



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of November 17, 2012

DATE: November 5, 2012

SUBJECTS: Clarendon Live Entertainment

- A. SP# 194 SITE PLAN AMENDMENT REVIEW for live entertainment and dancing; located at 3100 Clarendon Blvd. (Mr. Days, RPC# 19-002-007).
- B. SP# 194 SITE PLAN AMENDMENT REVIEW for live entertainment and dancing; located at 3100 Clarendon Blvd. (Sobe, RPC# 19-002-007).
- C. SP# 298 SITE PLAN AMENDMENT REVIEW for live entertainment; located at 3101 Wilson Blvd. (American Tap Room, RPC# 15-071-031).
- D. SP #333 SITE PLAN AMENDMENT REVIEW for live entertainment; located at 3100 Washington Blvd. (Lyon Hall, RPC# 19-006-196).
- E. SP # 362 SITE PLAN AMENDMENT REVIEW for live entertainment and an outdoor menu box; located at 2900 Wilson Blvd. (La Tasca, RPC# 18-011-008).
- F. SP # 397 SITE PLAN AMENDMENT REVIEW for live entertainment and dancing; located at 3028 Wilson Blvd. (Hard Times Café, RPC# 18-012-003).
- G. U-2776-93-1 USE PERMIT REVIEW for live entertainment; located at 3114 10th St. N. (Jay's Saloon, RPC# 19-007-005).
- H. U-2861-95-1 & U-2886-96-3 USE PERMIT REVIEW for live entertainment and outdoor seating; located at 2854 Wilson Blvd. (Whitlow's on Wilson, RPC# 18-010-008).
- I. U-2984-00-1 USE PERMIT REVIEW for live entertainment; located at 3185 Wilson Blvd. (Clarendon Ballroom, RPC# 15-075-003).
- J. U-3310-11-2 USE PERMIT REVIEW for live entertainment; located at 2933 Wilson Blvd. (Mexicali Blues, RPC# 15-066-019).

County Manager:

BMD/GA

County Attorney:

[Handwritten signatures]

Staff: Sophia S. Fisher, DCPHD, Planning Division

PLA-6306

4.

- K. U-3114-04- USE PERMIT REVIEW for live entertainment; located at 3207 Washington Blvd. (O'Sullivan's, RPC# 15-078-001).
- L. U-3125-05-1 USE PERMIT REVIEW for live entertainment; located at 2915 Wilson Blvd. (RiRa, RPC# 15-066-002).
- M. U-3134-05-2 USE PERMIT REVIEW for live entertainment; located at 1041 N. Highland St. (Eleventh Street Lounge, RPC# 18-026-004)
- N. U-3233-09-1 USE PERMIT REVIEW for live entertainment and dancing; located at 3171 and 3181 Wilson Blvd. (Spider Kelly's, RPC# 15-075-002).
- O. U-3250-10-1 USE PERMIT REVIEW for live entertainment; located at 3211 Wilson Blvd. (Northside Social, RPC# 15-089-001).
- P. U-2791-93-1 USE PERMIT REVIEW for live entertainment; located at 2830 and 2832 Wilson Blvd. (IOTA, RPC# 18-010-005 and -006)
- Q. U-3322-11-1 USE PERMIT REVIEW for comprehensive sign plan and restaurant providing live entertainment; located at 3165 Wilson Boulevard (Eventide Restaurant, RPC# 15-075-001).

Applicants (in order of listing):

- A. Mr. Days
Robert and Tiffany Lee
3100 Clarendon Blvd.
Arlington, Virginia 22201
- B. Sobe
Robert and Tiffany Lee
3100 Clarendon Blvd.
Arlington, Virginia 22201
- C. American Tap Room
Shawn O'Quinn
3101 Wilson Blvd.
Arlington, Virginia 22201
- D. Lyon Hall
Trophy Property Ventures, LLC
Unit 100 N.
The Phoenix Condominium
3100 Washington Blvd.
Arlington, Virginia 22201

- E. La Tasca
Giovanni Mascia
2900 Clarendon Blvd.
Arlington, Virginia 22201

- F. Hard Times Café
Rich Kelly
3028 Wilson Boulevard
Arlington, Virginia 22201

- G. Jay's Saloon
Kathi Moore
3114 10th St. N.
Arlington, Virginia 22201

- H. Whitlow's on Wilson
WOW Enterprises, Inc.
2854 Wilson Blvd.
Arlington, Virginia 22201

- I. Clarendon Ballroom
Peter Pflug
3185 Wilson Boulevard
Arlington, Virginia 22201

- J. Mexicali Blues
Karen Orlando
2933 Wilson Blvd.
Arlington, Virginia 22201

- K. O'Sullivan's
Anselm Griffiths
3207 Washington Blvd.
Arlington, Virginia 22201

- L. RiRa
RiRa Clarendon LLC
2915 Wilson Blvd.
Arlington, Virginia 22201

- M. Eleventh Street Lounge
RTM Investment Group LP
1041 North Highland Street
Arlington, Virginia 22201

N. Spider Kelly's
Peter Pflug
3171 and 3181 Wilson Blvd.
Arlington, Virginia 22201

O. Northside Social
Local Press, LLC/DBA Northside Social
3211 Wilson Blvd.
Arlington, Virginia 22201

P. IOTA
Jane Negrey Inge
2830 and 2832 Wilson Blvd.
Arlington, Virginia 22201

Q. Eventide
Peter Pflug
3165 Wilson Boulevard
Arlington, Virginia 22201

C.M. RECOMMENDATIONS:

A-D, F: Adopt the attached ordinance for site plan amendments for temporary approval for two (2) years (November 30, 2014) for live entertainment (with dancing where stated in the above subject listing), subject to all previously approved conditions and to the proposed conditions in this report applicable only to the live entertainment uses. These site plan amendments will be subject to an administrative review in one (1) year (November 2013) and a County Board review in two (2) years (November 2014), and with one (1) additional condition specifying that the use is temporary and will expire in 2014 unless renewed by the County Board.

E: Adopt the attached ordinance for a site plan amendmens for temporary approval for one (1) year (November 30, 2013) for live entertainment, subject to all previously approved conditions and to the proposed conditions in this report applicable only to the live entertainment uses. This site plan amendment will be subject to an administrative review in six (6) months (May 2013) and a County Board review in one (1) year (November 2013), and with one (1) additional condition specifying that the use is temporary and will expire in 2013 unless renewed by the County Board

- G-L, N-O:** Renew the use permits for live entertainment (with dancing where stated in the above subject listing) subject to all previous conditions with an administrative review in one (1) year (November 2013) and a County Board review in two (2) years (November 2014)
- M:** Discontinue the use permit for live entertainment.
- P:** Renew the use permit for live entertainment subject to all previous conditions, with a County Board review in five (5) years (November 2017).
- Q:** Renew the use permit for a comprehensive sign plan and live entertainment subject to all previous conditions, with no further scheduled review of the comprehensive sign plan and an administrative review for the live entertainment in one (1) year (November 2013) and a County Board review of the live entertainment in two (2) years (November 2014).

ISSUES: This is a review of use permits and site plan amendments for a number of establishments in Clarendon that have live entertainment. Staff is not aware of any issues with individual restaurants, with the exception of one (1) restaurant that has not regularly participated in the Clarendon Neighborhood Advisory Group meetings. The restaurant (La Tasca) is recommended to be placed on a shorter review schedule.

SUMMARY: This is a review of existing use permits and site plan amendments for live entertainment in the Clarendon area. The uses were last reviewed as a group by the County Board in November 2010, except IOTA which has been on a five (5) year review cycle (and is recommended for another five (5) year renewal). Since the last review, the Eleventh Street Lounge has been closed and the site is currently being redeveloped as part of the Penzance project (SP #418).

Representatives of the Neighborhood Advisory Group continue to discuss issues with permit holders and work towards solutions to neighborhood concerns. In addition, guidelines for live entertainment in Clarendon have been developed to address many of the broader concerns of the residential community, including noise, patrons walking through the neighborhood late at night, parking, and trash. In 2010, a list of standard conditions for was developed for Clarendon live entertainment uses. The site plan amendments and use permits that are the subjects of this report have generally operated in compliance with approved site conditions throughout the past two years. At the County Board review in November 2010, a number of conditions were added to all Clarendon Live Entertainment permits to address the recommendations of the Guidelines developed with the Neighborhood Advisory Group. There were a few restaurants that had minor violations of conditions that were discussed during the November 2011 administrative review; these were all related to the new conditions added in November 2010 and all restaurants are now in compliance with those conditions. The one exception is La Tasca, which is in compliance with all conditions except the requirement to attend the quarterly Neighborhood Advisory Group meetings. Recent practice has been to add one (1) condition to Site Plan Amendments clarifying that the use is temporary and will expire at the end of the specified period unless reviewed by the

County Board. This is consistent with the practice of having use permits come up for renewal. Live entertainment in Clarendon continues to be successful, and staff recommends the following:

- Renew the Site Plan Amendments and Use Permits for live entertainment (and dancing for select establishments identified in the subject list as having dancing permitted) at Mr. Days, Sobe, American Tap Room, Lyon Hall, Hard Times Cafe, Jay's Saloon, Whitlow's on Wilson, Clarendon Ballroom, Mexicali Blues, O'Sullivan's, RiRa, Spider Kelly's, and Northside Social, with an administrative review in one (1) year (November 2013) and a County Board review in two (2) years (November 2014) subject to all previous conditions with one (1) additional condition for the site plan amendments specifying that the use is temporary and will expire in 2014 unless renewed by the County Board.
- Renew the Use Permit for live entertainment at Eventide, subject to all previous conditions, with an administrative review in one (1) year (November 2013) and a County Board review in two (2) years (November 2014) and with no further review of the comprehensive sign plan.
- Renew the Site Plan Amendment for live entertainment and dancing at La Tasca with an administrative review in six (6) months (May 2013) and a County Board review in one (1) year (November 2013) subject to all previous conditions with one (1) additional condition for the site plan amendments specifying that the use is temporary and will expire in 2013 unless renewed by the County Board.
- Renew the Use Permit for live entertainment at IOTA with a County Board review in five (5) years subject to all previous conditions (November 2017)
- Discontinue use permit for live entertainment at Eleventh Street Lounge.

BACKGROUND: The County Board approved the use permits and site plan amendments for live entertainment in conjunction with existing restaurants for the subject establishments at various times from 1993 to the present. The uses operate in the Clarendon area within a few blocks of each other. During past reviews, issues and concerns in common, including noise, inadequate parking, and trash were identified for the several approvals as areas requiring mitigation.

