



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of May 19, 2012

DATE: May 10, 2012

SUBJECT: U-3336-12-1 USE PERMIT for live entertainment at Summers Restaurant; located at 1520 N. Courthouse Road (RPC# 18-001-008).

Applicant:

Summers Restaurant
1520 N. Courthouse Road
Arlington, Virginia, 22201

C.M. RECOMMENDATION:

Approve the subject use permit for live entertainment, subject to the conditions in the staff report, with an administrative review in six (6) months (November 2012) and a County Board review in one (1) year (May 2013).

ISSUES: This is a request for a use permit for live entertainment at the Summers Restaurant. The application was filed in response to a Zoning violation, in which the applicant was found to have live entertainment without a permit. Since February 10, 2012, when the Arlington County Police Department observed live entertainment, there have been no further reported violations.

SUMMARY: This is a request for live entertainment at Summers Restaurant, located at 1520 N. Courthouse Road on Tuesdays (from 8 p.m. to 11 p.m.), Wednesdays (from 8:30 p.m. to 12:30 a.m.), Thursdays (from 8 p.m. to 11 p.m.), Fridays (from 8:30 p.m. to 1:30 a.m.), Saturdays (from 8 p.m. to 1 a.m.), and Sundays (from 8 p.m. to 11 p.m.). The site is located at 1520 N. Courthouse Road, at the northwest corner of the intersection of Clarendon Boulevard and North Courthouse Road. Adjacent uses in the area include other retail/restaurant and commercial office uses. Staff anticipates few, if any adverse impacts to nearby properties as a result of this application. Therefore, staff recommends the County Board approve the subject use permit for live entertainment, subject to the conditions of the staff report, with an administrative review in six (6) months (November 2012) and a County Board review in one (1) year (May 2013).

County Manager:

BMD/GA

County Attorney:

[Handwritten signatures]

Staff: Sophia S. Fisher, DCPHD, Planning Division

PLA-6196

13.

BACKGROUND: The applicant is requesting a use permit for live entertainment at Summers Restaurant in the Courthouse station area located at 1520 N. Courthouse Road.

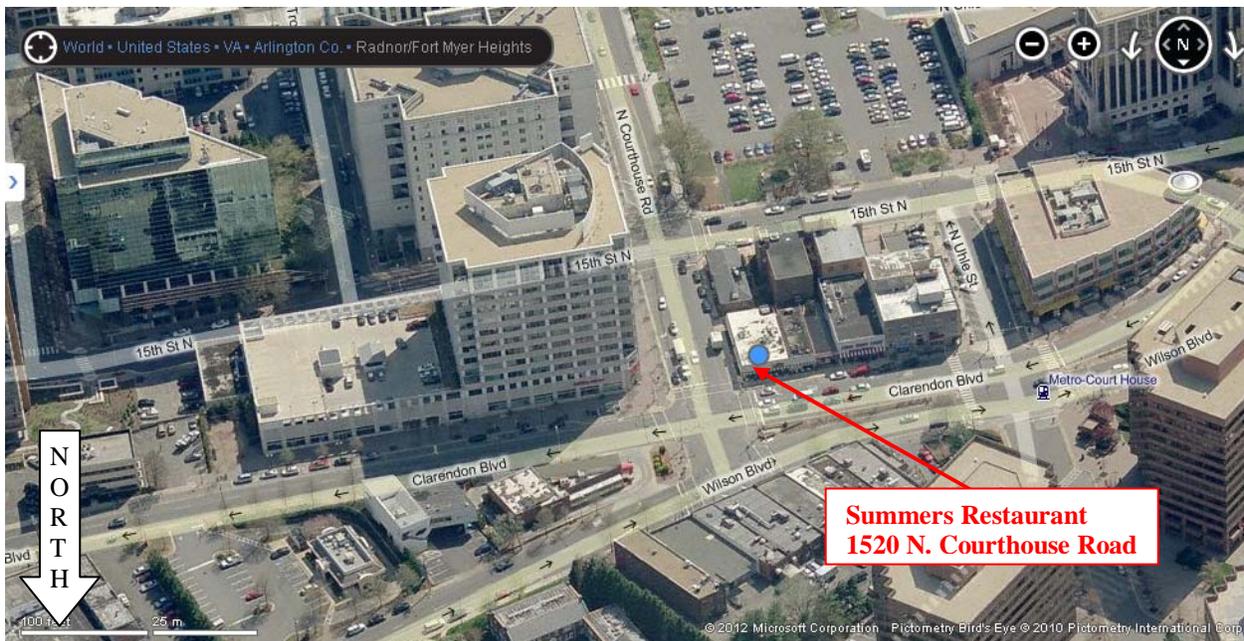
The following provides additional information about the site and location:

