



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of October 20, 2018

DATE: October 12, 2018

SUBJECT: U-3376-13-1 USE PERMIT REVIEW to operate an open-air market at the Fairlington Community Center; located at 3308 S. Stafford St. (RPC# 30-012-001).

Applicant:

Field to Table, Inc.

By:

Robert Swennes

P.O. Box 5948

Arlington, Virginia 22205

C.M. RECOMMENDATION:

Renew the use permit for an open-air market at Fairlington Community Center, subject to the approved conditions and with a County Board review in one (1) year (October 2019).

ISSUES: No issues have been identified as of the date of this report.

SUMMARY: This is a three (3) year review of an open-air/farmers' market ("market"). The applicant, Field to Table, Inc., operates the market at the rear of Fairlington Community Center on Sundays from 9 a.m. to 1 p.m. from April through November. The location is on a pedestrian path that extends along the rear of the community center and on temporarily blocked off areas of the center's parking lot (northwest section of the lot). The applicant maintains a parking plan which shows customers and vendors using the Fairlington Community Center parking lot. The market provides a desired service in the community and is in conformance with the uses allowed within the Arlington County Zoning Ordinance (ACZO) and the General Land Use Plan (GLUP) for this site. The proposed use does not adversely affect the health or safety of persons residing or working in the surrounding neighborhood, and is not be detrimental to the public welfare or injurious to property or improvements in the neighborhood. The applicant has requested a one (1) year review to allow time to evaluate possible changes to the use permit which could be

County Manager:

County Attorney:

CR Sanders

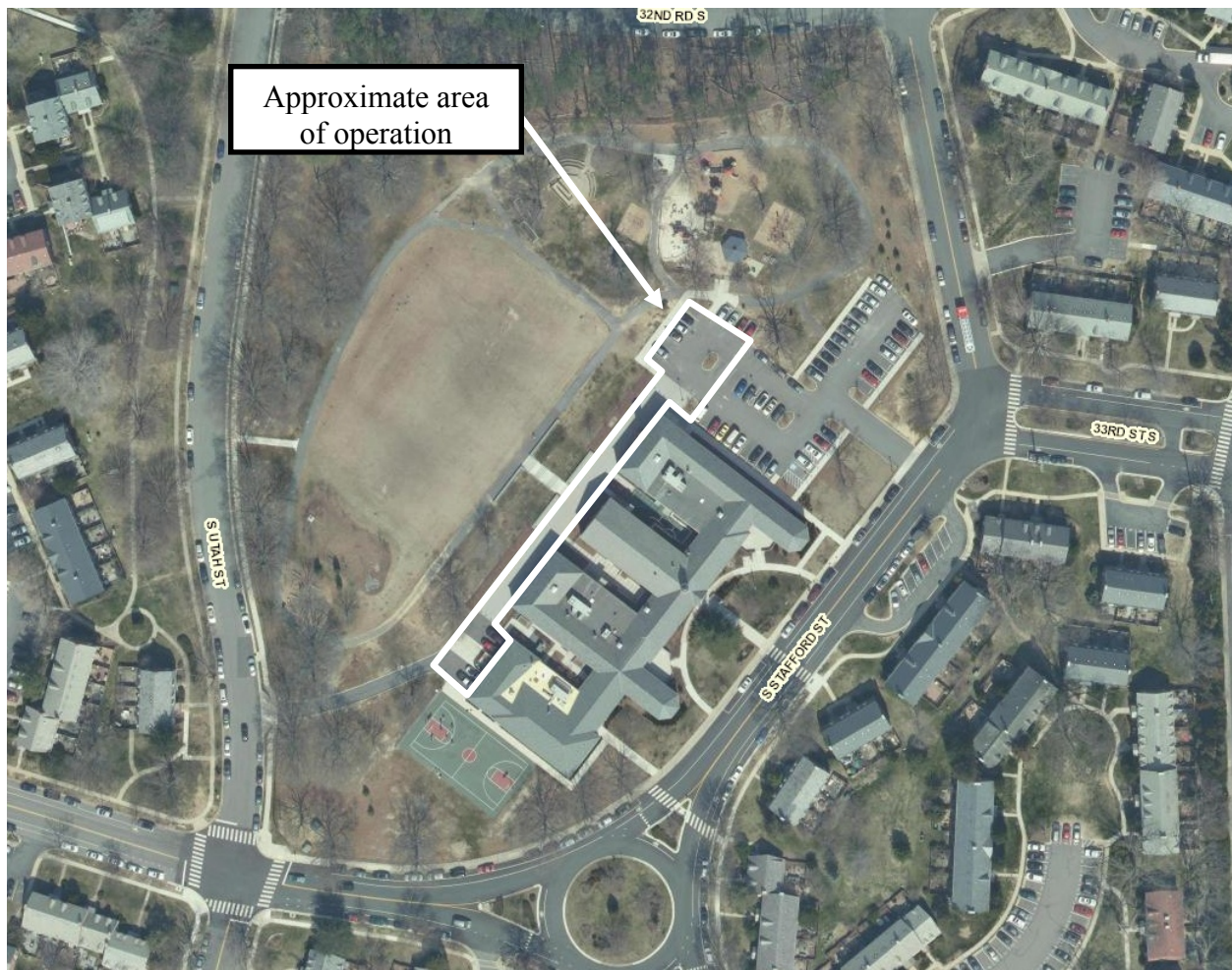
Staff: Michael Cullen, DCPHD, Planning Division