In 2002, it was agreed that, given the similarities of the uses, the concerns expressed, and the proximity of the uses to each other, it was reasonable to consolidate their review periods and develop an ongoing, joint neighborhood advisory process. The applicants agreed to participate in a Neighborhood Advisory Group (the "Group") effort that included neighborhood representatives, the Clarendon Alliance, and County staff. The Group agreed to meet quarterly and has continued to do so since it was established in 2002.

Conditions for the live entertainment uses have historically been developed separately as each live entertainment use was approved, before the uses were consolidated into one review. Thus, the conditions vary in terms of days, times, and types of live entertainment. The more recently approved uses have more standard and consistent conditions.

In 2010, the Group began work on a document to better standardize the uses within the Group's purview. The Guidelines and Standard Conditions for Live Entertainment in Clarendon (the "Guidelines") were completed in November, 2010, and provide planning guidance as to the

impacts of live entertainment and methods for mitigating such impacts. As a result of the Guidelines, a number of new conditions were added to the Clarendon site plans/use permits during the November 2010 review. These include:

- A provision that on-site, dedicated security be provided from 9 pm until closing on nights in which live entertainment is provided.
- A standard prohibition of live entertainment outdoors, or piped outdoors through speaker systems.
- A provision that all staff serving alcohol receive certification in TIPS training.
- Requirement for obtainment of a dancehall permit should dancing be provided.
- Requirement for posting signs informing patrons not to park in the residential neighborhoods
- Requirement that restaurants be diligent in ensuring that patrons outside of their establishments are not causing a noise impact
- Requirement that restaurants clean sidewalks of litter the morning after live entertainment is provided.

The conditions that were introduced in November 2010 have become the standard set of conditions applied to all new live entertainment requests in Clarendon.

DISCUSSION: Neighborhood Advisory Group Meetings have been attended by members of the community, County staff, and the business establishments. Interaction at the meetings since the last County Board review has been cooperative and cordial. There has been good faith effort demonstrated by the establishments and the neighbors who have given their time and energy to attend these meetings for the past several years. That good faith effort has resulted in the establishments paying more attention to the neighborhoods' concerns, assuming responsibility for their patrons, and taking corrective measures to address the Group's concerns of trash, noise, and parking.

Since the last County Board review (November 13, 2010):

Use Permit and Site Plan Amendment Conditions: Zoning inspections in November 2011 found minor violations of some of the new conditions added in November 2010, including conditions that require providing TIPS training to staff and posting signs that remind patrons that they are in a residential neighborhood. Subsequent inspections in 2011 showed all identified violations had been addressed. Zoning inspections in October 2012 uncovered no violations of conditions.

Seven (7) meetings of the Group have been held (see Attachment #1 for meeting dates and attendance records). All establishments have attended a majority of the Advisory Group meetings, with the exception of La Tasca.

Community Code Enforcement and the Site Plan Inspection: Community Code Enforcement and Site Plan Inspection staff report there are no issues with the Clarendon live entertainment uses. Zoning staff continue to participate in the Group meetings and are aware of ongoing discussions within the Group.

Police Department: The Police Department has been an integral part of the Group process. Communication between the establishments and the Police Department has been open and the Police Department has attended all but one (1) Group meeting to answer any questions of the Group. The business owners report that they work closely with the Police to provide and maintain TIPS training for their staff. The Police Department reports no issues and supports renewal of the use permits and site plan amendments.

Fire Marshall: The Fire Marshall's office reports no issues with the live entertainment locations.

State ABC Board: ABC Board has not reported concerns with any of the establishments. The ABC has been invited to Group meetings since 2010.

Civic Associations: The Lyon Village Citizens Association, the Lyon Park Citizens Association, the Clarendon-Courthouse Civic Association (CCCA) and the Clarendon Alliance were notified of the use permit and site plan amendment reviews. These civic associations and the Alliance have participated in the Group. The Clarendon Alliance has submitted a letter that states that their Board has not expressed an opinion on the proposed renewal of the subject use permits, but notes that they have not received any complaints regarding any specific restaurants. The CCCA submitted comments recommending renewal for one year for all restaurants with live entertainment. Staff notes that the restaurants are generally on a two year review cycle with an administrative review in the intervening year, with the option of bringing an application to the County Board out of cycle in the event that a serious condition violation is discovered. The CCCA also suggested that the County develop a more proactive approach to condition enforcement. It is generally agreed that the Group effort continues to be an essential vehicle for communication and addressing concerns of the neighborhood and business establishments. The community has not voiced concerns with specific restaurants at this time. As stated above, the broader concerns that come with Clarendon as an entertainment area are proposed to be addressed with Clarendon Live Entertainment Guidelines and standard conditions.

Staff is recommending that the Clarendon Live Entertainment use permits and site plan amendments be renewed with an administrative review in one (1) year (November 2013) and a County Board review in two (2) years (November 2014) with the following exceptions:

Eventide was approved for live entertainment and a comprehensive sign plan in January 2012. There have been no issues with the live entertainment, and the sign was installed in conformance with their approval. The way the staff recommendation was worded included the comprehensive sign plan in the review of the live entertainment. Since comprehensive sign plans are not typically reviewed, and because the site and the signs posted thereon are in compliance with the requirements of the comprehensive sign plan, staff recommends no further review of the comprehensive sign plan.

IOTA has one of the oldest use permits for live entertainment, and has never been found to be in violation of their conditions of approval. They have had excellent attendance at the

Neighborhood Advisory Group meetings. The permit for live entertainment has been on a five (5) year review cycle, and the applicant has requested that they be renewed for another five (5) years. Staff supports their request.

Due to their poor record of attendance at the Neighborhood Advisory Group meeting, which is required by condition, staff is recommending that La Tasca be put on a shorter review cycle to monitor compliance with that condition.

Finally, Eleventh Street Lounge has closed and the site is being redeveloped as part of the Penzance project (SP #418), so staff is recommending that the use permit be discontinued.

CONCLUSION: The live entertainment establishments in the Clarendon area have generally complied with the conditions of approval, and have not had undue adverse impacts on surrounding properties. During the November 2011 administrative review, minor violations of site plan/use permit conditions were identified, which were primarily related to the new conditions added during the November 2010 County Board review. In restaurants where violations were identified, the restaurants were informed of the issues, and subsequent inspections revealed compliance. All restaurants were found to be in good standing at the time of the inspections for the November 2012 review with the exception of La Tasca, which has not been complying with the requirement to attend the Neighborhood Advisory Group meetings. Staff continues to support live entertainment uses in Clarendon, assuming that no undue impacts to surrounding neighborhoods and streets are created by such uses. Live entertainment focused within a commercial district is an appropriate use of land, and contributes to the active, urban character of Clarendon. Recent practice has been to add one (1) condition to Site Plan Amendments specifying that the use is temporary and will expire at the end of the specified period unless reviewed by the County Board. This has the effect of clarifying that a reapproval of the site plan amendment is equivalent to renewing a use permit. Therefore, staff recommends the following:

- Renew the Site Plan Amendments and Use Permits for live entertainment (and dancing for select establishments shown in the subjects list of the report as including dancing) at Mr. Days, Sobe, American Tap Room, Lyon Hall, Hard Times Cafe, Jay's Saloon, Whitlow's on Wilson, Clarendon Ballroom, Mexicali Blues, O'Sullivan's, RiRa, Spider Kelly's, and Northside Social, with an administrative review in one (1) year (November 2013) and a County Board review in two (2) years (November 2014) subject to all previous conditions and with one (1) additional condition as set forth below for the site plan amendments specifying that the use is temporary and will expire in 2014 unless renewed by the County Board.
- Renew the Use Permit for live entertainment at Eventide, subject to all previous conditions, with an administrative review in one (1) year (November 2013) and a County Board review in two (2) years (November 2014) and with no further review of the comprehensive sign plan.
- Renew the Site Plan Amendment for live entertainment and dancing at La Tasca with an administrative review in six (6) months (May 2013) and a County Board review in one (1) year (November 2013) subject to all previous conditions, and with one (1) additional condition in the form set forth below, but with dates revised accordingly, for the site plan

amendments specifying that the use is temporary and will expire in 2013 unless renewed by the County Board.

- Renew the Use Permit for live entertainment at IOTA, subject to all previous conditions, with a County Board review in five (5) years (November 2017)
- Discontinue use permit for live entertainment at Eleventh Street Lounge.

ADDITIONAL CONDITION FOR SITE PLAN PROJECTS:

The applicant agrees that live entertainment and dancing use permitted at [name and address of restaurant] is a temporary use only that has been approved for a limited two (2) year period, and not longer. During the two year period, the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the use will terminate after a period of two (2) years, on November 30, 2014, without further action by the County Board, unless otherwise approved prior to that date. The applicant agrees that it will cease use of the space for the purposes of live entertainment and dancing, and shall convert the space to another approved use, or fully vacate the space, on or before November 30, 2014. The applicant acknowledges and agrees that after November 30, 2014, it shall have no right to use the space for live entertainment and dancing purposes unless specific approval for that use is obtained from the County Board. In addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing use shall be subject to the following additional conditions:

SITE PLAN AMENDMENT ORDINANCE

WHEREAS, the applications for Site Plan Amendments as described below were filed with the Office of the Zoning Administrator

- A. SP# 194 SITE PLAN AMENDMENT for live entertainment and dancing; located at 3100 Clarendon Blvd. (Mr. Days, RPC# 19-002-007). Original County Board approval for Live Entertainment and Dancing: July 8, 1995
- B. SP# 194 SITE PLAN AMENDMENT for live entertainment and dancing; located at 3100 Clarendon Blvd. (Sobe, RPC# 19-002-007). Original County Board approval for Live Entertainment and Dancing: July 9, 2005
- C. SP# 298 SITE PLAN AMENDMENT for live entertainment; located at 3101 Wilson Blvd. (American Tap Room, RPC# 15-071-031). Original County Board Approval for Live Entertainment: June 14, 2011
- D. SP #333 SITE PLAN AMENDMENT for live entertainment; located at 3100 Washington Blvd. (Lyon Hall, RPC# 19-006-196). Original County Board Approval for Live Entertainment: September 29, 2009
- E. SP # 362 SITE PLAN AMENDMENT REVIEW for live entertainment and an outdoor menu box; located at 2900 Wilson Blvd. (La Tasca, RPC# 18-011-008). Original County Board Approval for Live Entertainment: July 10, 2004
- F. SP # 397 SITE PLAN AMENDMENT for live entertainment and dancing; located at 3028 Wilson Blvd. (Hard Times Café, RPC# 18-012-003). Original County Board Approval for Live Entertainment and Dancing: November 17, 2009; and

WHEREAS, as indicated in Staff Report prepared for the November 17, 2012 County Board meeting and through comments made at the public hearing before the County Board, the County Manager recommends that the County Board approve the Site Plan Amendments subject to numerous conditions as set forth in the Staff Report; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendments on November 17, 2012 and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning

Administrator, that the improvements and/or developments proposed by the Site Plans as amended:

- Substantially comply with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance and modified as follows; and
- Functionally relate to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Are so designed and located that the public health, safety and welfare will be promoted and protected.