Site: The site is approximately 3,751 sq. ft. and is located on the block in Courthouse generally bounded by Clarendon Boulevard to the north, N. Courthouse Road to the east, 15th Street North to the south and N. Uhle Street to the west. Adjacent and surrounding land uses include other retail/restaurant and commercial office uses.

Zoning: The site is zoned “[C-3](#),” general commercial district.

General Land Use Plan: The site is designated on the [General Land Use Plan](#) (GLUP) as “High Office-Hotel” (up to 3.8 FAR for Office and Hotel and 4.8 FAR for Residential);

Neighborhood: The site is located in the Clarendon-Courthouse Civic Association. Staff has received no comments as of the writing of the staff report from the civic association regarding the proposed live entertainment use permit.



Source: Bing Maps

DISCUSSION: This is a request for live entertainment at Summers Restaurant, located at 1520 N. Courthouse Road. The use permit application was filed in response to a notice of violation that was served by the Zoning Department because the Arlington County Police Department observed live entertainment occurring without a use permit during a routine check of the establishment this past February. Since then, there have been no further reported issues. The subject use permit addresses the zoning violation. The Police Department reports that there have

been two (2) calls for service at the restaurant but does not object to live entertainment for this restaurant.

With the subject use permit request, the applicant proposes live entertainment on the following days and times (this is the currently proposed schedule; the proposed events may change but a change to the hours of operation would require action by the County Board):

- Tuesdays (Pub Quiz from 8:00 p.m. to 11:00 p.m.),
- Wednesdays (Karaoke from 8:30 p.m. to 12:30 a.m.),
- Thursdays (Pub Quiz from 8:00 p.m. to 11:00 p.m.),
- Fridays (Karaoke from 8:30 p.m. to 1:30 a.m.),
- Saturdays (DJ from 8:00 p.m. to 1:00 a.m.), and
- Sundays (Open Mic Comedy from 8:00 p.m. to 11:00 p.m.).

The applicant has agreed to the standard conditions for live entertainment, including keeping all doors and windows shut during live entertainment except for patrons entering and exiting, in order to minimize noise impacts. Staff finds that, as conditioned, the proposed live entertainment will not cause undue adverse impacts on the surrounding community, and that the proposed live entertainment is located in an area designated as “High Office-Apartment-Hotel” on the GLUP, which anticipates a variety of uses including live entertainment.