considered at a future date. Therefore, staff recommends renewal of the subject use permit, subject to the approved conditions and with a County Board review in one (1) year (October 2019).

BACKGROUND: The Fairlington Community Center (formally the Fairlington Elementary School) has been in operation since 1940. The property was rezoned in February 1966 from “RA14-26” Apartment Dwelling Districts to “S-3A” Special Districts. The use permit for an open-air market on the site was approved by the Board in October 2014.

<u>Address / RPC:</u>	3308 S. Stafford St. (RPC# 30-012-001)
<u>Neighborhood:</u>	Fairlington Citizens Association
<u>Zoning:</u>	“S-3A” Special Districts
<u>GLUP:</u>	“Public”
<u>Existing Land Use:</u>	The subject site is approximately 356,320 square feet and is developed with the existing Fairlington Community Center.

Figure 1: Site Location



DISCUSSION: The following details the approved use and provides staff assessment of the use during the review period.

REVIEWED USE: Open-Air Market

Market Location: Behind the Fairlington Community Center

Hours of Operation: Sundays from 9 a.m. – 1 p.m.; from April through November

Vendors: 15-20

Tents: 29 (10' x 10' tents)

Parking: Fairlington Community Center parking lot, with approximately 39 parking spaces available on-site to customers, and approximately 108 available on-street parking spaces (unrestricted parking on Sundays) available around the site that may be used during market hours.

ASSESSMENT:

DES: Code Enforcement has reported no concerns as of the date of this report.

CPHD Planning: Staff recommends approval of the subject use permit. There is sufficient parking on-site and adequate on-street parking surrounding the site. The market does not conflict with other organized activities scheduled at the community center, and most of the patrons are anticipated to come from the surrounding community as the location is highly walkable within the Fairlington residential community. The proposed use is not anticipated to adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use; be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and be in conflict with the purposes of the master plans of the county. The applicant has requested a one-year review as they intend to evaluate possible changes to the use permit, such as market hours and number of vendors, which could be considered at a future date. This review schedule would permit Field to Table, Inc. sufficient time to review proposed changes, discuss proposed changes with the community and to work with staff to revise relevant use permit conditions and agree to a revised license agreement for operation at the Fairlington Community Center. Depending upon the scope and extent of the changes proposed however, a use permit amendment may be required.

PUBLIC ENGAGEMENT:

Level of Engagement:

Communicate: This level of engagement is appropriate because staff does not expect the implementation and operation of the proposed use to adversely impact the neighborhood.

Outreach Methods:

- Public notice was given in accordance with the Code of Virginia §15.2-2204. Notices of the County Board hearing on the use permit were placed in the September 26 and October 3 issues of the Washington Times for the October 20, 2018 County Board Meeting.

