



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT
 PLANNING DIVISION, ZONING ADMINISTRATION
 2100 CLARENDON BLVD, SUITE 1000 ARLINGTON VA 22201
 TEL: 703-228-3883 FAX: 703-228-3896 WWW.ARLINGTONVA.US

RECEIPT

RECEIPT NUMBER: R14016331

PERMIT #: **ZADM14773** TYPE: Zoning Admin Fees
 SITE ADDRESS: **2900 COLUMBIA PIKE ARL**
 PARCEL: **32006011**

TRANSACTION DATE: 10/06/2014	TOTAL PAYMENT:\$	1,871.10
	TOTAL PAID FROM TRUST:\$.00
	TOTAL PAID FROM CURRENCY:\$	1,871.10

TRUST TRANS LIST:

TRANSACTION LIST:

Type	Method	Description	Amount
Payment	check	1871.10	1,871.10
			TOTAL:\$ 1,871.10

ACCOUNT ITEM LIST:

Description	Account Code	Current Pmts
ZN Type I Use	10132190072103000000000000	1,871.10

TOTAL:\$1,871.10

RECEIPT ISSUED BY: TDAWSON INITIALS: TJD
 ENTERED DATE: 10/06/2014 TIME: 02:52 PM
 TOTAL FEES: **\$1,871.10** BALANCE DUE: **\$0.00**



USE PERMIT APPLICATION

Arlington County Zoning Division

PROJECT NAME: Outdoor cafe seating

DATE: 10/6/2014

SUBJECT PROPERTY IDENTIFICATION:

- * ADDRESS 2900 Columbia Pike, Arlington, Virginia 22204
* REAL PROPERTY CODE(S) 32-006-011
* AREA (SQ. FT./ACRES) appx. 3,298 sf/0.0757 ac ZONING DISTRICT(S) C-2
* OTHER PROPERTY IDENTIFIERS Lots 5 and 6

REQUEST TYPE:

- [X] ORIGINAL FILING [] AMENDMENT TO EXISTING USE PERMIT [] REVISION TO APPLICATION

IF AMENDMENT, IDENTIFY EXISTING USE PERMITS:

REQUESTED USE:

- [] CHILD CARE* [] TELECOMMUNICATIONS* [X] OUTDOOR CAFÉ* [] LIVE ENTERTAINMENT*
[] TRANSITIONAL USE [] SUBDIVISION PER §10. [] KIOSK [] COMPREHENSIVE SIGN PLAN
[] OTHER AS SPECIFIED

*NOTE: In addition to the information on this form, the applicant must also provide associated supplemental information as provided for in the attached "Supplemental Information" document.

USE REQUESTED IS PERMITTED UNDER:

* SECTION 7.1.3 SUBSECTION OF THE ARLINGTON COUNTY ZONING ORDINANCE

APPLICANT INFORMATION:

- [X] OWNER OF RECORD/Lessor [] CONTRACT OWNER** [] OCCUPANT**

NAME Darcey, LLC / By: M. Catharine Puskar, Attorney/Agent
ADDRESS Walsh, Colucci, Lubeley & Walsh, P.C., 2200 Clarendon Blvd., Suite 1300, Arlington, Virginia 22201
PHONE NUMBER (703) 528-4700 EMAIL cpuskar@thelandlawyers.com
SIGNATURE [Handwritten Signature]

**NOTE: Property owner must consent to submission of this application in writing; include consent with application.

IF APPLYING ON BEHALF OF APPLICANT PROVIDE THE FOLLOWING:

NAME M. Catharine Puskar TITLE Attorney/Agent
ADDRESS Walsh, Colucci, Lubeley & Walsh, P.C., 2200 Clarendon Blvd., Suite 1300, Arlington, VA 22201
PHONE NUMBER (703) 528-4700 EMAIL cpuskar@thelandlawyers.com

CONTINUED >

SUPPLEMENTAL INFORMATION

Arlington County Zoning Division

WHERE NOT PREVIOUSLY PROVIDED, PLEASE PROVIDE THE FOLLOWING SUPPLEMENTAL INFORMATION WITH SUBMITTAL OF THIS APPLICATION TO THE ZONING DIVISION

CHILD CARE USE PERMIT (11 COPIES)

YES NO

- Child Care Center Family Day Care Home
- Have you provided a Memorandum from Child Care Office indicating that you have been made aware of the requirements of Chapter 52 or Chapter 59 of the Arlington County Code?
- Is this an expansion of an existing Child Care Center or Family Day Care Home? If YES, provide associated permit number.