NOW THEREFORE, BE IT ORDAINED that, as originally requested by the following site plan amendment applications for live entertainment (with dancing as indicated in the listing):

- A. SP# 194 SITE PLAN AMENDMENT for live entertainment and dancing; located at 3100 Clarendon Blvd. (Mr. Days, RPC# 19-002-007). Original County Board approval for Live Entertainment and Dancing: July 8, 1995
- B. SP# 194 SITE PLAN AMENDMENT for live entertainment and dancing; located at 3100 Clarendon Blvd. (Sobe, RPC# 19-002-007). Original County Board approval for Live Entertainment and Dancing: July 9, 2005
- C. SP# 298 SITE PLAN AMENDMENT for live entertainment; located at 3101 Wilson Blvd. (American Tap Room, RPC# 15-071-031). Original County Board Approval for Live Entertainment: June 14, 2011
- D. SP #333 SITE PLAN AMENDMENT for live entertainment; located at 3100 Washington Blvd. (Lyon Hall, RPC# 19-006-196). Original County Board Approval for Live Entertainment: September 29, 2009
- E. SP # 362 SITE PLAN AMENDMENT REVIEW for live entertainment and an outdoor menu box; located at 2900 Wilson Blvd. (La Tasca, RPC# 18-011-008). Original County Board Approval for Live Entertainment: July 10, 2004

- F. SP # 397 SITE PLAN AMENDMENT for live entertainment and dancing; located at 3028 Wilson Blvd. (Hard Times Café, RPC# 18-012-003). Original County Board Approval for Live Entertainment and Dancing: November 17, 2009

For the various site plan amendments described above, approval is granted and the parcels so described shall be used subject to the following conditions:

A. SP #194: 3100 Clarendon Boulevard - Mr. Days

38. The applicant agrees that live entertainment and dancing use permitted at Mr. Days at 3100 Clarendon Boulevard is a temporary use only that has been approved for a limited two (2) year period, and not longer. During the two year period, the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the use will terminate after a period of two (2) years, on November 30, 2014, without further action by the County Board, unless otherwise approved prior to that date. The applicant agrees that it will cease use of the space for the purposes of live entertainment and dancing, and shall convert the space to another approved use, or fully vacate the space, on or before November 30, 2014. The applicant acknowledges and agrees that after November 30, 2014, it shall have no right to use the space for live entertainment and dancing purposes unless specific approval for that use is obtained from the County Board. In addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing use shall be subject to the following additional conditions:

1. Live entertainment is permitted Sundays, Mondays, Tuesdays and Wednesdays from 8:00 p.m. to 12:30 a.m., and Thursdays, Fridays and Saturdays from 8:00 p.m. to 1:30 a.m., and the Sundays, Mondays, Tuesdays and Wednesdays that occur on the eve of a federal holiday from 8:00 p.m. to 1:30 a.m.
2. No customer dancing shall occur without the applicant first obtaining approval of a dance hall permit.
3. 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 of the liaison shall be submitted by the applicant to the Zoning Administrator.
4. The applicant agrees to share with other businesses the responsibility for picking up trash along 11th Street North between North Daniel and North Fillmore Streets, the 1000 block of North Edgewood Street and the North Highland Streets between Washington Boulevard and Clarendon Boulevard and the building's frontage along Washington Boulevard between North Highland Street and Wilson Boulevard. The applicant agrees that its share of this responsibility shall be to pick up trash on these blocks each Thursday, Friday and Saturday of any odd numbered month (January, March, May, July, September and November). Such trash shall be picked up after 9:00 p.m. or before 9:00 a.m. the following morning. Trash shall include bottles, cans, and any other trash that can be reasonably linked to the applicant's patrons.

5. The applicant agrees to participate in the establishment of a neighborhood advisory group consisting of representatives of the Clarendon Grill, Whitlow's on Wilson, Mister Days Sports and Rock Cafe, other live entertainment users in the area, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association and representatives of various County staff including Police, Code Enforcement, and Planning. The proposed advisory group would meet quarterly to work through issues associated with the live entertainment uses.
6. The applicant agrees to comply with all requirements of County and State Ordinances, the Environmental Health Bureau, the Fire Marshal, the Police Department and the Alcohol Beverage Control Board.
7. The applicant agrees that music resulting from the live entertainment shall comply with the limits established in the County Noise Ordinance. and further agrees that the restaurant's windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
8. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant and on their website.
9. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.
10. The applicant agrees that all staff serving alcohol to customers shall have TIPs (Training for Intervention Procedures) certification.
11. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
12. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
13. The applicant agrees to clean the sidewalk in front of the establishment each morning, including sweeping cigarette butts and litter that may have accumulated from the outdoor seating area.
14. The applicant agrees that the approval for live entertainment at 3100 Clarendon Boulevard is valid only for Mister Days. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

B. SP #194: 3100 Clarendon Boulevard - SoBe

39. The applicant agrees that live entertainment and dancing use permitted at SoBe at 3100 Clarendon Boulevard is a temporary use only that has been approved for a limited two (2) year period, and not longer. During the two year period, the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the use will terminate after a period of two (2) years, on November 30, 2014, without further action by the County Board, unless otherwise approved prior to that date. The applicant agrees that it will cease use of the space

for the purposes of live entertainment and dancing, and shall convert the space to another approved use, or fully vacate the space, on or before November 30, 2014. The applicant acknowledges and agrees that after November 30, 2014, it shall have no right to use the space for live entertainment and dancing purposes unless specific approval for that use is obtained from the County Board. In addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing use shall be subject to the following additional conditions:

1. Live entertainment and dancing hours
 - a. The applicant agrees that the hours for live entertainment inside the restaurant shall be as follows: 5 p.m. until 12:30 a.m., Monday through Thursday; 5 p.m. to 1:30 a.m., Fridays; 10 a.m. until 1:30 a.m., Saturdays; 10 a.m. until 12:30 a.m., Sundays; and 5 p.m. until 1:30 a.m., on the eve of all legal U.S. holidays.
 - b. The applicant agrees that the hours for dancing inside the restaurant shall be the same as for live entertainment inside except it would not begin before 5 p.m. any day.
 - c. The applicant agrees that the hours for live entertainment in the outdoor seating area shall be as follows: 5 p.m. until 12:00 a.m., Thursday and Friday; 10 a.m. to 12:00 a.m., Saturdays; 10 a.m. to 3 p.m. Sundays; and 5 p.m. until 12:00 a.m. on the eve of all legal U.S. holidays.
 - d. The applicant agrees that the hours for dancing in the outdoor seating area shall be the same as for live entertainment outside except it would not begin before 5 p.m. any day.
2. The live entertainment and dancing shall be consistent with the applicant's leasing arrangement with the Wells REIT 1 3100 Clarendon LLC.
3. There shall be no customer dancing without obtaining a valid dance hall permit from the County Zoning Office.
4. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant.
5. The applicant agrees to comply with all requirements of County and State Ordinances, the Environmental Health Bureau, the Fire Marshal's Office, the Police Department, Community Code Enforcement Office and the Alcohol Beverage Control Board.
6. The applicant agrees to identify a liaison between the subject use and the neighborhoods. The liaison shall be empowered to address any concerns identified as emanating from the live entertainment. The name and telephone number of the liaison shall be provided in writing to the Zoning Administrator, The Clarendon Alliance, the Clarendon-Courthouse Civic Association and the Lyon Village Citizens Association.
7. The applicant agrees that live entertainment and dancing shall meet the noise limits established in the County Noise Ordinance- and further agrees that the restaurant's windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. The applicant agrees that doors shall not be propped open during live entertainment.
8. The applicant agrees to share with other businesses the responsibility for picking up trash along 11th Street North between North Daniel and North Fillmore Streets, the 1000 block of North Edgewood Street and North Highland Street between Washington Boulevard

and Clarendon Boulevard and the building's frontage along Washington Boulevard between North Highland Street and Wilson Boulevard. The applicant agrees that its share of this responsibility shall be defined in writing and provided to the Zoning Administrator. The applicant agrees that its share of this responsibility shall be to pick up trash on these blocks the following morning after each Thursday, Friday, and Saturday before 9 a.m. Trash shall include bottles, cans, and any other trash that can be reasonably linked to the applicant's patrons.

9. The applicant agrees to participate in the established neighborhood advisory group consisting of representatives of the Clarendon Grill, Whitlow's on Wilson, Mister Days Sports and Rock Cafe, other live entertainment users in the area, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
10. The applicant agrees to ensure that all restaurant staff are enrolled in the Police Department's Training for Intervention Procedures (TIPS) training.
11. The applicant agrees that the types of live entertainment inside the restaurant would be limited to a DJ, small combos, small jazz groups, an individual guitarist or pianist, or similar style entertainment.
12. The applicant agrees that the types of live entertainment in the outdoor seating area would be limited to small combos, small jazz groups, an individual guitarist or pianist, or similar style entertainment.
13. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.
14. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
15. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
16. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
17. The applicant agrees that the approval for live entertainment at 3100 Clarendon Blvd. is valid only for Sobe. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

C. SP# 298 : 3101 Wilson Blvd. – American Tap Room

62. The developer agrees that the proposed North Highland Street outdoor café in the public right-of-way for "American Tap Room" shall be as shown on the drawings prepared by Chatelain Architects, titled "American Tap Room Project Number 2010.351", dated January 25, 2011, as attached to the staff report and approved by the County Board on February 12, 2011. The final number and arrangement of tables and chairs shall be determined by the Certificate of Occupancy. There must be a minimum of 8.5 feet of

clear sidewalk width. The developer also agrees that the required barriers or fencing around the outdoor café must be installed in such a way that café patrons will not be able to move the barriers, but that they can be removed at the end of the outdoor seating season. The developer also agrees that there shall be a review by the County Board of this site plan amendment upon a change of ownership of the restaurant tenant. The developer also agrees that to the extent that the restaurant has outdoor speakers for music, the music from the speakers shall not be audible from inside the condominium units and not be louder than ambient noise at the condominium units' balconies located across 12th Street North/Festival Street. The developer also agrees that live entertainment shall not be audible from inside the condominium units and not be louder than ambient noise at the condominium units' balconies located across 12th Street North. The developer also agrees that if a determination is made by County officials that noise from the outdoor café, or live entertainment, does not comply with applicable ordinances, either site plan amendment for the outdoor café, or for live entertainment shall be scheduled for review by the County Board. The developer also agrees that the outdoor fire pits located within the outdoor seating area along 12th Street North/Festival Street are for decorative purposes only.