In addition to the above legal requirements:

- Individual letters outlining the project description and public hearing details were mailed to surrounding property owners of the subject property.
- Placards were placed in various locations surrounding the subject property within seven (7) days of the public hearing.
- Civic associations were informed of the application via email communication. The subject property is located within the Fairlington Citizens Association.

Community Feedback:

Fairlington Citizens Association: The president of the Fairlington Citizens Association contacted staff to note that the civic association helped launch the effort that led to the market, has consistently supported the permit request in 2014 and 2015, and continues to believe that the market is an asset to the community, as well as confirm that no complaints have been raised.

CONCLUSION: The proposed use is not anticipated to adversely affect the health or safety of persons residing or working in the neighborhood; be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and be in conflict with the purposes of the master plans of the county. Therefore, staff recommends the County Board renew the use permit for an open-air market at Fairlington Community Center, subject to the approved conditions and with a County Board review in one (1) year (October 2019).

Approved Conditions:

1. The applicant agrees that the hours of operation for the open-air market will be limited to Sundays from 9 a.m. to 1 p.m. from April through November. The applicant agrees to observe any County government closings and holidays that may affect the operation of the open-air market at the Fairlington Community Center's outdoor pedestrian/parking lot space. The times for vendor set-up and breakdown shall be in accordance with any existing license agreement with the County. The applicant agrees that the open-air market shall be limited to the permitted uses in any existing license agreement with the County and if the license agreement is amended or terminates, this use permit shall be subject to review by the County Board.
2. The applicant agrees to identify a person who will serve as liaison to the community and a person who will serve as an on-site manager (this may be the same person) throughout the operation of the use. The applicant agrees to coordinate the operations of the open-air market with the liaison and the on-site manager who will work with the appointed facilities manager at the Fairlington Community Center, including by way of illustration and not limitation, any issues which may arise from inclement weather affecting the ability to operate the open-air market. The liaison and on-site manager's names and contact information (electronic mail address and/or telephone number) shall be submitted to the Zoning Administrator and the appointed facilities manager at the Fairlington Community Center. These individuals' names and contact information shall be shared with the Fairlington Citizens Association and the adjacent Fairlington Condominium Associations (including but not limited to: the Fairlington Commons, Fairlington Green, Fairlington Meadows, Fairlington Mews, Fairlington Arbor, Fairlington Villages and Fairlington Glen Condominium Associations and their respective property managers).
3. The applicant agrees to meet all applicable County requirements and work cooperatively with the Department of Parks and Recreation, the Police Department, the Fire Marshal's Office, the Community Code Enforcement Office, the Department of Environmental Services and the Department of Public Works. Specifically, the applicant agrees to obtain any necessary right-of-way permits and licenses from the Department of Environmental Services Real Estate Division for parking of vendors' panel trucks during the operation of the open-air market.
4. The applicant agrees to provide all vendors associated with the open-air market with a document that lays out the preferred approach routes for vehicles and identifies major arterial roadways to use in order to avoid using neighborhood residential streets. This document shall be provided to the Zoning Administrator before issuance of the certificate of occupancy.
5. The applicant agrees that the open-air market shall take all practical measures to encourage the use of public transportation and also to encourage customer parking in the facilities as designated in the approved parking plan (labeled as "*Proposed Parking Plan for Open-Air Market at Fairlington Community Center*"). The applicant agrees that such measures will include, but will not be limited to verbal instructions and written