Existing Use Permit Number: _____

- Is there an outdoor play area? If YES, provide the square footage of the outdoor play area below.
- Outdoor Play Area Square Footage: _____

- Is the outdoor play area fenced? If YES, provide description; include height, materials and finish.
- Fence Description: _____

- Will there be care for children under 24-30 months of age? If YES, provide number below.
- Number of Children: under 24 months of age: _____ under 30 months of age: _____

• Provide the number of staff onsite: Existing _____ Proposed _____

• Provide the total number of children: Existing _____ Proposed _____

• Provide a Final House Location Plat depicting all EXISTING site conditions/improvements. Plat must be scaled using an Engineer's Scale.

• Provide a House Location Plat depicting all PROPOSED site conditions/improvements. Plat must be scaled using an engineer's scale. Please note that a plat containing a Land Surveyor's or Engineer's seal is copyrighted and can not be altered without permission.

• If not provided in previous two plats/drawings please provide an additional scaled drawing (engineer's scale) depicting site parking, play area(s), fencing, additional structures and onsite circulation for pick up and drop off of the children.

• Provide a list of outdoor play equipment. Include photos or design details if able.

• Provide a scaled floor plan drawing (architect's scale) depicting all areas/rooms where children and their teachers/care takers will be present. Please be sure to note all exits that lead directly to the outside.

• Provide a Letter/Statement of Support from affected Civic Associations; If none, provide evidence of outreach to affected Civic Associations OR an explanation as to why no civic associations are affected by the proposed use.

• Provide Zoning Tabulations as necessary. (e.g. required and proposed parking, setbacks, height, lot coverage, etc.)

TELECOMMUNICATIONS USE PERMIT (11 COPIES)

YES NO

- Is this an expansion of an existing telecommunications facility? If YES, provide associated Use Permit number.

Existing Use Permit Number: _____

- Is the proposed telecommunications equipment replacing existing telecommunications equipment? If YES, provide a list of the equipment to be replaced.

N/A

• Provide a list of the telecommunications equipment to be installed. Include antennae, equipment cabinets, mounting structures, etc.

• Provide photographs of existing site conditions. Label/identify existing telecommunications equipment and identify the location of the proposed telecommunication improvements.

SUPPLEMENTAL INFORMATION

Arlington County Zoning Division

WHERE NOT PREVIOUSLY PROVIDED, PLEASE PROVIDE THE FOLLOWING SUPPLEMENTAL INFORMATION WITH SUBMITTAL OF THIS APPLICATION TO THE ZONING DIVISION

LIVE ENTERTAINMENT USE PERMIT (11 COPIES)

**YES
N/A NO**

- I have read the "Zoning Administrator's Advice" dated November 1, 2010 regarding Live Entertainment (attached) OR (<http://www.arlingtonva.us/departments/CPHD/planning/zoning/page78939.aspx>)

- The Subject Property wherein the proposed live entertainment is to take place has been established as a Restaurant or Nightclub (check one) and has obtained a Certificate of Occupancy as a Restaurant or Nightclub. If **YES**, please enclose a copy of said Certificate of Occupancy and Capacity Certificate. If **NO**, please know the Arlington County Zoning Ordinance only permits live entertainment (with Use Permit approval) in association with a restaurant and/or nightclub

- Provide the type of proposed live entertainment to include a detailed description.
 - Musical Ensemble Solo Performers Deejays (DJ) Karaoke
 - Comics/Comedians Theatrical Dancing Other as specified below

- Will the proposed live entertainment use amplified audio equipment? If **YES**, provide a brief description below.

- Will the proposed live entertainment be offered indoors or outdoors? (check one)
- Provide the hours live entertainment will be offered in association with each day of the week and current business hours of establishment wherein the live entertainment is provided.
- Provide a scaled floor plan drawing (architect's scale) depicting all areas/rooms where live entertainment will be setup/offered. This plan shall include the location of all equipment associated with live entertainment. (i.e. stage, DJ booth, karaoke machine, speakers, etc.)
- Provide a Letter/Statement of Support from affected Civic Associations; If none provide an explanation as to why no civic associations are affected by the proposed use.
- Note: If a dance floor or a space wherein patrons will be encouraged to dance is proposed, the applicant must also pursue and obtain a Dance Hall Permit from the Zoning Division.

