



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of April 21, 2012

DATE: April 12, 2012

SUBJECT: U-3326-12-1 USE PERMIT for restaurant providing live entertainment and dancing at Pines of Italy; located at 3111 Columbia Pike (RPC# 25-012-044).

Applicant:

Asgar Tajalli
Pines of Italy
3111 Columbia Pike
Arlington, Virginia 22204

C.M. RECOMMENDATION:

Defer the subject use permit to the September 15, 2012 County Board meeting.

ISSUES: This is a use permit request for live entertainment and dancing at the Pines of Italy restaurant located at 3111 Columbia Pike. The Police Department has expressed concerns regarding live entertainment and dancing at this location due to past incidents at this site and the potential for future issues given the history of the property's management. In addition, the Arlington Heights Civic Association opposes the applicant's request for live entertainment and dancing due to concerns about noise and crime-related impacts to adjacent residential uses. It is recommended that the request be deferred to the September 15 County Board meeting to allow sufficient time for the applicant to demonstrate management of the restaurant without issues.

DISCUSSION: This is a request for live entertainment and dancing at Pines of Italy, located at 3111 Columbia Pike. The restaurant intends to provide live entertainment and dancing associated with a restaurant, nightclub, and second-floor hookah bar. The Police Department has reported that there are concerns that the property owner will not oversee successful live entertainment at this location due to the history of incidents related to his previous tenants. Staff recommends that the applicant establish a clean track record in running the restaurant without live entertainment or dancing. It has been communicated to the applicant that should no issues

County Manager:

BMD/GA

County Attorney:

[Signature] *[Signature]*

Staff: Matthew W. Pfeiffer, DCPHD, Planning Division

PLA-6163

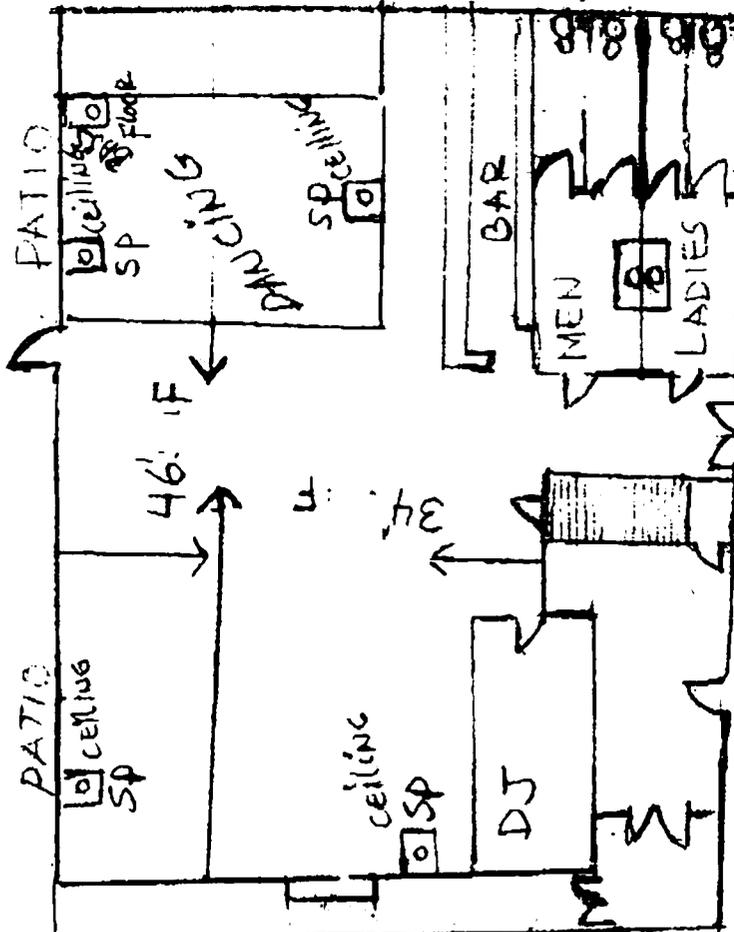
16.

be identified over a six (6) month period (starting from February 2012, when the restaurant opened), the County would reevaluate supporting live entertainment and dancing at this location. This would allow an opportunity for the applicant to demonstrate good management and to establish better relations with the neighborhood over the summer months, traditionally a bar/restaurant's busiest months. Therefore, staff recommends that the subject use permit be deferred to the September 15, 2012 County Board meeting. The applicant has agreed to the deferral, but at the time of this report is obtaining the consent of all shareholders in the business.