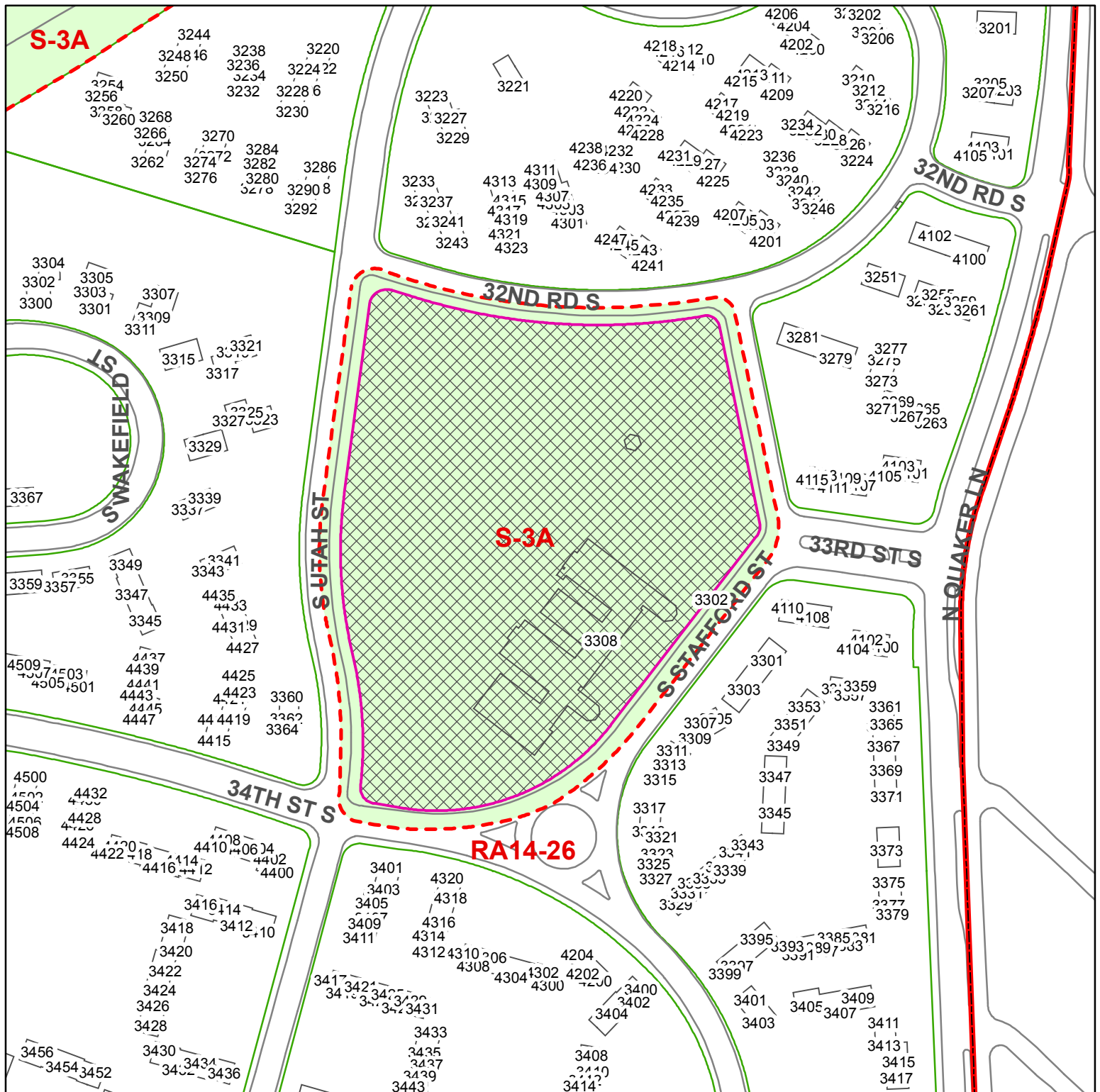
documents (including maps) directing patrons to public transportation access points and to the public parking areas designated in the plan. The applicant agrees to encourage market patrons to not park in residential streets or the lots of neighboring businesses, apartments, or condominiums surrounding the Fairlington Community Center. Such information shall, at a minimum, be placed in any market advertising (and on a website if the market has one), and in on-site signage. A copy of the proposed advertising measures shall be provided to the Zoning Administrator before issuance of the certificate of occupancy.