DISCLOSURE STATEMENT

Arlington County Zoning Division

SUBJECT PROPERTY IDENTIFICATION:

DATE: 10/6/2014

ADDRESS 2900 Columbia Pike, Arlington, Virginia 22204
 REAL PROPERTY CODE(S) 32-006-011
 AREA (SQ. FT./ACRES) appx. 3,298 SF / 0.0757 AC ZONING DISTRICT(S) C-2
 LOT(S) 5 and 6 BLOCK _____
 SECTION 1 SUBDIVISION _____

OWNERSHIP:

YES NO

Is the owner of said real estate a corporation whose stock is traded on a national or local stock exchange and having more than five hundred (500) shareholders? If YES, give the name of the corporation and proceed to certification portion of this form.

If NO, provide a list of the names, addresses and nature of interest of ALL persons having equitable ownership of the real estate to be affected. Include, in the case of corporate ownership, the names of stockholders, officers, directors and ALL parties in interest. If aforementioned information does not fit in the space provided, please attach an additional document as necessary.

PARCEL ADDRESS	NAME	ADDRESS	NATURE OF INTEREST
2900 Columbia Pike Arlington, VA 22204	Ramon C. Darcey	2209 Sisters Walk Ct. Virginia Beach, VA 23454	Title Owner
2900 Columbia Pike Arlington, VA 22204	William C. Darcey	9634 Highstream Ct. Charlotte, NC 28269	Title Owner
2900 Columbia Pike Arlington, VA 22204	Thomas D. Darcey	100 Wickford Place Mooresville, NC 28117	Title Owner

SEE ATTACHED

CERTIFICATION:

I hereby certify that this is a true and accurate disclosure of all persons having equitable ownership in the real estate to be affected and of all parties in interest.

APPLICANT'S NAME Darcey, LLC/by: M. Catharine Puskar TITLE Attorney/Agent

ADDRESS Walsh, Colucci, Lubeley & Walsh, P.C., 2200 Clarendon Blvd, Suite 1300, Arlington, VA 22201

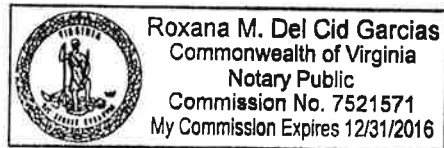
SIGNATURE *M C Puskar*

STATE OF Virginia, COUNTY OF Arlington, TO WITNESS M. Catharine Puskar

Subscribed and sworn before me this 6th day of October, 2014

Notary *Roxana Delcid*

My commission expires 12/31/2016



ZONING ADMINISTRATOR'S ADVICE

Arlington County Zoning Administration

LIVE ENTERTAINMENT

November 1, 2010

■ISSUE:

The Arlington County Zoning Ordinance (ACZO) does not define "live entertainment". Based upon the language of the ordinance, and the consistent administrative practice, how is this term applied?

■RESPONSE:

It has been the consistent administrative practice to define "Live Entertainment" as follows: any entertainment involving performances, or delivery of entertainment by one or more persons. Examples include:

- A musical ensemble
- Solo performers
- Deejays
- Karaoke
- Comics/Comedians
- Theatrical acts (when performed in a venue other than a theatre)
- Dancing

Although every set of facts must necessarily be determined individually, live entertainment would not usually include things like piped-in background music, where no "live" person is actively involved in the playing of the music. Please note that the ACZO only permits "live entertainment" in association with a restaurant and after the approval of a Use Permit by the County Board. Additionally, dancing is only permitted per the County Code where a live entertainment use permit has been granted.

The foregoing statement is advice of the Zoning Administrator, only, and is subject to change and is not subject to appeal. It is provided solely for information and in an effort to assist the public. It may not be relied upon as legal advice or as creating any vested right to any use.

Some districts permit "nightclub or restaurant". Webster defines a nightclub as including a restaurant, and therefore a nightclub would be permitted to apply for a live entertainment use permit.