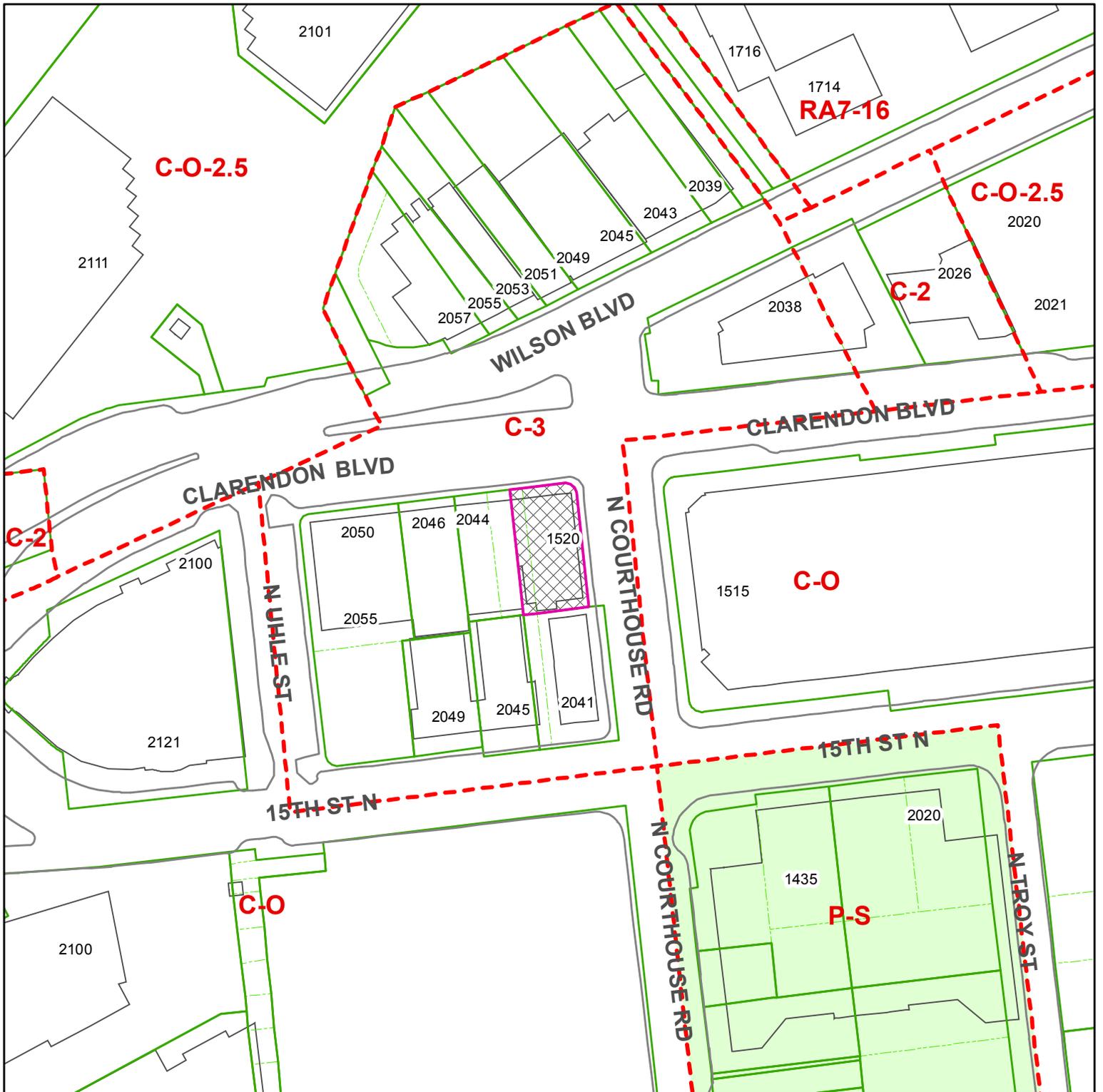
CONCLUSION: This application addresses a zoning violation, and the applicant has agreed to all conditions. The Police Department and the Fire Marshal’s office have not expressed any issues with this use permit request, and the applicant has agreed to comply with all applicable requirements of County and State Ordinances, per the proposed use permit conditions. The applicant’s proposal for live entertainment, with the proposed conditions, should not have an undue negative impact on adjacent properties. Therefore, staff recommends that the County Board approve the subject use permit, with an administrative review in six (6) months (November 2012) and with a County Board review in one (1) year (May 2013), subject to the following conditions:

Conditions:

1. The applicant agrees that live entertainment is permitted only on Tuesdays (from 8:00 p.m. to 11:00 p.m.), Wednesdays (from 8:30 p.m. to 12:30 a.m.), Thursdays (from 8:00 p.m. to 11:00 p.m.), Fridays (from 8:30 p.m. to 1:30 a.m.), Saturdays (8:00 p.m. to 1:00 a.m.), and Sundays (Comedy from 8:00 p.m. to 11:00 p.m.).
2. The applicant agrees to comply at all times with the Arlington County noise ordinance. The applicant further agrees that the windows and doors at the premises shall remain closed at all times during the times of live entertainment. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building.

3. The applicant agrees to comply with all requirements of County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Alcohol Beverage Control Board.
4. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
5. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and an onsite liaison that shall be available during the hours of the business operation to receive and respond to community concerns regarding the live entertainment. The name and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Clarendon-Courthouse Civic Association.

PREVIOUS COUNTY BOARD ACTIONS: There have been no previous County Board Actions.



U-3336-12-1

1520 N. Courthouse Rd.

RPC# 18-001-008

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

Department of Community Planning, Housing and Development



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

Planning Division