6. The applicant agrees to comply with the requirements of all applicable laws, ordinances and regulations, including by way of illustration and not limitation, the County's Noise Ordinance, the County's Snow Removal Ordinance, and the County's Zoning Ordinance regulations for signs.
7. The applicant agrees to lay out the vendor spaces generally in accordance with the attached Fairlington Community Center Open-Air/Farmers' market vendor and parking plan (labeled as "*Proposed Parking Plan for Open-Air Market at Fairlington Community Center*"). If the applicant proposes changes to approved parking plan, the applicant agrees to file a revised parking plan which shall be subject to administrative review of the Zoning Administrator. The applicant agrees that any revised parking plan may be approved by the Zoning Administrator if she finds that the revised plan is: (1) drawn to scale, showing the number and location of customer and vendor parking spaces; and (2) identifies that the parking spaces to be used for customer and vendor parking are be sufficient to not have an adverse impact on the surrounding neighborhoods and streets.
8. The applicant agrees to maintain a minimum five (5) foot pedestrian clearance within the outdoor plaza from all affected entrances/exits of the Fairlington Community Center.

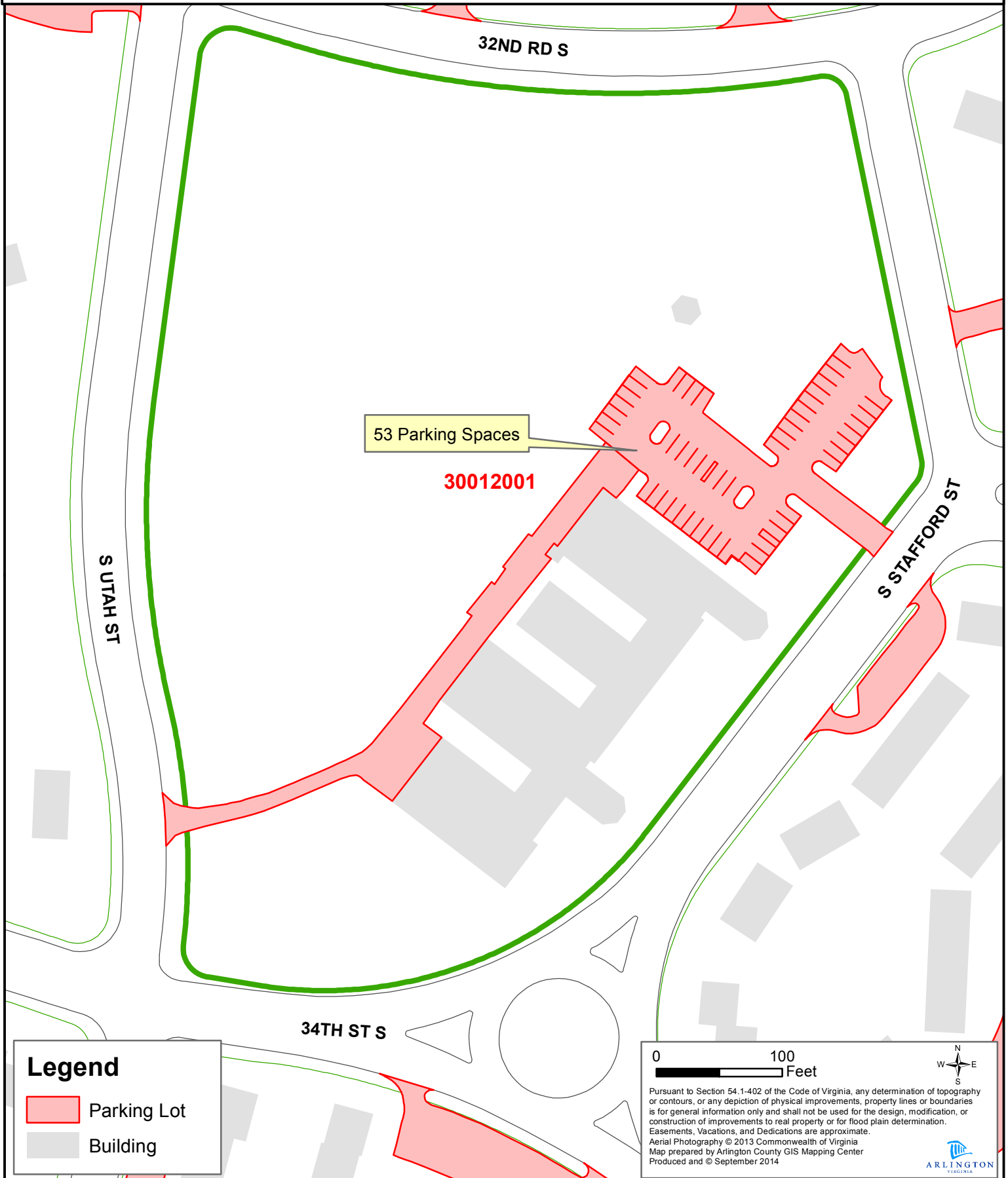
PREVIOUS COUNTY BOARD ACTIONS:

