



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of March 12, 2011**

DATE: March 3, 2011

SUBJECT: U-3018-01-1 USE PERMIT RENEWAL for live entertainment and dancing at the Sports House Grill located at 3249 Columbia Pike (RPC# 25-012-001)

Applicant:

Hugo Flores
3249 Columbia Pike
Arlington, Virginia 22204

C. M. RECOMMENDATION:

Renew the use permit for live entertainment and dancing at Sports House Grill, subject to all previous conditions with an administrative review in six (6) months (September 2011) and a County Board review in one (1) year (March 2012).

ISSUES: This is a use permit renewal for live entertainment at Sports House Grill. During the review period there were some police incidents, although there was an approximate two (2) month period where no police incidents occurred. Shorter reviews are recommended to continue to monitor the use.

SUMMARY: This is a scheduled use permit review for live entertainment at Sports House Grill. Over the past several years the use permit has had numerous reviews. The use permit was last renewed in September 2010 by the County Board and reviewed administratively in December 2010. There were some police incidents reported during the last review period. However, the applicant is in compliance with all conditions of the use permit, including ensuring that all restaurant staff complete the State Training Intervention Procedures (TIPS) program. In addition, there was a period of approximately two (2) months when no incidents occurred. A six (6) month administrative review and a one (1) year County Board review is recommended to continue to monitor the use. The Alcova Heights Civic Association supports renewal of the use permit and concurs with this recommendation, per the attached letter. The Arlington Heights Civic Association is also supportive of the renewal with administrative review. The Police Department and the ABC work together and implement ongoing monitoring and enforcement of the restaurant. Therefore, staff recommends renewal of the use permit for live entertainment and dancing at Sports House Grill, subject to all previous conditions with an administrative review in six (6) months (September 2011) and a County Board review in one (1) year (March 2012).

County Manager:

BMD/GA

Staff: Melanie Jesick, DCPHD, Planning Division

PLA-5844

5.

BACKGROUND: Sports House Grill is located at the intersection of Glebe Road and Columbia Pike in the Westmont Shopping Center. There have been numerous reviews of the use permit for live entertainment and dancing since approval in 2001 due to Police concerns at the restaurant.

DISCUSSION: Following is information on the use permit since the last County Board review in September 2010:

Since the last use permit review (September 25, 2010):

Use Permit Conditions: The applicant is in compliance with the use permit conditions.

Community Code Enforcement: The Community Code Enforcement office has not reported any issues with the use permit.

Police Department: Since the last County Board review on September 25, 2010 there were five (5) police incidents during times of approved live entertainment. During the review timeframe, for a consecutive, two (2) month period, there were no police incidents reported at the restaurant. The applicant continues to ensure all restaurant staff have TIPS training, and during the last administrative review in December 2010, submitted documentation of TIPS training to County staff, per Condition #8. There have been no new employees at the restaurant since that administrative review.

State Alcohol Beverage Control (ABC): The ABC continues ongoing monitoring of the establishment, including doing regular, late-night checks of the restaurant.

Fire Marshal's Office: The Fire Marshal's Office has not expressed any concerns regarding the subject use permit.

Civic Association: The site is located in the Arlington Heights Civic Association and is adjacent to the Douglas Park and Alcova Heights Civic Associations. The civic associations were notified of the use permit renewal. The Alcova Heights Civic Association supports renewal of the use permit with an administrative review in six (6) months (letter attached). The Arlington Heights Civic Association concurs with this position.

CONCLUSION: There have been some police incidents during this review period. An administrative review in six (6) months is recommended to continue to monitor the use permit. Therefore, staff recommends renewal of the use permit for live entertainment and dancing at Sports House Grill, subject to all previous conditions with an administrative review in six (6) months (September 2011) and a County Board review in one (1) year (March 2012).

PREVIOUS COUNTY BOARD ACTIONS:

November 17, 2001	Approved use permit for live entertainment and dancing at Sports House Grill and Restaurant with a County Board review in one (1) year (November 2002).
November 16, 2002	Renewed use permit for live entertainment and dancing at Sports House Grill and Restaurant with a County Board review in three (3) years (November 2005).
November 15, 2005	Renewed use permit for live entertainment and dancing at Sports House Grill and Restaurant with a County Board review in six (6) months (May 2006).
May 20, 2006	Renewed use permit for live entertainment and dancing at Sports House Grill and Restaurant with a County Board review in six (6) months (November 2006).
November 14, 2006	Renewed use permit for live entertainment and dancing at Sports House Grill and Restaurant with a County Board review in six (6) months (May 2007).
May 5, 2007	Renewed use permit for live entertainment and dancing at Sports House Grill and Restaurant with a County Board review in six (6) months (November 2007). (This review was not performed as scheduled).
April 19, 2008	Renew, subject to all previous conditions and one (1) new condition, with a County Board review in six (6) months (October 2008).
October 18, 2008	Renew, subject to all previous conditions, with County Board review in three months (January 2009).
January 24, 2009	Renew, subject to all previous conditions, one (1) revised condition, and one (1) new condition, with an administrative review in three (3) months, and a County Board review in six (6) months (July 2009).
July 11, 2009	Renew, subject to all previous conditions and one (1) revised condition, with an administrative review

in six (6) months and a County Board review in one (1) year (July 2010).