September __, 2014

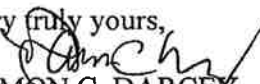
Norma J. Cozart
Zoning Administrator
Arlington County Zoning Office
2100 Clarendon Boulevard, 10th Floor
Arlington, Virginia 22201

Re: Owner's Consent for Use Permit Letter
Property: 2900 Columbia Pike, Arlington, Virginia 22204
(RPC #32-006-011)

Dear Ms. Cozart:

As the title co-owner of the Property, I hereby consent to the filing of a Use Permit for the Property by M. Catharine Puskar, on behalf of Darcey, LLC.

If I can provide any further information, please advise.

Very truly yours,

RAMON C. DARCEY

Date: 9-30-14

September 30, 2014

Norma J. Cozart
Zoning Administrator
Arlington County Zoning Office
2100 Clarendon Boulevard, 10th Floor
Arlington, Virginia 22201

Re: Owner's Consent for Use Permit Letter
Property: 2900 Columbia Pike, Arlington, Virginia 22204
(RPC #32-006-011)

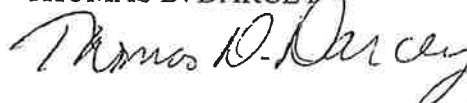
Dear Ms. Cozart:

As the title co-owner of the Property, I hereby consent to the filing of a Use Permit for the Property by M. Catharine Puskar, on behalf of Darcey, LLC.

If I can provide any further information, please advise.

Very truly yours,

THOMAS D. DARCEY



Date: Sept. 30, 2014

September __, 2014

Norma J. Cozart
Zoning Administrator
Arlington County Zoning Office
2100 Clarendon Boulevard, 10th Floor
Arlington, Virginia 22201

Re: Owner's Consent for Use Permit Letter
Property: 2900 Columbia Pike, Arlington, Virginia 22204
(RPC #32-006-011)

Dear Ms. Cozart:

As the title co-owner of the Property, I hereby consent to the filing of a Use Permit for the Property by M. Catharine Puskar, on behalf of Darcey, LLC.

If I can provide any further information, please advise.

Very truly yours,

WILLIAM C. DARCEY



Date: 10/1/14



M. Catharine Puskar
(703) 528-4700 Ext. 5413
cpuskar@thelandlawyers.com

**WALSH COLUCCI
LUBELEY & WALSH PC**

October 6, 2014

Via Hand Delivery

Norma J. Cozart
Zoning Administrator
Arlington County Zoning Dept.
2100 Clarendon Boulevard, Suite 1000
Arlington, VA 22201

Re: Use Permit Application – Outdoor Café Seating
Premises: 2900 Columbia Pike, RPC #32-006-011 (the “Property”)
Applicant: Darcey, LLC

Dear Ms. Cozart:

On behalf of the Applicant, please accept the following as a statement of support to accompany the above-referenced use permit application.

By way of background, the Property is currently developed with a one-story restaurant structure containing approximately 3,043 square feet of ground floor area. The building was formerly occupied by Blanca’s restaurant but has been vacant for several months. The Applicant is currently marketing the building to a new restaurant tenant.

The Applicant proposes outdoor café seating in the public right-of-way to serve a restaurant at the Property. The outdoor seating area will encompass approximately 756 square feet. The café will be located adjacent to the building along its S. Walter Reed Drive frontage and near the intersection with Columbia Pike. The outdoor café will preserve a minimum of ten-and-a-half (10.5) feet of clear sidewalk width, and it will be separated from the sidewalk through the use of planters and a freestanding fence. The Applicant proposes ten (10) tables that will serve approximately thirty-two (32) seats. Specifically, the seating arrangement would consist of six (6) “four-top” tables and four (4) “two-top” tables. Each table will include an umbrella. The final placement of the tables and chairs in the outdoor seating area will be determined with the issuance of a certificate of occupancy. The Applicant proposes that background music be piped into the outdoor café through a pair of small speakers. Additionally, the patio will feature lighting affixed to the building for purposes of illuminating the patio. The patio will also feature four (4) pole-mounted space heaters to be used on a seasonal basis. The application does not propose any awnings, signs or menu boards, host stations, bussing stations, or portable fans.

The hours of operation for the café will be limited to 11:30 p.m. on Sunday, Monday, Tuesday, and Wednesday nights and to 12:30 a.m. on Thursdays, Fridays, Saturdays, and nights

ATTORNEYS AT LAW

703 528 4700 • WWW.THELANDLAWYERS.COM
2200 CLARENDON BLVD. • SUITE 1300 • ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 • WOODBRIDGE 703 680 4664

before Federal holidays. The café will be closed during the months of December, January, and February. During this period, all outdoor furniture will be removed from the patio.