COLUMBIA PIKE

PARKING

FENCE



LANDSCAPE

PARKING

PARKING

Pam Locke

From: Keith & Stacey Whyte <kandswhyte@gmail.com>
Sent: Friday, March 30, 2012 2:56 PM
To: Matthew Pfeiffer
Cc: CountyBoard
Subject: AHCA's response to the permit request for live entertainment and dancing at 3111 Columbia Pike

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Pfeiffer,

I am writing today regarding the Pines of Italy permit request for live entertainment and dancing. The Arlington Heights Civic Association would like to go on record strongly opposing this request. We have feedback and anecdotal information we would like to share and hope it will be taken into consideration by both the County staff and the Arlington County Board when making a decision in this case.

- 1) We feel the application for Pines of Italy is misleading in that there are three distinct businesses operating at the 3111 Columbia Pike address - an Italian restaurant, a hookah bar and a night club. Mr. Asghar Tajalli, the gentleman who takes responsibility for the restaurant, personally told me that the permit request is actually for the hookah bar and nightclub as his restaurant has no need for live entertainment or dancing. He also shared in the same conversation that his partner Mr. Mekbes "Mike" Ata runs the hookah bar and his partner Mr. Jorge Escobar runs the dance club.
- 2) Our neighborhood has suffered for several years now from the noise, public drunkenness and the violence which has emanated from the bar/club/restaurants at 3111 Columbia Pike. We have neighbors living almost two blocks away who have been able to hear the music from 3111 clearly through their closed windows during the winter not to mention how loud the music and spillover parking lot crowd are when the weather is warmer and windows are open in the neighborhood. This music has been heard late into the evening and into the early morning hours which is a serious issue for the neighbors with young children and those who have to get up for work in the morning. We have several immediate neighbors to the club who have called the police on multiple occasions to report rowdy, drunk clientele outside 3111 including a number of fist fights and assaults. These incidents have occurred in the 3111 parking lot and they have also spilled over into the streets and lawns in the immediate neighborhood. To be quite honest the actions and demeanor of the 3111 clientele have made the immediate neighbors feel threatened and concerned for their own safety and that of their families.
- 3) The new restaurateur, Mr. Tajalli, did point out that he and his restaurant are new to the 3111 site and that may be true but the two gentlemen he refers to as his "partners" Mr. Mekbes "Mike" Ata and Mr. Jorge Escobar have been involved in the existence and running of the hookah bar and the nightclub on that site for years now. While we feel for Mr. Tajalli, he has joined a partnership that has demonstrated a continued flagrant disregard for the the safety and welfare of our Arlington Heights residents.
- 4) Multiple times over the past several years I have personally called the managers/owners at the 3111 site as well as having gone over in person to discuss the aforementioned issues on behalf of the neighborhood. The neighborhood concerns have been completely ignored. One of the gentlemen I have specifically spoken to in the past is Mr. Escobar who continues his affiliation with the businesses at the 3111 site.

5) One of my AHCA Executive Committee members and I met with Mr. Tajalli, Mr. Ata and Mr. Escobar (as well as Mr. Escobar's attorney) in your presence on Saturday, March 17. During that meeting I found the three partners to be disingenuous and the AHCA does not believe that they will work with us to mitigate the effect their live entertainment, dance club and clientele will have upon our neighborhood.

During the meeting I discussed our concerns about the behavior of what we believe to be primarily the dance club clientele. Mr. Tajalli was quick to point out he only ran the restaurant and had nothing to do with the club nor any knowledge about it. Mr. Ata also quickly asserted he only ran the hookah bar and had nothing to do with the club nor any knowledge about it. I then asked Mr. Escobar if he was the partner responsible for the club and he did not answer me. Instead his attorney responded by saying Mr. Escobar is merely the landlord who does nothing but collect rent checks and has no greater knowledge of the businesses operating on his property. I flat out asked all of the gentlemen who ran the dance club and nobody responded. I find it unbelievable, to say the least, that nobody involved with 3111 Columbia Pike knows who is running one of the three businesses that has been in existence there for several years and according to everyone present will continue to exist going forward.

Another bit of information to come out of the meeting was that both Mr. Tajalli and Mr. Ata claim neither the restaurant nor the hookah bar need a live entertainment or dancing permit to do business. They were very clear on this point. Unfortunately as there was apparently nobody at the meeting willing to be the official representative of the night club it was difficult to conduct a serious conversation regarding the permit that only the club seems to need.