66. The applicant agrees that live entertainment and dancing use permitted at American Tap Room at 3101 Wilson Boulevard is a temporary use only that has been approved for a limited two (2) year period, and not longer. During the two year period, the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the use will terminate after a period of two (2) years, on November 30, 2014, without further action by the County Board, unless otherwise approved prior to that date. The applicant agrees that it will cease use of the space for the purposes of live entertainment and dancing, and shall convert the space to another approved use, or fully vacate the space, on or before November 30, 2014. The applicant acknowledges and agrees that after November 30, 2014, it shall have no right to use the space for live entertainment and dancing purposes unless specific approval for that use is obtained from the County Board. In addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing use shall be subject to the following additional conditions:

- ~~66.~~1. Live entertainment is permitted seven days a week from restaurant opening until 1:30 am. The applicant agrees that live entertainment will be limited to a solo piano player, in the location depicted in the plan entitled "Live Entertainment—Piano," prepared by Chatelain Architects, P.C., and attached to this report. The applicant further agrees that no vocalists or vocal accompaniment is permitted under this site plan amendment.
- ~~67.~~2. The applicant shall comply with the Arlington County noise ordinance. The applicant agrees to close the windows and doors along the restaurant façade facing 12th Street North at 12 am seven days a week. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building.
- ~~68.~~3. The applicant agrees that all bartenders and management staff shall have TIPS (Training for Intervention Procedures) certification.

- ~~69.4.~~ 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.
- ~~70.5.~~ The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
- ~~71.6.~~ The applicant agrees to participate in the established Neighborhood Advisory Group consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
- ~~72.7.~~ 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 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, the Lyon Village Civic Association, the Hartford Condominium Association, the Clarendon Alliance, and any condominium, cooperative, or homeowner's association created for the residential units of Site Plan #384 (the Views at Clarendon).
- ~~73.8.~~ The applicant agrees that the site plan amendment for live entertainment shall be reviewed by the County Board upon any change of tenancy of the subject space currently occupied by American Tap Room. A review by the County Board shall not be required by only a change in name, should the tenancy not change and the ownership not change.
- ~~74.9.~~ The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
- ~~75.10.~~ The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
- ~~76. 11.~~ The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

D. SP#333: 3100 Washington Blvd. – Lyon Hall

The applicant agrees that live entertainment and dancing use permitted at Lyon Hall at 2100 Washington Boulevard is a temporary use only that has been approved for a limited two (2) year period, and not longer. During the two year period, the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the use will terminate after a period of two (2) years, on November 30, 2014, without further action by the County Board, unless otherwise approved prior to that date. The applicant agrees that it will cease use of the space for the purposes of live entertainment and dancing, and shall convert the space to another approved use, or fully vacate the space, on or before November 30, 2014. The applicant acknowledges and agrees that after November 30, 2014, it shall have no right to use the space for live entertainment and dancing purposes unless specific approval for that use is obtained from the County Board. In

addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing use shall be subject to the following additional conditions:

1. Live entertainment shall be limited to live bands or DJ entertainment 8 pm – 1 am Thursday, Friday, and Saturday, and DJ entertainment only 8 pm – 1 am Sunday through Wednesday.
2. Live entertainment will only take place after the restaurant has obtained a Certificate of Occupancy and is open to the public for business.
3. Live entertainment must take place only within the building. The windows and doors to the outside shall remain closed during the times of live entertainment, except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. The applicant shall comply with the Arlington County noise ordinance. No live entertainment shall be broadcast over loudspeakers outside of the building, and under no circumstances shall live entertainment be permitted outside of the building.
4. 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.
5. The applicant agrees to participate in the established Neighborhood Advisory Group consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Civic Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
6. 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 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, the Lyon Village Civic Association, the Lyon Park Civic Association, and the Clarendon Alliance.
7. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant and on their website.
8. The applicant agrees that the approval for live entertainment at 3100 Washington Blvd. is valid only for Lyon Hall. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.
9. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of “in house” staff, so long as that staff is dedicated to security only.
10. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
11. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
12. The applicant agrees to post signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.

13. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.

E. SP #362: 2900 Wilson Boulevard – La Tasca

54. The applicant agrees that live entertainment and dancing use permitted at La Tasca at 2900 Wilson Boulevard is a temporary use only that has been approved for a limited one (1) year period, and not longer. During the one year period, the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the use will terminate after a period of one (1) years, on November 30, 2013, without further action by the County Board, unless otherwise approved prior to that date. The applicant agrees that it will cease use of the space for the purposes of live entertainment and dancing, and shall convert the space to another approved use, or fully vacate the space, on or before November 30, 2013. The applicant acknowledges and agrees that after November 30, 2013, it shall have no right to use the space for live entertainment and dancing purposes unless specific approval for that use is obtained from the County Board. In addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing use shall be subject to the following additional conditions:

1. The applicant agrees that the live entertainment shall be limited to Thursdays, Fridays, Saturdays and Sundays between 11:00 a.m. and midnight (12:00 a.m.). The applicant agrees that there shall be no dancing by customers unless the required dance hall permit is secured. The applicant agrees that additional live entertainment events may be permitted on Mondays, Tuesdays, and Wednesdays between 11:00 a.m. and midnight (12:00 a.m.) provided that these additional events do not exceed six (6) additional events per month.
2. The applicant agrees that music resulting from the live entertainment shall comply with the limits established in the County Noise Ordinance.
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 the live entertainment shall be limited to acoustic music and vocal music. The applicant agrees that the decibel level of amplification for the acoustic and vocal music shall not exceed a level inside the restaurant that represents background music compatible with a dining experience, and agrees that music in no event shall be of such a level as to be audible outside the restaurant. At times the applicant anticipates including flamenco dancers performing to the live and/or recorded music.
5. The applicant agrees to ensure that all windows and doors shall remain closed when live entertainment is being offered except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. The applicant agrees that no live entertainment shall be permitted outdoors, and further agrees to insure that live entertainment performances inside the restaurant will not be broadcast to the exterior of the restaurant over the restaurant's audio system. The applicant agrees that doors shall not be propped open during live entertainment.
6. The applicant agrees to identify a liaison between the subject use and the neighborhoods. The liaison shall be empowered to address any concerns identified as emanating from the

- live entertainment. The name and telephone number of the liaison shall be shared with the Zoning Administrator, the Clarendon-Courthouse Civic Association, the nearby Lyon Village Citizens Association and the Clarendon Alliance.
7. The applicant agrees to participate in the established neighborhood advisory group consisting of representatives of the Clarendon Grill, Whitlow's on Wilson, Mr. Days Sports and Rock Café, Iota Bar and Restaurant, the Clarendon Ballroom, the Boulevard Woodgrill, LLC, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Citizens Association and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly to work through issues associated with the live entertainment uses.
 8. The applicant agrees that the approval for live entertainment at 2900 Wilson Blvd. is valid only for La Tasca. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.
 9. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant and on their website.
 10. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.
 11. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
 12. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
 13. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
 14. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

F. SP #397: 3028 Wilson Boulevard – Hard Times Café

88. The applicant agrees that live entertainment and dancing use permitted at Hard Times Café at 3028 Wilson Boulevard is a temporary use only that has been approved for a limited two (2) year period, and not longer. During the two year period, the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan use. The applicant further agrees that approval for the use will terminate after a period of two (2) years, on November 30, 2014, without further action by the County Board, unless otherwise approved prior to that date. The applicant agrees that it will cease use of the space for the purposes of live entertainment and dancing, and shall convert the space to another approved use, or fully vacate the space, on or before November 30, 2014. The applicant acknowledges and agrees that after November 30, 2014, it shall have no right to use the space for live entertainment and dancing purposes unless specific approval for that use is obtained from the County Board. In addition to all other conditions of this site plan, the applicant specifically agrees that the live entertainment and dancing use shall be subject to the following additional conditions:

1. Live entertainment shall be permitted only between the hours of 11:00 a.m. to 1:30 a.m., seven (7) days a week, with the restriction that bands and deejays are permitted only from 6:00 pm to 1:30 am on Thursday, Friday, and Saturday evenings, and on the eve of all Federal Holidays.
2. Live entertainment is permitted only on the second floor of the building. The applicant agrees to comply with the Arlington County noise ordinance and further agrees that the restaurant's windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
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 participate in the established Neighborhood Advisory Group consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Civic Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
6. 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 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, the Lyon Village Civic Association, the Lyon Park Civic Association, and the Clarendon Alliance.
7. The applicant shall make customers aware of proximity to Metro, available parking and any special parking arrangements through postings in the restaurant and on their website.
8. The approval for live entertainment at 3028 Wilson Blvd. is only valid for Hard Times Cafe. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.
9. The applicant agrees that on-site, dedicated security shall be provided from 9:00 p.m until closing on nights that have bands or deejays. The on-site security may consist of "in-house" staff, so long as that staff is dedicated to security only.
10. All staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
11. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
12. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.

13. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

Whitlow's On Wilson (U-2861-95-1 & U-2886-96-3)

- October 14, 1995 Approved Use Permit (U-2861-95-1) for live entertainment in a restaurant, seven days a week, from 11 a.m. to 2 a.m., subject to conditions and a review in one (1) year.
- October 14, 1995 Approved Use Permit (U-2862-95-1) for a comprehensive sign plan for three (3) signs containing a total of 110 square feet of sign area, subject to conditions.
- July 20, 1996 Approved Use Permit (U-2886-96-3) for an outdoor café with 32 seats operating between 11 a.m. and 12:30 a.m., subject to conditions and a review in one (1) year.
- October 5, 1996 Continued Use Permit (U-2861-95-1) for live entertainment in a restaurant, seven days a week, from 11 a.m. to 2 a.m., subject to conditions and a review in nine months.
- July 19, 1997 Continued a Use Permit (U-2861-95-1) for live entertainment in an existing restaurant and Use Permit (U-2886-96-3) for an outdoor café subject to all previous conditions, new Condition #4, administrative reviews in two months, and a review by the County Board in two (2) years.
- July 14, 1999 Continued use permits for live entertainment (U-2861-95-1) in an existing restaurant and for café seating (U-2886-96-3), subject to all previous conditions, and with a review in one (1) year. (July 2000)
- July 31, 2000 Adopted motion to amend use permit (U-2881-95-1) for live entertainment to include dancing but accepted withdrawal by applicant. Continued (U-2881-95-1), subject to previous Condition #2, amended Conditions #1 and #3, and additional Conditions #4 through #7, and with a review in six (6) months (January 2001). Continued use permit (U-2886-96-3) for outdoor café seating, subject to all previous conditions, and with a review in six (6) months. (January 2001)

November 18, 2000	Deny amendment request to amend hours of live entertainment for Wednesday through Thursday from 6 p.m. to 12 midnight, to 6 p.m. to 12:30 a.m. for Sunday through Tuesday from 6 p.m. to 2 a.m. to 6 p.m. to 1:30 a.m., for holiday eves and holidays treat the same as Friday and Saturday in terms of type of entertainment and hours from 6 p.m. to 1 a.m. Review in six (6) months.
December 18, 2000	In reconsidering the November 18, 2000 action on live entertainment use permit (U-2881-95-1) at the December 18, 2000 recessed County Board meeting, continued subject to revised conditions and with a review in six (6) months.
January 27, 2001	Continued a use permit (U-2886-96-3) for outdoor restaurant seating, subject to all previous conditions, and with a review in five (5) months.
June 9, 2001	Continued use permits (U-2861-95-1) for live entertainment and (U-2886-96-3) for outdoor restaurant seating, subject to all previous conditions, and with a review in six (6) months. (December 2001)
December 8, 2001	Continued use permits (U-2861-95-1) for live entertainment and (U-2886-96-3) for outdoor restaurant seating, subject to all previous conditions with a new condition #8 and with a review by the County Board in eleven (11) months. (November 2002)
<u>Clarendon Grill (U-2873-95-2)</u>	
February 3, 1996	Approved a Use Permit (U-2873-95-2) for live entertainment in conjunction with an existing restaurant, seven days a week, from 6 p.m. to 2 a.m., Monday through Friday and from 11 a.m. to 2 a.m. on Saturday and Sunday with a review in one (1) year. (February 1997)
February 8, 1997	Continued use permit (U-2873-95-2) for live entertainment and dancing in an existing restaurant subject to all previous conditions and review in three (3) years. (February 2000)

February 12, 2000	Continued use permit (U-2873-95-2) for live entertainment and dancing in an existing restaurant subject to all previous conditions and review in nine months. (November 2000)
November 18, 2000	Continued use permit (U-2873-951-2) for live entertainment and dancing with a review in one (1) year. (November 2001)
November 17, 2001	Continued use permit (U-2873-951-2) for live entertainment and dancing with an new condition #6 and with an administrative review in six (6) months and a review by the County Board in one (1) year. (November 2002)

Clarendon Ballroom (U-2984-00-1)

July 31, 2000	Approved use permit (U-2984-00-1) for live entertainment in a new restaurant, seven days a week from 6 p.m. to 2 a.m., Mondays through Fridays, and from 11 a.m. to 2 a.m., Saturdays and Sundays with a review in one (1) year. (July 2001)
July 28, 2001	Continued use permit (U-2984-00-1) for live entertainment in a new restaurant, seven days a week from 6 p.m. to 2 a.m., Mondays through Fridays, and from 11 a.m. to 2 a.m., Saturdays and Sundays with a review in one (1) year. (July 2002)
July 20, 2002	Continued use permit (U-2984-00-1) for live entertainment in a new restaurant, seven days a week from 6 p.m. to 2 a.m., Mondays through Fridays, and from 11 a.m. to 2 a.m., Saturdays and Sundays with a review in three (3) months. (October 2002)

Jay's Saloon and Grille (U-2776-93-1)

July 27, 1993	Approved use permit for live entertainment (U-2776-93-1), subject to conditions and with a County Board review in six (6) months (January 1994) (this review was not performed as scheduled).
April 21, 2001	Renewed use permit for live entertainment (U-2776-93-1), subject to all previous conditions and

two (2) new conditions, and with a County Board review in three (3) years (April 2004).

April 24, 2004

Renewed use permit for live entertainment (U-2776-93-1), subject to all previous conditions, and with a County Board review in five (5) years (April 2009).

April 25, 2009

Renewed use permit for live entertainment (U-2776-93-1), subject to all previous conditions, two (2) revised conditions, four (4) new conditions, with an administrative review in seven (7) months (November 2009) and a County Board review in nineteen (19) months (November 2010), consistent with the schedule of other Clarendon restaurant live entertainment use permits.

Other restaurants in Clarendon & the continued reviews of Mr. Days, Clarendon Ballroom, Clarendon Grill, Whitlow's on Wilson, and Jay's Saloon (from October 2002 when the uses were combined into one review).

October 19, 2002

Approved use permit (U-3046-02-1) for live entertainment and dancing; with a review in one (1) year. (October 2003) (Boulevard Woodgrill)

October 19, 2002

Continued use permits and site plans (SP #194) for live entertainment and dancing (Mister Days), (U-2873-95-2) for live entertainment (Clarendon Grill), (U-2984-00-1) for live entertainment (Clarendon Ballroom), (U-2861-95-1) for live entertainment and (U-2886-96-3) for outdoor restaurant seating (Whitlow's on Wilson) with a review in one year. (October 2003)

January 11, 2003

Approved use permit (U-3050-02-1) for live entertainment with a review in nine (9) months (October 2003). (Mexicali Blues)

October 18, 2003

Approved a site plan amendment request (SP #339) for live entertainment with a review in one year (October 2004). (Harry's Tap Room)

October 18, 2003

Continued use permits and site plans (SP #194) for live entertainment and dancing (Mister Days), (U-2873-95-2) for live entertainment (Clarendon Grill), (U-2984-00-1) for live entertainment (Clarendon

Ballroom), (U-2861-95-1) for live entertainment, (U-2861-95-1) (Whitlow's on Wilson) for live entertainment and (U-2886-96-3) for outdoor restaurant seating (Whitlow's on Wilson), (U-3046-02-1) (Boulevard Wood Grill) for live entertainment and (U-3050-02-1) (Mexicali Blues) for live entertainment with a review in one year. (October 2004)

June 26, 2004 Approved site plan amendment (SP #194) for outdoor seating for the Mister Days Sports Rock Café with a review in October 2004.

July 10, 2004 Approved site plan amendment request (SP #362) for the La Tasca Restaurant to offer live entertainment with a review in three (3) months October 2004.

October 2, 2004 Continued use permits and site plans (SP #194) for live entertainment and dancing (Mister Days), (U-2873-95-2) for live entertainment (Clarendon Grill), (U-2984-00-1) for live entertainment (Clarendon Ballroom), (U-2861-95-1) for live entertainment, (U-2861-95-1) (Whitlow's on Wilson) for live entertainment and (U-2886-96-3) for outdoor restaurant seating (Whitlow's on Wilson), (U-3046-02-1) (Boulevard Wood Grill) for live entertainment, (U-3050-02-1) (Mexicali Blues) for live entertainment, (SP #362) (La Tasca) for live entertainment, and (SP #339) (Harry's Tap Room) for live entertainment with a review in one year. (October 2005)

March 12, 2005 Approved a use permit (U-3114-04-1) for live entertainment with a review in six months (October 2005). (Molly Malones)

June 18, 2005 Deferred a site plan amendment request (SP #194) for live entertainment to the July 9, 2005 County Board meeting.

July 9, 2005 Approved a site plan amendment request (SP #194) for live entertainment and dancing inside and outside the restaurant with a review in three months (October 2005). (SoBe)

Approved a use permit request (U-3125-05-1) for live entertainment, with a review in October 2006. (RiRa)

October 18, 2005

Renewed use permits and site plans for live entertainment for the following establishments in Clarendon: SoBe Seafood Co (SP #194); Mr. Days (SP #194); Harry's Taproom (SP #339); LaTasca (SP #362); Clarendon Grill (U-2873-95-2); Whitlow's on Wilson (U-2861-95-1); Clarendon Ballroom (U-2984-00-1); Boulevard Woodgrill (U-3046-02-1); Mexicali Blues (U-3050-02-1); Molly Malone's (U-3114-04-1) subject to all previous conditions and with a review in seven (7) months. (May 2006)

Approved a use permit for live entertainment for RTM Investment Group LP "eleventh street" (U-3134-05-2), subject to conditions and with a review in seven (7) months. (May 2006)

Approved a use permit amendment to increase outdoor seating from 40 to 48 seats for Whitlow's on Wilson (U-2886-96-3) subject to all previous conditions and amended condition #1, with a review by the County Board in seven (7) months. (May 2006)

Deferred a use permit amendment for Whitlow's on Wilson (U-2861-95-1) to eliminate condition #4 regarding off-duty police officer to the May 2006 County Board meeting.

May 20, 2006

Renewed use permits and site plans for live entertainment for the following establishments in Clarendon: SoBe Seafood Co (SP #194); Mr. Days (SP #194); Harry's Taproom (SP #339); LaTasca (SP #362); Clarendon Grill (U-2873-95-2); Whitlow's on Wilson (U-2861-95-1); Clarendon Ballroom (U-2984-00-1); Boulevard Woodgrill (U-3046-02-1); Mexicali Blues (U-3050-02-1); Molly Malone's (U-3114-04-1), and eleventh street lounge (U-3134-05-2) subject to all previous conditions and with a review in one (1) year. (May 2007)

Renewed a use permit for outdoor seating (48 seats) for Whitlow's on Wilson (U-2886-96-3) subject to all previous conditions, with no further review.

Suspended the requirements of Condition #4, regarding off-duty police officer, of the use permit for Whitlow's on Wilson (U-2861-95-1) for a period of six months commencing on July 1, 2006 and with review at the December 9, 2006 County Board meeting.

Discontinued the use permit for live entertainment at Harry's Taproom (SP #339) at 2800 Clarendon Blvd.

December 9, 2006

Deleted Condition #4, regarding off-duty police officer, of the use permit for Whitlow's on Wilson (U-2861-95-1).