The proposed outdoor café seating will enliven the streetscape along Columbia Pike and will encourage additional outdoor activity in the area. The proposed outdoor café 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. The Revitalization Plan Update specifically provides for a “lively mix of uses with shopfronts, *sidewalk cafés*, and other commercial uses at street level.” (P. 9, emphasis added). I have enclosed for your reference an exhibit showing the location of the proposed outdoor café seating area.

As always, thank you for your attention to this matter. If you require additional information, please do not hesitate to contact me.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



M. Catharine Puskar

Enclosures

cc: Ramon C. Darcey
William C. Darcey
Thomas D. Darcey
Jerald P. Cohen
Scott Greenberg
Marc Gordon
Gerry Toomey
Matthew J. Allman

These drawings and specifications are the property and copyright of the architect and shall not be used in any other work except by agreement with the architect. Similar drawings used by other professionals are scaled dimensions and shall be noted as the job site. Any discrepancy shall be brought to the notice of the architect prior to the commencement of any work.

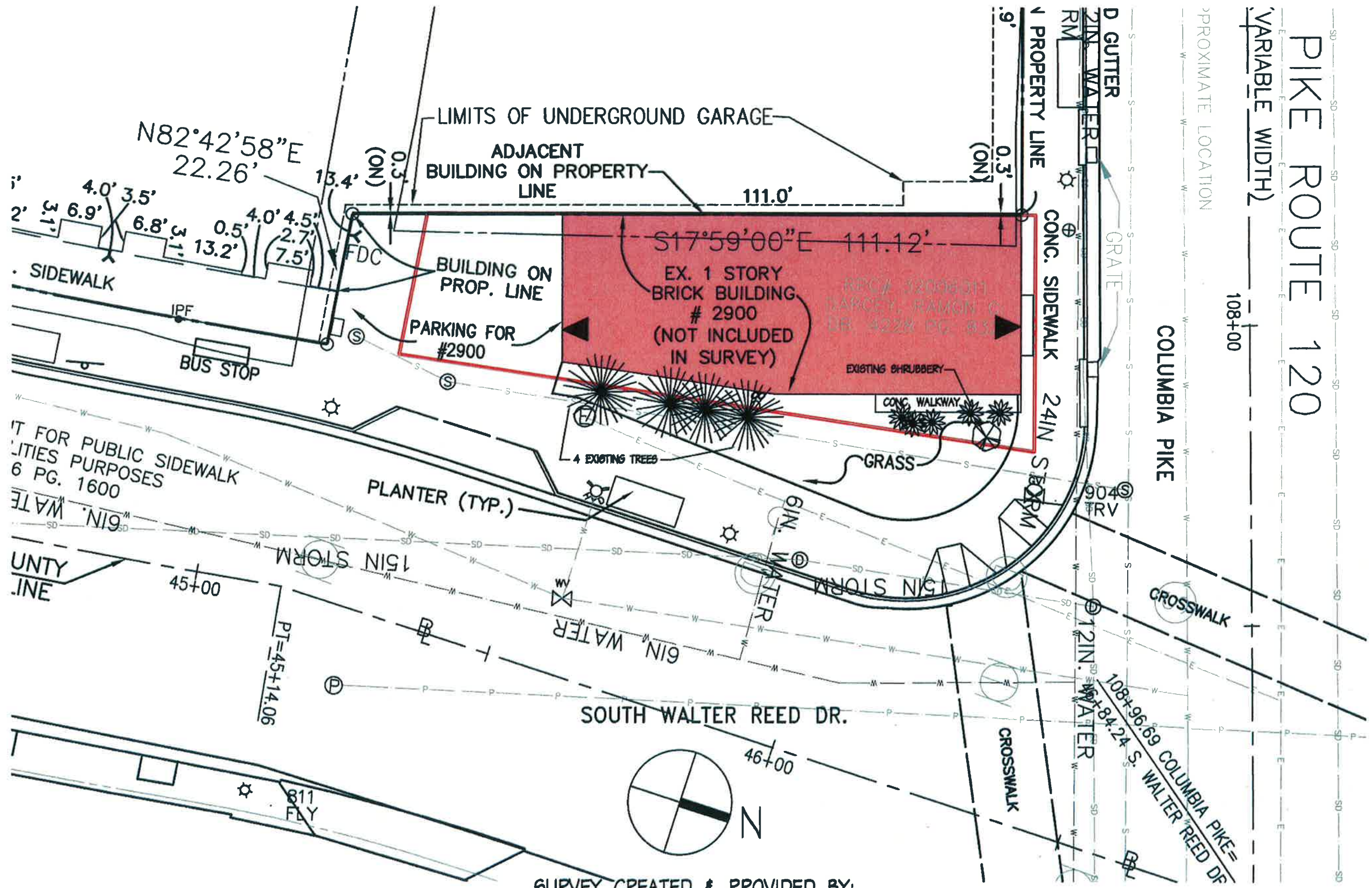
GORDON & GREENBERG ARCHITECTS



PROPOSED TENANT ALTERATIONS
 EXTERIOR PATIO INSTALLATION
 2000 COLUMBIA PIKE ARLINGTON, VA 22204
 EXISTING SITE PLAN

NO. 1	DATE	10/3/14
BY	SCALE	AS NOTED
CHECKED	DATE	10/3/14
PROJECT	NO.	CA.1

GORDON & GREENBERG

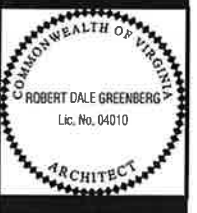


SURVEY CREATED & PROVIDED BY:
 VIKI
 8180 GREENSBORO DR. SUITE #200
 TYSONS CORNER, VA 22102
 SURVEYOR: J THOMAS HARDING
 TAKEN: AUG. 23, 2012

1 EXISTING SITE PLAN
 CA.1 SCALE: 1/16" = 1'-0"

These drawings and specifications are the property and copyright of the architect and shall not be used in any other work without the written consent of the architect. All dimensions shall be in feet and inches unless otherwise noted and shall be verified on the job site. Any discrepancy shall be brought to the notice of the architect prior to the commencement of any work.

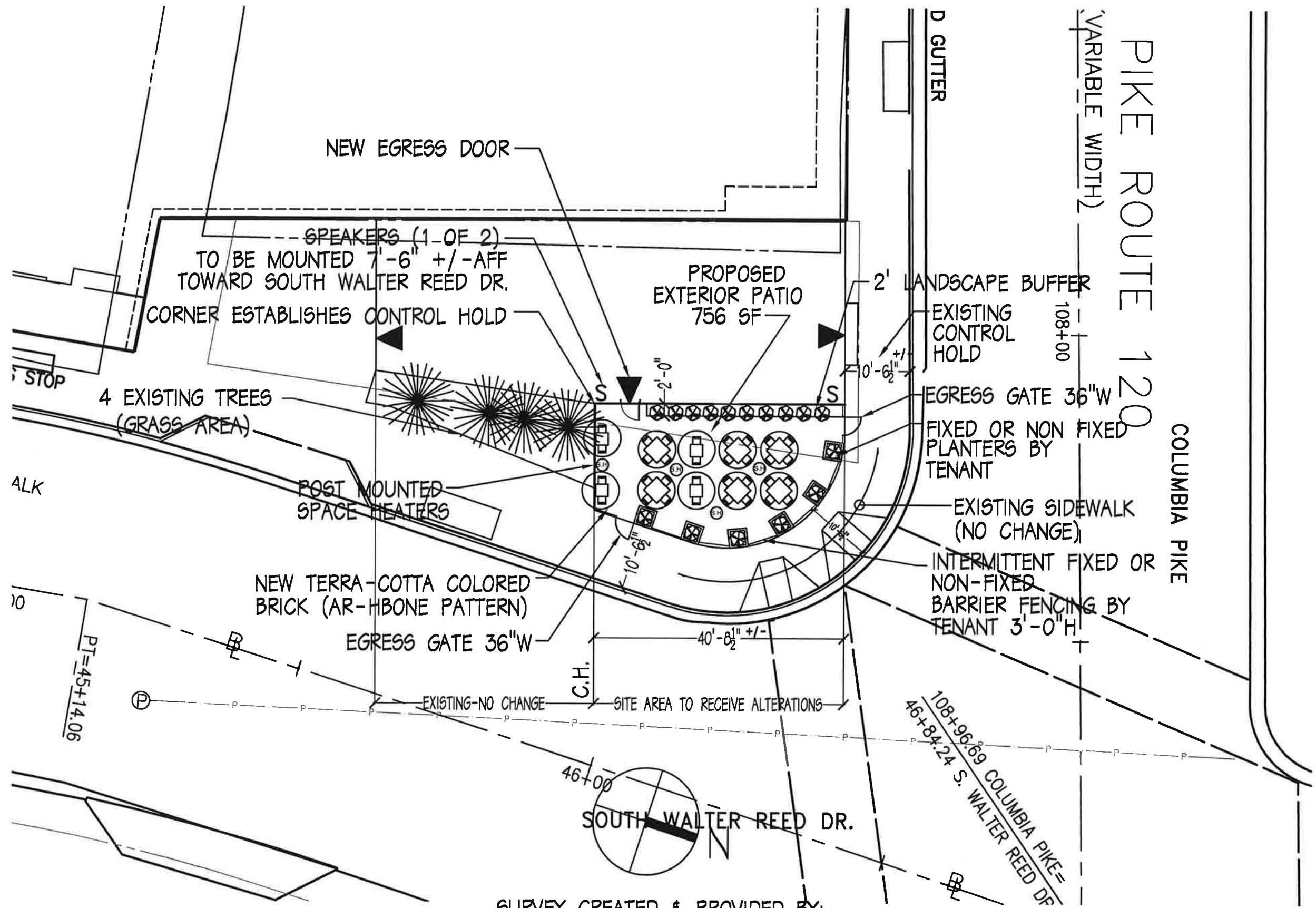
GORDON & GREENBERG ARCHITECTS
 1000 N. WALTER REED DR. SUITE 200
 ARLINGTON, VA 22204
 TEL: 703.261.1100
 FAX: 703.261.1101
 WWW.GORDONANDGREENBERG.COM



