



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of February 23, 2008

DATE: February 7, 2008

SUBJECT: U-3149-06-1 USE PERMIT AMENDMENT to expand live entertainment into additional space at 2903, 2911 Columbia Pk. (RPC #25-013-002)

Applicant:

Arlington Cinema 'N' Drafthouse

By:

Gregory Godbout, President
Arlington Cinema, Inc.
2903 Columbia Pike
Arlington, Virginia 22204

C.M. RECOMMENDATION:

Approve, subject to all previously approved conditions, one (1) new condition, and with a review by the County Board in one (1) year (February 2009).

ISSUES: This is a use permit for live entertainment for a new restaurant space adjacent to the Arlington Cinema 'N' Drafthouse. No issues have been identified regarding the proposed amendment.

SUMMARY: The applicant requests approval of a use permit amendment for live entertainment in a restaurant space adjacent to the Arlington Cinema 'N' Drafthouse. The applicant operates a new restaurant, The Old Arlington Grill at Arlington Cinema 'N' Drafthouse, within the former Pupuseria My Family's Restaurant space at 2911 Columbia Pike. The proposed live entertainment use is consistent with the *Columbia Pike Initiative – A Revitalization Plan – Update* and complies with the County's Zoning Ordinance. Therefore, staff recommends approval of the use permit amendment, subject to all previously approved conditions, one (1) new condition, and with a review by the County Board in one (1) year (February 2009).

BACKGROUND: The Arlington Cinema 'N' Drafthouse features box office movies and also hosts televised events and private gatherings. For over 20 years, the theater has offered full table service and cinema entertainment to patrons. On March 14, 2006, the County Board approved a use permit for live entertainment within the theater space. The cinema continues to be the primary source of entertainment, although the approved use permit allows the theater to host a variety of live social and cultural entertainment events on Mondays through Sundays between 11 a.m. and 2 a.m.

County Manager: _____

Staff: Rasheda DuPree McKinney, DCPHD, Planning

PLA-4882

The following provides additional information on the site:

Site: The site is located at 2911 Columbia Pike near the northwest corner of the intersection of Columbia Pike and Walter Reed Drive. The theater is adjacent to Matuba and Bangkok 54 restaurants to the west, and a retail electronics store to the east. The site is across Columbia Pike from the new Halstead at Arlington mixed-use project to the south, and the AT&T high-rise office building is just north of the site.

Zoning: The site is zoned “C-2” Service Commercial-Community Business Districts. Restaurants providing live entertainment uses are permitted as a special exception pursuant to Section 26.B of the Arlington County Zoning Ordinance.

Land Use: The site is designated on the General Land Use Plan as “Service Commercial” (Personal and business services. Generally one to four stories. Maximum 1.5 FAR with special provisions within the Columbia Pike Special Revitalization District). The site is also located within the Columbia Pike Special Revitalization District as designated on the General Land Use Plan.

Neighborhood: The site is located within the Arlington Heights Civic Association but is also in proximity to the Columbia Heights and Douglas Park Civic Associations and the Penrose Neighborhood Association. As of the date of this report, the civic and neighborhood associations had not responded with comments on this request.

DISCUSSION: The applicant proposes to provide live entertainment events in the Old Arlington Grill restaurant space. The restaurant was formerly the Pupuseria My Family’s Restaurant space at 2911 Columbia Pike. The restaurant’s main entrance is currently on Columbia Pike, and the restaurant will also have a second access point through a proposed entrance from the theater lobby. The restaurant’s current hours of operation are 5 p.m. to 10:30 p.m. Sunday through Thursday, and 5 p.m. through 1:30 a.m. Friday, Saturday, and holidays. The applicant states that in the near future the restaurant will extend their hours to offer weekday lunch and Sunday brunch. The restaurant accommodates seating for approximately 50 patrons and would feature a 3-foot by 3-foot performance stage. In anticipation of their expanded hours, the applicant requests live entertainment on Mondays through Sundays between the hours of 11 a.m. and 2 a.m. The restaurant will offer between two (2) to five (5) live entertainment events each week and will coordinate these events to avoid interrupting the existing movie schedules.