February 3, 1966	Approved by the County Board's own motion a rezoning (Z-1846-66-1) to change the land classification of this site from "RA14-26" to "S-3A".
January 10, 1976	Approved a use permit (U-2081-76-2) for the operation of a school (playschool program) for 16 children at each location, ages varying from 3 to 5 years, 2.5 hours a day, 5 days a week, at 300 North Park Drive, 5711 4th Street South, and 3308 South Stafford Street; Monday, Wednesday and Friday at 3501 2nd Street South, and 2133 North Taft Street; Tuesday and Thursday at 3829 North Stafford Street.
June 4, 1977	Renewed a use permit (U-2081-76-2) for the operation of a school (playschool program) for 16 children at each location, ages varying from 3 to 5 years, 2.5 hours a day, 5 days a week, at 300 North Park Drive, 5711 4th Street South, and 3308 South Stafford Street; Monday, Wednesday and Friday at 3501 2nd Street South, and 2133 North Taft Street; Tuesday and Thursday at 3829 North Stafford Street.
July 30, 1977	Approved a use permit (U-2127-77-2) to operate an institution of an educational nature (Adult-Geriatric Day Care Center), maximum of 90 elderly and infirm persons, 7 a.m. to 7 p.m., Monday through Friday, subject to the conditions listed in the County Manager's report dated July 7, 1977 with a review in one year.
June 3, 1978	Renewed a use permit (U-2081-76-2) for the operation of a school (playschool program) for 16 children at each location, ages varying from 3 to 5 years, 2.5 hours a day, 5 days a week, at 300 North Park Drive, 5711 4th Street South, and 3308 South Stafford Street; Monday, Wednesday and Friday at 3501 2nd Street South, and 2133 North Taft Street; Tuesday and Thursday at 3829 North Stafford Street, with no further scheduled review.

July 29, 1978	Renewed a use permit (U-2127-77-2) to operate an institution of an educational nature (Adult-Geriatric Day Care Center), maximum of 90 elderly and infirm persons, 7 a.m. to 7 p.m., Monday through Friday, subject to the conditions listed in the County Manager's report dated July 7, 1977 with a review in three years.
July 7, 1979	Applicant withdrew a use permit (U-2210-79-3) to operate a child care center for 33 children, ages 3 to 5, Monday through Friday, from 7:30 a.m. to 6 p.m.
June 1981	Discontinued a use permit (U-2127-77-2) to operate an institution of an educational nature.
October 18, 2014	Approved a use permit to operate an open-air market, subject to Conditions #1-8, with a County Board review in one (1) year (October 2015).
October 17, 2015	Renewed a use permit to operate an open-air market, subject to Conditions #1-8, with a County Board review in one (3) years (October 2018).



Fairlington Community Center - Farmers' Market
3308 S. Stafford Street
RPC # - 30012001



Attachment:

*Proposed Parking Plan for Open-Air Market at
Fairlington Community Center
(3308 S. Stafford St.)*

= 10x10 sq. ft. tent

Service lane
to S. Utah St.

Fairlington Farmers Market 9-21-2014

7 ft. minimum customer walkway width throughout the market.
These are the two tightest points. All other walkways will be 10 - 15 ft. in width.

vendor parking
during market hours

vendor parking
during market hours

FAIRLINGTON COMM. CENTER.

□ = 10x10 sq. ft. tent

53 Total
Parking lot
Spaces.