PROPOSED TENANT ALTERATIONS
 EXTERIOR PATIO INSTALLATION
 2900 COLUMBIA PIKE ARLINGTON, VA 22204
 PROPOSED SITE PLAN

JOB NO.	
DRAWN BY	BG
CHECKED BY	RDG
SCALE	AS NOTED
DATE	10/3/14
SHEET	CA.2
OF	2 SHEETS

PERMIT DATE: _____
 CONSTRUCTION PERMIT NO: _____
 GORDON & GREENBERG



SURVEY CREATED & PROVIDED BY:
 VIKI
 8180 GREENSBORO DR. SUITE #200
 TYSONS CORNER, VA 22102
 SURVEYOR: J THOMAS HARDING
 TAKEN: AUG. 23, 2012

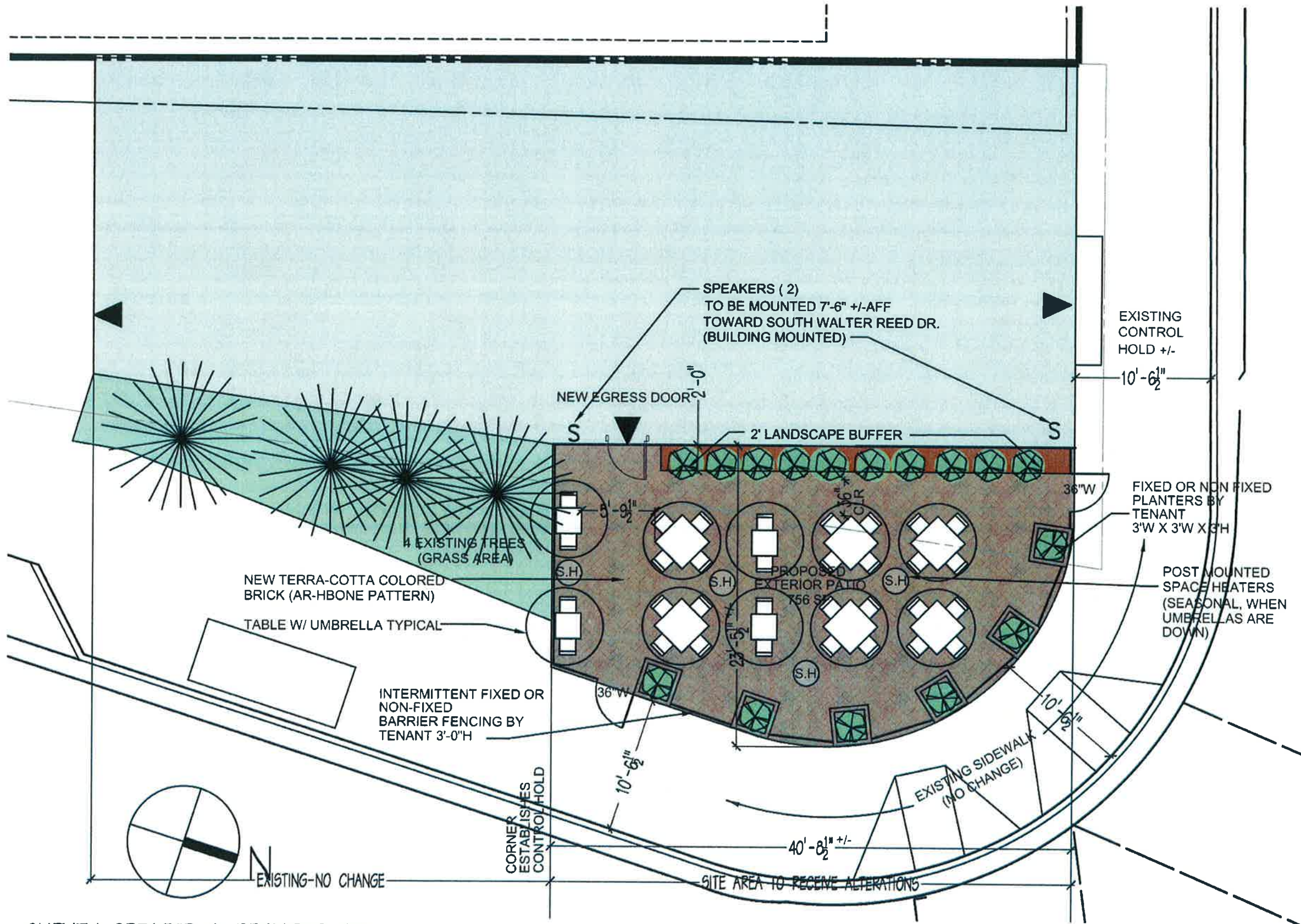
1 PROPOSED SITE PLAN
 CA.2 SCALE: 1/16" = 1'-0"

These drawings and specifications are the property and copyright of the architect and shall not be used in any other work without the approval of the architect. All dimensions shall be given in feet and inches. All dimensions shall be as noted on the drawings. Any discrepancy shall be brought to the notice of the architect prior to the commencement of any work.

GORDON & GREENBERG ARCHITECTS
 1000 N. WASHINGTON ST.