The applicant has proposed to host a variety of live entertainment events including:

Comedians / Magicians / Entertainers: Events for families would likely be positioned during the day (11 a.m. – 4 p.m.) or early evening hours (4 p.m. – 6 p.m.). Events for adults would be positioned during the prime evening (6 p.m. – 10 p.m.) or late evening hours (10 p.m. – 2 a.m.). The average event length for this type of entertainment will likely be two hours.

Bands: Types of bands include Acoustic Bands, Rock Bands, Jazz Bands, Children’s Music Groups, Orchestra/Concert Bands, Marching Bands, and Swing Bands. Most band

events will be held in the prime evening or late evening hours. However, there will be some events held during day for Children's Music Groups or Teenage Band Events (as requested by Arlington's Department of Parks, Recreation & Cultural Resources Office for Teens). The average event length for this type of entertainment will likely be two – three hours.

Live Theater: These events would include professional theater groups, local community theater groups, local school theater clubs and interactive/murder mystery theater groups. Events for families would likely be positioned during the day or evening hours. Events for adults would be positioned during the prime evening or late evening hours. The average event length for this type of entertainment will likely be two – three hours.

Karaoke / DJs: These events would include individual disc jockeys or karaoke machines to entertain guest with pre-recorded music. Most events of this type will occur during early evening hours to entertain guests prior to the start of a scheduled movie. It is anticipated that the average length for this type of entertainment will be one – two hours long. However, the use of a karaoke machine or a DJ would also be used for more rare special events like providing background music for a New Year's event or during major sporting or TV events.

Amateur Artist / Open-Mic Events / Talent Shows: These events would allow patrons to attend and provide entertainment for the audience. Events for families would likely be positioned during the day or early evening hours. Events for adults would be positioned during the prime evening or late evening hours. The average event length for this type of entertainment will likely be one – three hours.

The site is located within the "Town Center" area of the Columbia Pike Special Revitalization District. The Town Center, as defined in the *Columbia Pike Initiative – A Revitalization Plan – Update*, "will serve as the heart of the "Main Street" and the greater community, creating a regional draw through its entertainment, cultural, restaurant and retail destinations." The live entertainment, as proposed by the applicant, will support the vision of the Town Center.

CONCLUSION: Staff supports the applicant's request for an additional live entertainment use at this site. The proposed amendment is consistent with the *Columbia Pike Initiative – A Revitalization Plan – Update*. The approved and proposed conditions will mitigate potential impacts associated with this use. Therefore, staff recommends approval of the use permit amendment for a live entertainment use subject to all previously approved conditions, one (1) new condition, and with a review by the County Board in one (1) year (February 2009):

5. Live entertainment within the restaurant space shall be permitted only between the hours of 11 a.m. to 2 a.m., seven days a week.

PREVIOUS COUNTY BOARD ACTIONS:

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| March 14, 2006 | Approved a use permit (U-3149-06-1) for live entertainment, subject to conditions, with a County Board review in one (1) year (March 2007). |
| March 17, 2007 | Renewed use permit (U-3149-06-1) for live entertainment, subject to conditions, with a County Board review in three (3) years (March 2010). |

Approved Conditions:

1. Live entertainment shall be permitted only between the hours of 11 a.m. to 2 a.m., seven days a week.
2. The windows and doors to outside of the building shall be closed during hours of live entertainment and the applicant shall ensure that the soundproofing shall comply with the Arlington County Noise Ordinance. No music shall be piped outside of the restaurant.
3. The applicant agrees that all requirements of County and State Ordinances, the Environmental Health Bureau, the Fire Marshal, the Police Department and the Alcohol Beverage Control Board shall be met.
4. The applicant shall provide the name, address, and phone number of an on-going community liaison to the Zoning Administrator and to the surrounding civic association presidents, including the Arlington Heights, Columbia Heights, Douglas Park and Penrose Civic Associations, in order to effectively address neighborhood concerns.