Apartment-Hotel and to add Note 23 to the GLUP; b) a rezoning of the property from the “C-2”, “RA8-18” and “R-5” Districts to the “C-O-2.5” and “RA8-18” Districts; c) a site plan (SP #401) for approximately 415,816 s.f. of office, 36,241 s.f. of retail, 28 townhouses, 90 high-rise dwelling units, and modifications of use for density and below grade exclusions from GFA calculations; d) an encroachment for an underground electric vault within an easement for public street and utility purposes; and e) a vacation of a 5 foot sanitary sewer and water easement.

July 19, 2008

Approved a site plan amendment to modify conditions #22 (structure free zone) and #43 (size of fitness center and applicable exclusion from density calculation) and to add a new condition #90 (temporary construction fence signs).

Approved, by the County Board’s Own Motion, a site plan amendment for the “AHC Building” portion of SP #401.

April 28, 2009

Approved a site plan amendment to modify conditions #6 (temporary circulation through construction), #19 (pavement, curb and gutter along all frontages), #21 (sidewalk design and improvements), #36 (plat of excavated area) and #45 (wall check survey).

January 22, 2011

Approved a site plan amendment for a comprehensive sign plan for the Virginia Tech Research Institute, LLC located at 900 N. Glebe Road with amended Condition #50.

March 12, 2011

Approved a site plan amendment to amend the comprehensive sign plan for the Virginia Tech Research Institute, LLC for a rooftop sign located at 900 N. Glebe Road with amended Condition #50.

December 10, 2011

Approved a site plan amendment for a comprehensive sign plan for the North Glebe

Office, LLC at 800 N. Glebe with amended Condition #50.

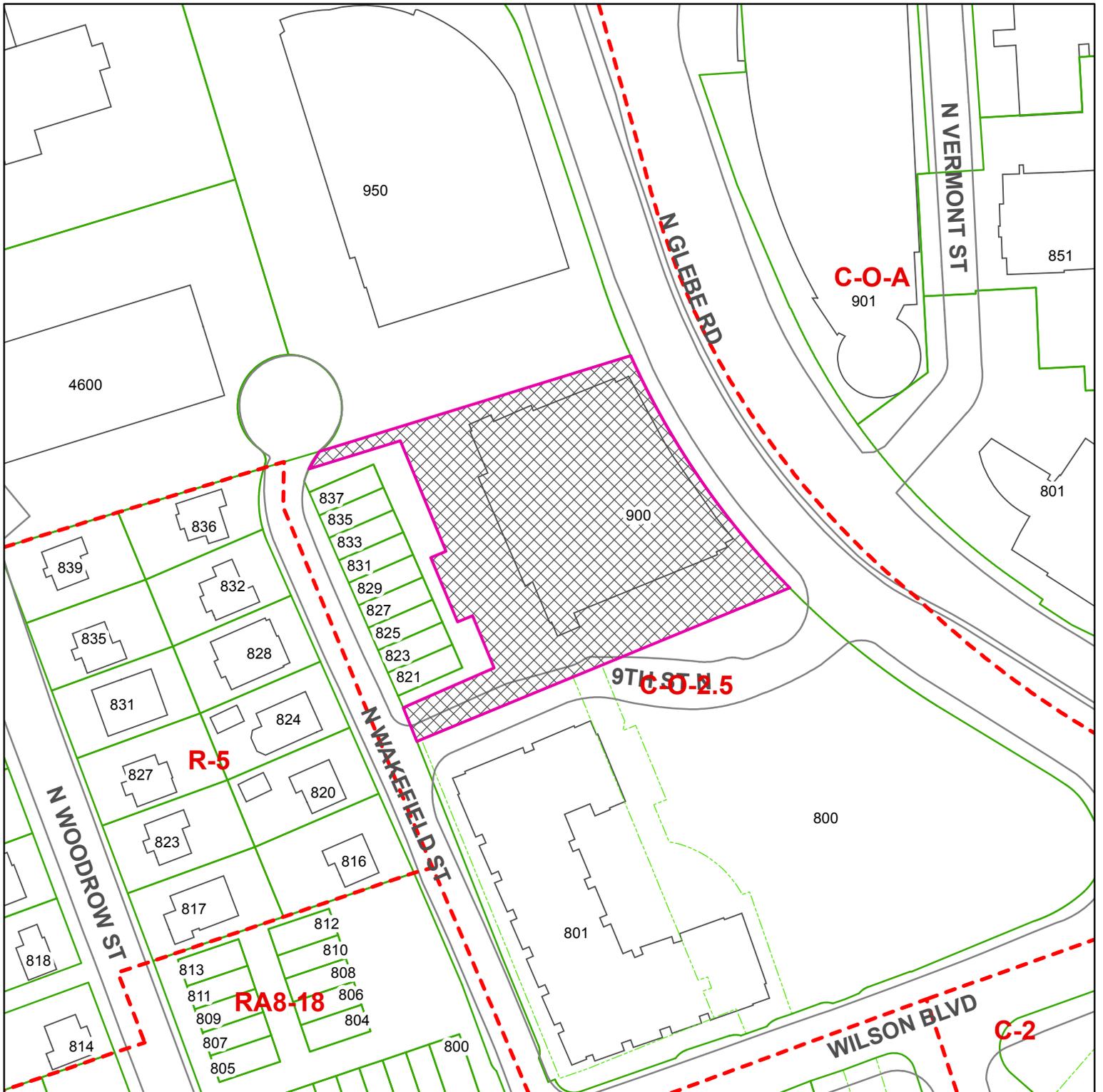
March 10, 2012

Approved a site plan amendment for the building at 800 N. Glebe Road to permit 1,500 square feet of ground floor retail space to be used as a leasing office.

June 16, 2012

Approved a site plan amendment to amend Condition #34 to permit blinds in retail windows at certain times of the day and Condition #50 to modify the approved comprehensive sign plan.

Approved, on the County Board's own motion, a site plan amendment to amend the conditions which stipulate minimum tree caliper size requirements from 4 to 4 1/2 inches to 3 1/2 inches.



SP-401-U-12-1

900 N. Glebe Rd.

RPC 14-053-058

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

Department of Community Planning, Housing and Development



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

Planning Division