 SUITE 200
 ARLINGTON, VA 22201
 TEL: 703.241.1111
 FAX: 703.241.1112



PROPOSED TENANT ALTERATIONS
 EXTERIOR PATIO INSTALLATION
 2900 COLUMBIA PIKE ARLINGTON, VA 22204
 ENLARGED PROPOSED SITE PLAN



SURVEY CREATED & PROVIDED BY:
 VIKI
 8180 GREENSBORO DR. SUITE #200
 TYSONS CORNER, VA 22102
 SURVEYOR: J THOMAS HARDING
 TAKEN: AUG. 23, 2012

1 ENLARGED PROPOSED SITE PLAN
 CA.3 SCALE: 1/8" = 1'-0"

DESIGN	EG
CHECKED	RDG
SCALE	AS NOTED
DATE	10/3/14
SHEET CA.3	
GORDON & GREENBERG	

2900 COLUMBIA PIKE
1513 KING STREET
ALEXANDRIA, VA 22314

VIRGINIA COMMERCE BANK
ALEXANDRIA, VIRGINIA 22314

1380
68-525-560

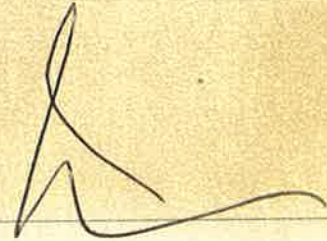
9/26/2014

PAY TO THE ORDER OF Treas, Arlington County

\$**1,871.10

One Thousand Eight Hundred Seventy-One and 10/100***** DOLLARS

MEMO
Use Permit Application



⑈0000 1380⑈ ⑆056005253⑆

2016292⑈

Details on back.
Security Features Included.

MP

060574/12-04