July 10, 2010

Renew the use permit for live entertainment and dancing at Sports House Grill, subject to all previous conditions and with a County Board review on September 25, 2010.

September 25, 2010

Renew the use permit for live entertainment and dancing at Sports House Grill, subject to all previous condition and one (1) revised condition, with an administrative review in three (3) months (December 2010) and a County Board review in six (6) months (March 2011).

Approved Conditions:

1. The applicant agrees to limit the hours of live entertainment and dancing by customers to Wednesday through Sunday between the hours of 10 p.m. – 1 a.m. Live entertainment is also permitted on the eve of all legal U.S. holidays, St. Patrick’s Day, and Cinco de Mayo. The applicant is also permitted to have three (3) additional days of live entertainment per year for ethnic and cultural holidays, for which the applicant would submit a letter to, and obtain permission from, the Zoning Department to have live entertainment for that specific holiday prior to the event.
2. The applicant agrees that all requirements on County and State Ordinances, the Environmental Health Bureau, the Fire Marshal, the Police Department and the Alcohol Beverage Control Board shall be met.
3. The applicant agrees that music resulting from live entertainment shall comply with the limits established in the County Noise Ordinance. The applicant agrees that during the hours of live entertainment all doors and windows shall remain closed. The applicant further agrees that if noise from the live entertainment use is identified as an issue, noise attenuation measures shall be immediately undertaken to minimize noise emanating from the facility.
4. The applicant agrees to develop and implement a parking plan, which shall be reviewed and approved by the County Manager or his designee prior to the issuance of any certificate of occupancy. The applicant agrees that the parking plan shall include the total number of parking spaces, the location of the parking spaces and the days and hours that the parking spaces are available, which shall be consistent with the approved days and hours of live entertainment.
5. The applicant agrees to identify a liaison between the subject use and the nearest neighborhoods. The liaison shall be empowered to address any concerns identified as emanating from the live entertainment. The applicant agrees to provide the name and telephone number of the liaison to the Douglas Park Civic Association, the Alcova Heights Citizens Association, the Arlington Heights Civic Association, the Columbia Pike Revitalization Organization and the Zoning Administrator prior to issuance of a certificate of occupancy.
6. The applicant agrees to secure the required dance hall permit prior to offering dancing activities on the site.
7. The applicant agrees to secure a seating capacity determination for the newly expanded portion of the restaurant from the Office of Inspection Services prior to the issuance of a certificate of occupancy.
8. The applicant agrees to work with the Arlington County Police Department and ensure that all restaurant staff complete the State Training Intervention Procedures (TIPS) program. The applicant agrees to keep a record of TIPS training certification for all

restaurant staff, including all new staff, and submit this information upon the County's request. The applicant further agrees that a representative from Sports House restaurant will meet with the Police Department as required to address potential issues associated with the live entertainment use.

9. The applicant agrees that the live entertainment use permit will automatically terminate at such time as the restaurant at the premises ceases to operate as "Sports House Grill" and/or at such time a new Certificate of Occupancy is obtained for the property.

Melanie Jesick

From: Mjvness@aol.com
Sent: Monday, February 14, 2011 4:13 PM
To: CountyBoard
Cc: Melanie Jesick
Subject: Fwd: Use Permit U-3018-01-1-Sports House Grill
Attachments: Fwd: Use Permit U-3018-01-1-Sports House Grill

Arlington County Board
2100 Clarendon Boulevard
Suite 300
Arlington, Virginia 22201

RE: Renewal Use Permit U-3018-01-1- Sports House Grill

Dear County Board Members,

The Alcova Heights Citizens Association(AHCA) Board Members support the request for the renewal of the use permit for live entertainment and dancing at the Sports House Grill located at 3249 Columbia Pike. We are pleased to learn that there have been no police reports since mid-December 2010. We recommend a six (6) month administrative review to assure that the Sports Grill has been able to continue to sustain the improvements.

Marie Van Ness
President, Alcova Heights Citizens Association



U-3018-01-1 USE PERMIT REVIEW
3249 Columbia Pk (Sports House Grill)
(RPC #25-012-001)

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



Not To Scale

