



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of November 14, 2009**

**DATE:** November 5, 2009

**SUBJECT:** U-2815-94-1 USE PERMIT RENEWAL for live entertainment at the Pines of Italy Restaurant, located at 237 N. Glebe Road (RPC # 20-032-071).

**Applicant:**

Pines of Italy Restaurant  
237 North Glebe Road  
Arlington, Virginia 22206

**C.M. RECOMMENDATION:**

Renew, subject to all previous conditions, and the conditions of the staff report, with a review by the County Board in five (5) years (November 2014).

**ISSUES:** This is a renewal request for a use permit for live entertainment at the Pines of Italy Restaurant, and no issues have been identified.

**SUMMARY:** This is a review of a use permit for live entertainment at the restaurant on Thursdays through Sundays from 10 p.m. to 2 a.m. The use has operated in compliance with the conditions of the use permit. The Ashton Heights and Buckingham Civic Associations have been contacted regarding this renewal, but staff has not received comments from either association. Staff recommends one (1) amended condition and one (1) new condition to bring the use permit up to current standards for live entertainment. Therefore, staff recommends that this use permit be renewed subject to all previous conditions and the conditions of the staff report, with a County Board review in five (5) years (November 2014).

**BACKGROUND:** The Pines of Italy originally obtained a use permit for live entertainment, a single pianist, in 1994. Since that time, the restaurant has been in compliance with the use permit. In continuing to build their business and provide entertainment for their customers, the proprietors expanded the variety of live entertainment options through the last use permit amendment to include a pianist, karaoke, and, on occasion, live performers, bands with singers and/or dancers on Thursdays through Sundays from 10 p.m. to 2 a.m. The restaurant contains approximately 50 seats.

County Manager: BMD/GA

Staff: Matthew Pfeiffer, DCPHD, Planning Division

PLA-5401

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**DISCUSSION:** The applicant has operated in compliance since the approval of the original use permit. No issues were cited during the one (1)-year review of the amended use in November 2006.

**Since the latest County Board renewal (November 2006)**

Use Permit Conditions: The use has continued to operate in compliance with the use permit conditions.

Community Code Enforcement, Fire Marshal's Office, and Police Department: Community Code Enforcement, the Fire Marshal, and the Police Department have not reported any complaints or concerns on the subject site.

State ABC Board: The State ABC Board reports no concerns about this use.

Civic Association: Staff contacted the Ashton Heights and Buckingham civic associations. To date, staff has not heard any comments from either civic association.

**CONCLUSION:** The applicant has operated in compliance with the original use permit conditions and with the expanded hours and types of live entertainment. County inspectors have reported that there are no issues regarding this use permit. The Ashton Heights and Buckingham Civic Associations have not responded to staff requests for comment on this use permit. Minor condition changes are recommended in order to bring the use permit up to current standards for live entertainment. Therefore, staff recommends renewal of the use permit subject to all previous conditions, one (1) amended condition, and one (1) new condition, with a County Board review in five (5) years (November 2014).

Conditions:

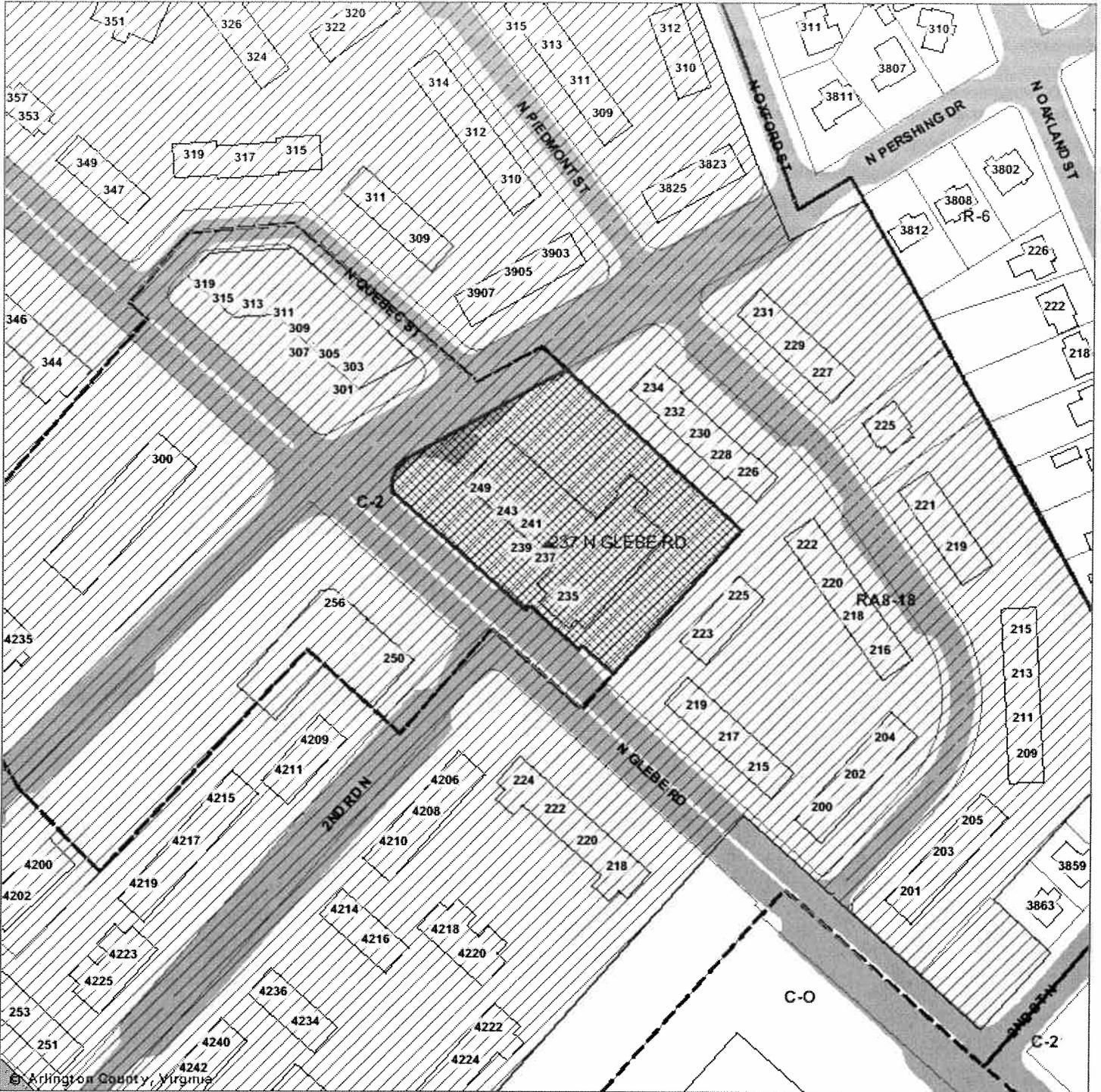
5. The applicant shall designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment. The name and telephone number shall be submitted to the Zoning Administrator, the Ashton Heights Civic Association, and the Buckingham Civic Association.
7. The applicant agrees that this use permit for restaurant live entertainment applies to the owners of the Pines of Italy Restaurant only, and that the use permit for live entertainment at 237 North Glebe Road shall no longer be valid should the Pines of Italy Restaurant cease to operate on the premises.

PREVIOUS COUNTY BOARD ACTIONS:

- July, 1994                      Approved use permit (U-2815-94-1) for live entertainment in the form of piano playing, subject to conditions and review in one year. (July 1995)
- July, 1995                      Renewed use permit (U-2815-94-1) for live entertainment in the form of piano playing, subject to all previous conditions and a review in three years. (July 1998)
- November, 2005                Approved a use permit amendment for live entertainment the form of a single pianist or karaoke to Thursdays, Fridays, and Saturdays only, between the hours of 10 p.m. to 2 a.m. and a band, singers or other live performers, to Thursdays and Sundays, no more than once a month, between the hours of 10 p.m. to 2 a.m., subject to conditions and a review in one year (November 2006).
- November, 2006                Renewed use permit for live entertainment subject to all previously approved conditions and a County Board review in three (3) years (November, 2009).

Approved Conditions:

1. The applicant agrees to limit the live entertainment in the form of a single pianist or karaoke to Thursdays, Fridays, and Saturdays only, between the hours of 10 p.m. to 2 a.m. The applicant agrees to limit the live entertainment, which may include a band, singers or other live performers, to Thursdays and Sundays, no more than once a month, between the hours of 10 p.m. to 2 a.m.
2. No dancing shall occur without the applicant first obtaining a valid Dance Hall Permit.
3. The applicant shall ensure that all trash generated by the live entertainment is appropriately stored in trash receptacles until such time as it is removed from the premises. Debris and discarded items shall not be allowed to collect at the rear of the property.
4. The applicant shall ensure that all windows and doors to the subject site shall be kept closed during the hours of live entertainment and shall appropriately soundproof the site if necessary.
5. The applicant shall designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment. The name and telephone number shall be submitted to the Zoning Administrator.
6. 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.



**U-2815-94-1 RENEWAL**  
**237 North Glebe Rd**  
**RPC #20-032-071**

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



Not To Scale