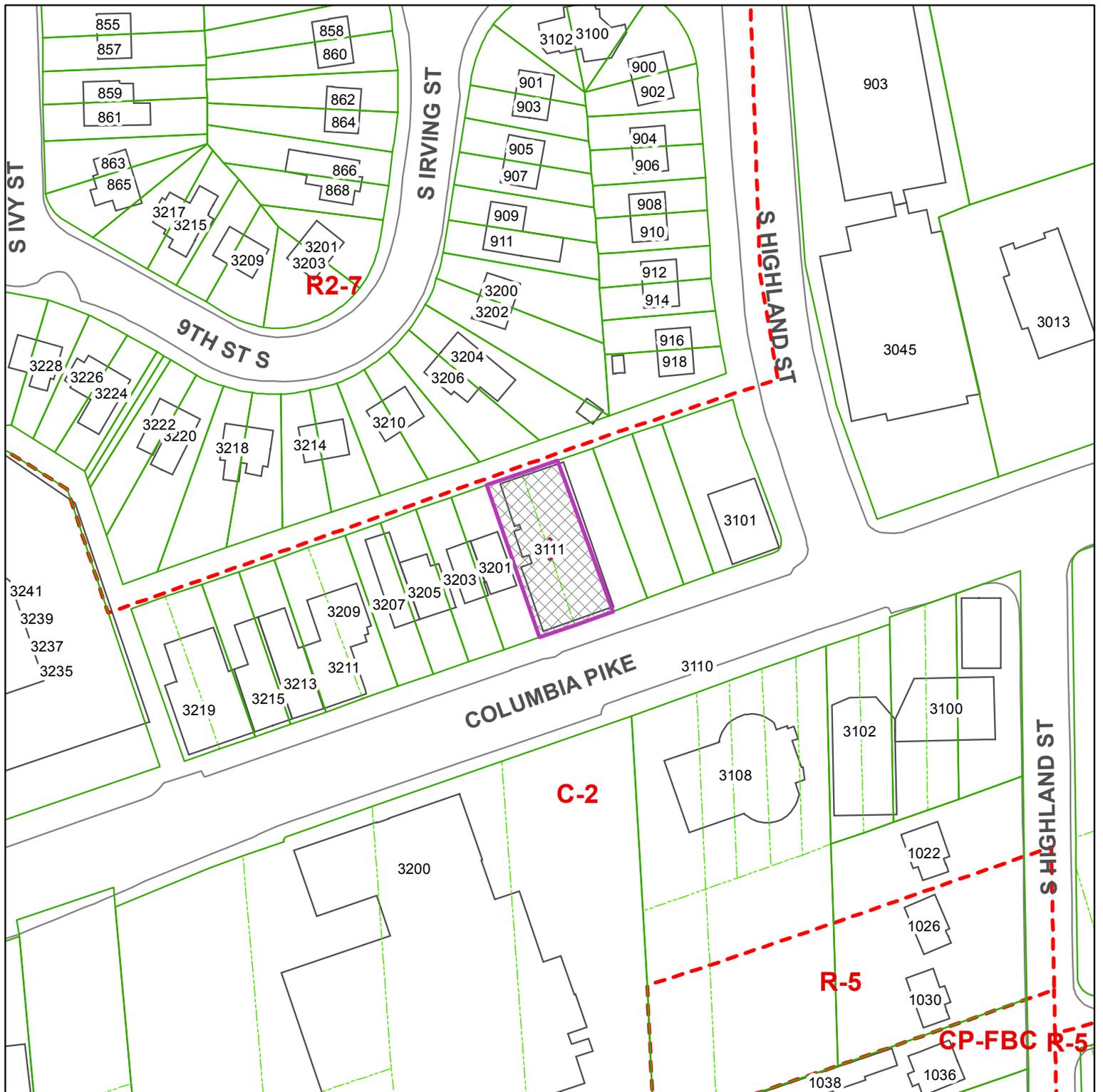
In conclusion the Arlington Heights Civic Association is a long time supporter of diverse small businesses within our neighborhood and along Columbia Pike. We also believe in reaching out and working together with local businesses to resolve any issues that may arise so we can remain good neighbors to one another. Unfortunately the partners who continue to operate their businesses within 3111 Columbia Pike have repeatedly demonstrated their complete and utter lack of concern as to the effect their businesses have on the residential community which surrounds them and we don't think that approach to doing business should be rewarded by granting them additional privileges like a live entertainment and dancing permit.

We do wish Mr. Tajalli well in the latest restaurant endeavor at 3111 and we hope he is successful. The AHCA has also shared with Mr. Tajalli that if all of the businesses housed at 3111 Columbia Pike can operate for the next year without the kind of chaos and violence that has been its hallmark thus far the association may reconsider our position on this permit issue at that time.

Thank you for your time and consideration regarding this matter.

Sincerely,

Stacey Whyte
President
Arlington Heights Civic Association



U-3326-12-7

3111 Columbia Pike

RPC# 25-012-044



 Case
 Location(s)
 Scale: 1:1,200

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