May 5, 2007

Renewed use permits and site plans for live entertainment for the following establishments in Clarendon: SoBe Seafood Co (SP #194); Mr. Days (SP #194); Clarendon Grill (U-2873-95-2); Whitlow's on Wilson (U-2861-95-1); Clarendon Ballroom (U-2984-00-1); Boulevard Woodgrill (U-3046-02-1); Mexicali Blues (U-3050-02-1); RiRa (U-3125-05-1); and Eleventh Street Lounge (U-3134-05-2) subject to all previous conditions, and with a review by the County Board in one (1) year (May 2008).

Renewed the site plan amendment for live entertainment for La Tasca (SP # 362), subject to all previous conditions and two (2) revised conditions (# 1, # 4), with a review by the County Board in one (1) year (May 2008).

Approved the site plan amendment for a restaurant menu board at La Tasca (SP #362), subject to the condition in the staff report.

Renewed the use permit for live entertainment at O'Sullivan's (U-3114-04-1), subject to all previous conditions, and one (1) revised condition (#5), with a review by the County Board in one (1) year (May 2008).

May 17, 2008	Deferred the use permit reviews and site plan amendments for Clarendon Live Entertainment to the September 13, 2008 County Board meeting.
September 13, 2008	Deferred the use permit reviews and site plan amendments for Clarendon Live Entertainment to the November 15, 2008 County Board meeting.
November 15, 2008	Renewed A-F and H-J (the applicants, in order of listing on the report), subject to all previous conditions, and four (4) new conditions, with an administrative review in one (1) year (November 2009) and a review by the County Board in two (2) years (November 2010).
April 25, 2009	Renewed the use permit for live entertainment at Jay's Saloon, subject to all previous conditions, two (2) revised conditions, and four (4) new conditions, with an administrative review in seven (7) months (November 2009) and a County Board review in nineteen (19) months (November 2010), consistent with the schedule of other Clarendon live entertainment use permits.
November 14, 2009	Approved site plan amendment request for live entertainment and dancing at Hard Times Café, subject to the proposed conditions and the revised conditions in the supplemental staff report, and with a County Board review in one (1) year (November 2010), consistent with the County Board review schedule for other Clarendon live entertainment uses.
September 26, 2009	Approved the use permit request for live entertainment at Lyon Hall, subject to the proposed conditions, and revised conditions #1 and #8 in the supplemental staff report, with an administrative review in six (6) months (March 2010) and a County Board review in fourteen (14) months (November 2010), consistent with the County Board review schedule for other Clarendon live entertainment uses.
January 23, 2010	Approved use permit request for live entertainment and dancing at Spider Kelly's, subject to the

proposed conditions, and revised condition #1 in the supplemental report, and with a County Board review in ten (10) months (November 2010), consistent with the County Board review schedule of other Clarendon live entertainment uses.

May 22, 2010

Approved use permit request for live entertainment and an outdoor café at Northside Social, subject to the conditions of the staff report and a County Board review in six (6) months (November 2010).

November 13, 2010

Renewed subject to all previous conditions, and eight (8) new conditions, the following site plan amendments and use permits (in order of listing in the staff report) with an administrative review in one (1) year (November 2011) and a County Board review in two (2) years (November 2012): SP# 194, Mr. Days; SP# 194, SoBe; SP# 333, Lyon Hall; SP# 362, La Tasca; SP# 397, Hard Times Café; U-2776-93-1, Jay's Saloon; U-2861-95-1 & U-2886-96-3, Whitlow's on Wilson; U-2873-95-2, Clarendon Grill; U-2984-00-1, Clarendon Ballroom; U-3114-04-1, O'Sullivan's; U-3125-05-1, RiRa; U-3233-09-1, Spider Kelly's; U-3250-10-1, Northside Social.

Renewed the following use permit for one (1) year, subject to all previous conditions, and eight (8) new conditions: U-3134-05-2, Eleventh Street Lounge.

Discontinued the following two use permits: U-3046-02-1, Boulevard Woodgrill and U-3050-02-1, Mexicali Blues.

June 14, 2011

Approved a site plan amendment to SP# 298 for live entertainment at American Tap Room subject to all previously approved conditions a change to condition #66, and the new conditions of the staff report, with an administrative review in six (6) months (December 2011), and a County Board review in November 2012.

November 19, 2011

Approved U-3310-11-2 for a restaurant providing live entertainment (Mexicali Blues), subject to the conditions of the staff report, with an administrative review in three (3) months (February 2012), and a

County Board review in one (1) year (November 2012).

January 21, 2012

Approved U-3322-11-1 the use permit for live entertainment and a comprehensive sign plan (Eventide), subject to the conditions of the staff report, with an administrative review in six (6) months (July 2012), and a County Board review in ten (10) months (November 2012).

APPROVED USE PERMIT CONDITIONS (note: Eleventh Street Lounge is not included because the recommendation is to discontinue the use)

U-2861-95-1: 2854 Wilson Boulevard – Whitlows

1. On Sundays, Mondays, and Tuesdays, live entertainment shall be limited to exclusively acoustic music. On Wednesdays, live entertainment shall be limited to primarily acoustic music ("Primarily acoustic" envisions a mixture of acoustic and electric instruments playing in what would still be considered an "acoustic" setting where non-acoustic instruments would play softly enough so as not to overwhelm the acoustic instruments in the group. One example is a Jazz combo with an electric guitarist. Another is a Bluegrass band with an electric bass.) Live entertainment shall be limited to the hours between 6:00 p.m. and midnight on Sundays, Mondays, Wednesdays, and Thursdays. All amplified live entertainment shall be limited to Thursday, Friday, and Saturday evenings and New Year's Eve. Live entertainment on Fridays, Saturdays and New Year's Eve shall be limited to the hours between 6:00 p.m. and 1:00 a.m. There shall be no amplified music after 11:00 p.m. in rooms, such as the Sand Bar, which have not received the full noise abatement treatment ("Full noise abatement treatment" includes two layers of acoustic draping, double-glazed tempered glass, and acoustical sound tiles).
2. The applicant shall post signs inside the restaurant that are clearly visible to patrons, telling patrons to respect the peace of the residential neighborhoods and discouraging parking within the residential neighborhood across Wilson Boulevard from the site. Information on parking should also be posted on their website.
3. The applicant shall designate a neighborhood liaison or liaisons to communicate with nearby residents and neighbors to address concerns, which may be related to the live entertainment. Whitlow's will address late-night complaints about loud music immediately upon receiving the complaint. The restaurant owner, manager, or other company representative shall be available during the hours of live entertainment to address concerns from citizens by telephone or in attendance. The name and telephone number of the liaison(s) shall be submitted by the applicant to the President of the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, and the Zoning Administrator.
4. All bands shall use the Whitlow's side door on Fillmore Street to load their equipment after completing their performance(s).
5. All doors, windows, or other openings shall remain closed during the hours of live entertainment- except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment. All acoustic drapes shall also remain closed during hours of live entertainment.
6. The applicant shall pick up litter along North Fillmore Street between Clarendon Boulevard and North Franklin Street, on Monday and Friday mornings.
7. Whitlow's will work with the Lyon Village Citizens Association to develop a sound management plan which assures that sound from all live entertainment does not create a noise disturbance, as determined in accordance with measurement standards agreed upon

by Whitlow's and the Lyon Village Citizens Association, within the nearby residential area. More specifically:

- a. Whitlow's will work with nearby neighbors to pre-determine which frequency/decibel levels can be heard within their homes and/or cause a noise disturbance in the neighborhood.
 - b. Whitlow's will use these pre-determined levels to monitor and adjust the live entertainment sounds.
 - c. Whitlow's will respond immediately to complaints from neighbors about music emanating from Whitlow's and take measures to adjust the live entertainment sounds to acceptable levels.
 - d. Whitlow's will book bands according to their ability to comply with these noise requirements.
 - e. Monitoring of and compliance with the sound management plan shall be the responsibility of the Lyon Village Citizens Association, and not Arlington County, in accordance with measurement standards agreed upon by Whitlow's and the Lyon Village Citizens Association, and as set forth in the sound management plan. The sound management plan does not exempt Whitlow's from compliance with applicable Arlington County Code ordinances and enforcement.
8. 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.
 9. The applicant agrees that music resulting from the live entertainment shall comply with the limits established in the County Noise Ordinance.
 10. The applicant agrees to participate in the established Neighborhood Advisory Group consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Civic Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
 11. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.
 12. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
 13. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
 14. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
 15. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
 16. The applicant agrees that the approval for live entertainment at 2854 Wilson Blvd. is valid only for Whitlow's on Wilson. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

U-2873-95-2: 1101 N Highland St – Clarendon Grill

1. Live entertainment is permitted up to seven (7) days a week between the hours of 6:00 p.m. and 2:00 a.m., Mondays through Fridays, and between 11:00 a.m. and 2:00 a.m. on Saturdays and Sundays.
2. The applicant agrees that sound resulting from the live entertainment shall comply with the limits established in the County Noise Ordinance- and further agrees that the restaurant’s windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
3. No customer dancing shall occur without the applicant first obtaining approval of a dance hall permit.
4. 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 of the liaison shall be submitted by the applicant to the presidents of the Lyon Village Civic Association, the Courtlands Civic Association, the Executive Director of the Clarendon Alliance, and the Zoning Administrator prior to starting live entertainment.
5. The applicant agrees to share with other businesses the responsibility for picking up trash along North 11th Street, between North Daniel and Fillmore Streets and the 1000 block of North Edgewood Street. The applicant agrees that its share of this responsibility shall be to pick up trash on these blocks each Thursday, Friday and Saturday or any even numbered month (February, April, June, August, October, and December). Such trash shall be picked up after 9:00 p.m. or before 9:00 a.m. the following morning. Trash will include bottles, cans, and any other trash that can be reasonably linked to the applicant’s patrons.
6. 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.
7. The applicant agrees to participate in the established Neighborhood Advisory Group consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Civic Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
8. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant and on their website.
9. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of “in house” staff, so long as that staff is dedicated to security only.
10. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.

11. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
12. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
13. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
14. The applicant agrees that the approval for live entertainment at 1101 N. Highland St. is valid only for Clarendon Grill only. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

U-2984-00-1: 3185 Wilson Boulevard – Clarendon Ballroom

1. The applicant agrees to limit the hours of live entertainment on Tuesdays, Thursdays, Fridays, and Saturdays to between the hours of 11:00 a.m. and 1: 30 a.m. Live entertainment on Sundays, Mondays, and Wednesdays shall be limited to 11:00 a.m. to 12:00 midnight, except that the applicant shall be permitted to operate between the hours of 11:00 a.m. and 1:30 a.m. on these days when they occur on the eve of a federal holiday, further subject to condition number 8.
2. The applicant agrees to limit seating to 199 patrons at any given time.
3. The applicant agrees that music resulting from live entertainment, including rooftop entertainment, shall comply with the limits established in the County Noise Ordinance and further agrees that the restaurant's windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
4. 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.
5. The applicant agrees to identify parking locations in the commercial area and shall present the signed contracts for the use of such parking to the Zoning Administrator, the Clarendon Alliance and the nearby civic associations of Lyon Village, Lyon Park, Ballston-Virginia Square, Ashton Heights and Clarendon-Courthouse prior to the issuance of a certificate of occupancy. In addition 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 and address of the parking spaces and the days and hours of the day that the parking spaces are available for patrons of the approved use, and at a minimum consistent with the approved days and hours of live entertainment.
6. The applicant agrees to identify a liaison between the subject use and the neighborhoods. The liaison shall be empowered to address any concerns identified as emanating from the live entertainment. The name and telephone number of the liaison shall be shared with Zoning Administrator, the nearby civic associations of Lyon Village, Lyon Park,

Ballston-Virginia Square, Ashton Heights, Clarendon-Courthouse and the Clarendon Alliance prior to the issuance of a certificate of occupancy.

7. The applicant agrees to secure the required dance hall permit prior to offering dancing activities on the site.
8. The applicant agrees to use the rooftop space for activities such as wedding ceremonies, with no live entertainment after 8:30 p.m. The applicant further agrees that activities being held on the roof top level before 8:30 p.m. shall contain limited amplification.
9. The applicant intends to provide valet parking and agrees that valet parking shall not be on neighborhood streets. Valet parking personnel will use the arterial streets and commercial alleys to move cars to and from the valet parking lots. The applicant agrees to develop a written valet parking plan showing the pick-up and drop-off areas and traffic routes prior to commencing valet parking for review by the Lyon Village neighborhood and the Department of Public Works and shall be approved by the County Manager or his designee prior to the commencement of valet parking services.
10. The applicant agrees to provide literature and maps with directions that guide patrons arriving to the site by automobiles to use the arterial streets in the vicinity of the Ballroom. Specific routes shall be worked out with nearby civic associations. The literature and the Ballroom personnel shall also emphasize the Clarendon Ballroom's proximity to Metro.
11. The applicant agrees to make the Clarendon Ballroom Facility available as a meeting space to Arlington County Government, community partnerships such as the Clarendon Alliance, Arlington County civic groups and charitable organizations, free of charge a minimum of 24 times per year, subject to prior availability, at mutually agreed upon times generally on Mondays through Fridays from 11 a.m. to 4:30 p.m.
12. If an evening event (approximately from 6:30 p.m. to 11:30 p.m.) is desired, the ballroom facility may be available on Sundays, Mondays and Wednesdays, at the applicant's option, subject to 30 days written notice, and the availability of the Clarendon Ballroom Facility. This agreement is limited to opening and closing of the facility and lighting, heating and air-conditioning. The applicant agrees to provide reconfiguration of the room, catering, food services and entertainment at extra cost, subject to negotiation with the user.
13. The applicant agrees to participate in the establishment of a neighborhood advisory group consisting of representatives of the Clarendon Grill, Whitlow's on Wilson, Mr. Days Sports and Rock Café, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association and representatives of various County staff including Police, Code Enforcement, and Planning. The proposed advisory group would meet quarterly to work through issues associated with the live entertainment uses.
14. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant and on their website.
15. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.
16. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.

17. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
18. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
19. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
20. The applicant agrees that the approval for live entertainment at 3185 Wilson Blvd. is valid only for Clarendon Ballroom. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

U-3114-04-1: 3207 Washington Boulevard – O’Sullivan’s

1. The applicant agrees to meet the requirements of the Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a Certificate of Occupancy.
2. The applicant agrees to limit the live entertainment to 6 p.m. to 1:30 a.m. Monday through Saturday and 2 p.m. to 1:30 a.m. Sunday.
3. The applicant agrees that there shall be no dancing by musicians or customers and that no customer dancing shall be permitted prior to securing the required dance hall permit. The applicant further agrees that should the applicant desire to provide dancing, a site plan amendment and dance hall permit must be obtained.
4. The applicant agrees to ensure that all doors and windows shall remain closed during the hours when live entertainment is offered—except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
5. The applicant agrees that the approval for live entertainment at 3207 Washington Blvd. is valid only for O’Sullivan’s. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.
6. The applicant agrees to identify a liaison between the subject use and the neighborhoods. The liaison shall be empowered to address any concerns identified as emanating from the live entertainment. The name and telephone number of the liaison shall be shared with the Zoning Administrator, the Clarendon-Courthouse Civic Association, the nearby Lyon Village Citizens Association and the Clarendon Alliance.
7. The applicant agrees to participate in the established neighborhood advisory group consisting of representatives of several of the live entertainment establishments in the Clarendon area, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Citizens Association and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly to work through issues associated with the live entertainment uses.
8. The applicant agrees that music resulting from the live entertainment shall comply with the limits established in the County Noise Ordinance.

9. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant and on their website.
10. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of “in house” staff, so long as that staff is dedicated to security only.
11. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
12. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
13. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
14. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

U-3125-05-1: 2915 Wilson Boulevard – RiRa

1. The applicant agrees to limit the live entertainment to the following hours: Sunday through Thursday, 4 p.m. to 12 a.m. midnight; and Friday and Saturday, 11 a.m. to 1:00 a.m. All amplified live entertainment shall be limited to Thursday, Friday, and Saturday evenings, St. Patrick’s Day and New Year’s Eve. The applicant agrees that there shall be no dancing associated with the live entertainment. A dance hall permit will be required in the event that the applicant decides to offer dancing in the future.
2. The applicant agrees to keep all doors and windows of the restaurant closed during live entertainment- except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment. The applicant agrees that music resulting from live entertainment shall comply with the limits established in the County Noise Ordinance.
3. The applicant agrees to meet the requirements of the Community Code Enforcement Office, Environmental Health Bureau, the Fire Marshal's Office, the Police Department, and the Alcohol Beverage Control Board.
4. The applicant agrees to identify a liaison between the subject use and the neighborhoods. The liaison shall be empowered to address any concerns identified as emanating from the live entertainment. The name and telephone number of the liaison shall be shared with the Zoning Administrator, the Lyon Village Citizens Association, and the Clarendon-Courthouse Civic Association.
5. The applicant agrees to participate in the established neighborhood advisory group consisting of representatives of several of the live entertainment establishments in the Clarendon area, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Citizens Association and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly to work through issues associated with the live entertainment uses.

6. The applicant agrees to submit a list of noise abatement treatments to the Zoning Administrator prior to the issuance of final Certificate of Occupancy (noise abatement treatment, for example, can be multi-layers of acoustic draping, double-glazed tempered glass, and acoustical sound tiles).
7. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant and on their website.
8. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of “in house” staff, so long as that staff is dedicated to security only.
9. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
10. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
11. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
12. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
13. The applicant agrees that the approval for live entertainment at 2915 Wilson Blvd. is valid only for RiRa. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

U-2776-93-1: 3114 N. 10th St. - Jay’s Saloon

1. Live entertainment shall be permitted only between the hours of 4 p.m. and 8 p.m. on Sundays, between the hours of 8 p.m. and 11 p.m. on Wednesdays, and between the hours of 8 p.m. and 12 a.m. on Fridays and Saturdays. Live entertainment shall be in one (1) of the forms as referenced by the applicant’s statement of support dated May 3, 1993.
2. The applicant shall seek written permission requesting the use of the parking lots of nearby businesses during the hours of live entertainment.
3. The applicant shall ensure that all trash generated by the subject restaurant is appropriately stored in trash receptacles until such time as it is removed from the premises. Debris and discarded or unwanted 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 at all times except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment. ~~and~~ The applicant shall soundproof the rear windows if necessary.
5. The applicant shall install additional privacy fencing along the rear of the property to buffer the abutting residential properties from this use.
6. There shall be no dancing by customers or entertainers. If dancing is later desired, the applicant shall seek the required use permit amendment and dance hall permit in advance.

7. The applicant shall post signs directing restaurant patrons to the designated parking area for the restaurant.
8. The applicant shall designate a responsive neighborhood liaison who shall be available during the hours of the restaurant operation and shall provide the name, address, and telephone number of the liaison to the Lyon Park, Ashton Heights, and Courtlands Civic Association, the Clarendon Alliance, and the Zoning Administrator.
9. The applicant shall not dispose of trash after 10 p.m. or before 7 a.m. and shall make every attempt to dispose of trash before 9 p.m.
10. The applicant agrees that the approval for live entertainment at 3114 10th St. North is valid only for Jay's Saloon. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.
11. 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.
12. The applicant agrees that music resulting from the live entertainment shall comply with the limits established in the County Noise Ordinance.
13. The applicant agrees to participate in the established Neighborhood Advisory Group consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Civic Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
14. The applicant shall make customers aware of available parking and any special parking arrangements through postings in the restaurant and on their website, if there is a restaurant website.
15. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.
16. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
17. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
18. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
19. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

U-3233-09-1: 3181 Wilson Blvd. – Spider Kelly's

1. Live entertainment is permitted from 4 p.m. to 12 a.m., Monday through Wednesday; 4 p.m. to 1:30 a.m. Thursday and Friday; 11 a.m. to 1:30 a.m. Saturday and the eve of all

Federal Holidays; and 11 a.m. to 12 a.m. Sunday with the restriction that live bands are limited to Thursday, Friday, Saturday and the eve of all Federal Holidays. For the purposes of this condition, a "live band" is defined as a group of musicians employing a drum kit, a PA system (other than the house speakers) and full amplification (i.e. non-acoustic groups). The term "live band" does not apply to deejays, emcees, smaller groups of musicians, karaoke or other types of entertainment.

2. The applicant agrees that on-site, dedicated security shall be provided from 9:00 pm until closing on nights that have bands or deejays. The on-site security may consist of "in house" staff, so long as that staff is dedicated to security only.
3. The applicant shall comply with the Arlington County noise ordinance and the windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building.
4. All staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
5. 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.
6. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
7. The applicant agrees to participate in the established Neighborhood Advisory Group consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
8. 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 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, the Lyon Village Civic Association, the Lyon Park Civic Association, and the Clarendon Alliance.
9. The applicant shall make customers aware of proximity to Metro, available parking and any special parking arrangements through postings in the restaurant and on their website.
10. The approval for live entertainment at 3181 Wilson Blvd. is only valid for Spider Kelly's. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.
11. The applicant agrees to post signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
12. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.

13. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

U-3250-10-1: 3211 Wilson Blvd. – Northside Social

1. Live entertainment is permitted from 4 p.m. to 9 p.m., Sunday through Wednesday; 4 p.m. to 12 a.m. Thursday through Saturday, and the eve of all Federal Holidays with the restriction that live bands are limited to Thursday, Friday, Saturday and the eve of all Federal Holidays. For the purposes of this condition, a "live band" is defined as a group of musicians employing a drum kit, a PA system (other than the house speakers) and full amplification (i.e. non-acoustic groups). The term "live band" does not apply to deejays, emcees, smaller groups of musicians, karaoke or other types of entertainment.
2. The applicant shall comply with the Arlington County noise ordinance and the windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building.
3. All staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
4. 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.
5. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
6. The applicant agrees to participate in the established Neighborhood Advisory Group consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses.
7. 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 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 Ballston-Virginia Square Civic Association, the Clarendon-Courthouse Civic Association, the Lyon Village Civic Association, the Lyon Park Civic Association, and the Clarendon Alliance.
8. The applicant shall make customers aware of proximity to Metro, available parking and any special parking arrangements through postings in the restaurant and on their website.
9. The approval for live entertainment at 3211 Wilson Blvd. is only valid for Northside Social. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.
10. The outdoor seating area is permitted on the plaza on Wilson Boulevard as shown on the plans entitled "Outdoor Seating Plan," and attached to this report. The seating area shall leave a minimum of six (6) feet of clearance width along all sides of the perimeter for

pedestrians. The outdoor seating shall be limited to a maximum of 16 tables with a maximum total seating capacity of 64 seats.

11. The applicant agrees that any use of umbrellas in the outdoor seating area shall not contain any signs or interfere with pedestrian movement along the sidewalk. No outdoor fixtures shall display any sign messages unless a sign permit has been approved by the Zoning Office.
12. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of “in house” staff, so long as that staff is dedicated to security only.
13. The applicant agrees to post sign signs inside the restaurant near the door telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
14. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
15. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

U-3310-11-2: 2933 Wilson Blvd. – Mexicali Blues

1. The applicant agrees that acoustic live entertainment is permitted only from 5 p.m. to 7 p.m. seven days per week. Non-acoustic live entertainment (live bands, DJ, and karaoke) shall be permitted only from 10 p.m. to 12:30 a.m. Fridays and Saturdays.
2. The applicant agrees to comply, by way of illustration and not limitation, with all applicable requirements of County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Alcohol Beverage Control Board (ABC).
3. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of “in house” staff, so long as that staff is dedicated to security only during the hours of live entertainment.
4. The applicant agrees to comply with the Arlington County noise ordinance and further agrees that the restaurant’s windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
5. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
6. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
7. The applicant agrees to post signs in windows telling patrons to respect the peace of residential neighborhoods and to avoid parking in the residential neighborhood where possible.

8. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
9. The applicant agrees to make customers aware of proximity to Metro, available parking and any special parking arrangements through postings in the restaurant and on their website.
10. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
11. The applicant agrees to participate in the established Clarendon Live Entertainment Neighborhood Advisory Group, consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Fire Marshal, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses. One (1) of the quarterly meetings will consist of an educational seminar to review requirements and regulations of various departments, codes, and policies. The applicant agrees to have a representative with management authority in the restaurant attend all such meetings.
12. The applicant agrees to designate and make available 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, the Lyon Village Citizens Association, the Lyon Park Civic Association, and the Clarendon Alliance.
13. The applicant agrees that the approval for live entertainment at 2933 Wilson Boulevard is valid only for Mexicali Blues. Any other tenant/owner occupying the premises shall not be permitted to have live entertainment without prior approval of the County Board.

U-3322-11-1: 3165 Wilson Blvd. – Eventide

1. The applicant agrees that live entertainment is permitted only from 11:00 a.m. to 9:00 p.m. on Sundays through Thursdays, and only from 11:00 a.m. to 1:00 a.m. on Fridays and Saturdays.
2. The applicant agrees to comply with all applicable laws, including, by way of illustration and not limitation, all applicable requirements of County and State Ordinances, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Alcohol Beverage Control Board (ABC).
3. The applicant agrees that on-site dedicated security shall be provided from 9:00 p.m. until closing on nights that have bands or deejays whose primary purpose is to serve a dancing crowd. The on-site security may consist of “in house” staff, so long as that staff is dedicated to security only.
4. The applicant agrees to comply with the Arlington County noise ordinance and further agrees that the restaurant’s windows and doors shall remain closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area. Under no circumstances shall live entertainment

- be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
5. The applicant agrees that all staff serving alcohol to customers shall have TIPS (Training for Intervention Procedures) certification.
 6. The applicant agrees that dancing is not permitted until the applicant obtains a Dance Hall Permit from the Zoning Office.
 7. The applicant agrees to post signs in windows telling patrons to respect the peace of residential neighborhoods and to please avoid parking in the residential neighborhood where possible.
 8. The applicant agrees to ensure that any patrons queuing outside should keep noise to a minimum.
 9. The applicant agrees to make customers aware of proximity to Metro, available parking and any special parking arrangements through postings in the restaurant and on their website.
 10. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.
 11. The applicant agrees to participate in the established Clarendon Live Entertainment Neighborhood Advisory Group, consisting of representatives of the Clarendon live entertainment establishments, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association, and representatives of various County staff including Police, Fire Marshal, Code Enforcement, and Planning. The advisory group meets quarterly as required to work through issues associated with the live entertainment uses. One (1) of the quarterly meetings will consist of an educational seminar to review requirements and regulations of various departments, codes, and policies. The applicant agrees to have a representative with management authority in the restaurant attend all such meetings.
 12. The applicant agrees to designate and make available 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, the Lyon Village Citizens Association, the Lyon Park Civic Association, and the Clarendon Alliance.
 13. The applicant agrees that the approval for live entertainment at 3165 Wilson Boulevard is valid only for Eventide. The County Board shall review the use permit upon any change in tenancy or ownership of the subject space.

U-2791-93-1: 2830 and 2832 Wilson Blvd. -- IOTA

1. The applicant agrees that the live entertainment shall be limited to 11:00 a.m. to 1:00 a.m., seven days per week.

2. The applicant agrees that there shall be no performer or customer dancing. No dancing shall take place without the applicant first obtaining a use permit amendment and a valid dance hall permit.
3. The applicant shall identify an on-site liaison that shall be available during the hours of operation to receive and respond to community concerns. The name and telephone number shall be sent to the Presidents of the Courtlands Civic Association and Lyon Village Citizens Association, the Clarendon Alliance, and the Zoning Administrator.
4. The applicant agrees to ensure that trash generated by the subject establishment is appropriately stored in trash receptacles until such time as it is removed from the premises. Debris, kegs, discarded or unwanted items shall not be allowed to collect at the rear of the property.
5. The applicant agrees to place signs in a visible location inside the restaurant informing customers that parking is discouraged in the residential areas north of Wilson Boulevard and is encouraged in the commercial areas south of Wilson Boulevard, and that customers should not be disruptive or noisy, and should not litter or drink alcoholic beverages in their vehicles or en route to and from the restaurant.
6. The applicant agrees to send Iota Restaurant and Bar staff, who sell alcohol, to Training for Intervention Procedures (TIPS), offered through the Arlington County Police Department.
7. The applicant agrees to participate in the establishment of a neighborhood advisory group consisting of representatives of the Clarendon Grill, Whitlow's on Wilson, Mr. Days Sports and Rock Cafe, other live entertainment uses in the area, the Clarendon Alliance, the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Civic Association and representatives of various County staff including Police, Code Enforcement, and Planning. The proposed advisory group would meet quarterly to work through issues associated with the live entertainment uses.

Clarendon Live Entertainment Neighborhood Advisory Group Meeting Attendance (since November 2010)

Restaurant	12/07/2010	03/29/2011	06/28/2011	10/20/2011	03/01/2012	08/29/2012	10/24/2012
(IOTA)	x	x		x	x	x	x
(Mr. Days)	x	x	x	x	x	x	x
(Lyon Hall)	x	x	x	x	x	x	x
(Jay's Saloon & Grille)*	x	x			x		x
(Sobe)	x	x	x	x	x	x	x
(La Tasca)		x					
(Hard Times Cafe)	x		x	x	x		x
(Whitlow's on Wilson)		x	x	x	x		x
(Clarendon Grill)	x	x	x	x	x		x
(Clarendon Ballroom)	x	x	x	x	x		x
(O'Sullivan's)	x	x	x	x		x	x
(RiRa)		x	x	x			x
(Spider Kelly's)	x	x	x	x	x		x
(Northside Social)	x	x	x	x	x	x	x
(American Tap Room)		x	x	x	x	x	x
(Mexicali Blues)	n/a	n/a	n/a	n/a		x	x
(Eventide Restaurant)	n/a	n/a	n/a	n/a	x		x
*Not on email distribution list							



October 25, 2012

Sophia S. Fisher, AICP
Associate Planner
Department of Community Planning, Housing & Development
Planning Division
2100 Clarendon Blvd., Suite 700
Arlington, VA 22201

Dear Ms. Fisher:

I am writing at the direction of the Clarendon Alliance' Board of Directors, regarding the County Board meeting on November 17 to consider the renewal of Live Entertainment Permits for a number of Clarendon businesses.

While the Board has not expressed an opinion on the renewal of these permits, the Board notes that the Clarendon Alliance has not received any complaints during the past two years about live entertainment, for any of the establishments whose permits are up for renewal.

We are aware that there have been noise complaints made about Clarendon Grill, but these appear to stem from the Clarendon Grill patio, and not from the live entertainment activities which are covered under their permit. We are also aware that the Clarendon-Courthouse Civic Association has voted to support the renewal of all the live entertainment permits.

Sincerely yours,

A handwritten signature in black ink that reads "Matt Hussmann".

Matt Hussmann
Executive Director

Cc: Members of the Arlington County Board



Clarendon-Courthouse Civic Association

October 26, 2012

Matthew Pfeiffer
Sophia Fisher
Dept. of Community Planning, Housing, and Development
Arlington County

RE: Live entertainment permit renewals for: IOTA; Mr. Days; Lyon Hall; Jay's Saloon and Grill; Sobe; La Tasca; Hard Times Café; Whitlow's; Clarendon Grill; Clarendon Ballroom; O'Sullivan's; RiRa; Spider Kelly's; Northside Social; American Taproom; Eleventh Street Lounge; Mexicali Blues; and Eventide Restaurant.

Matthew and Sophia,

The Clarendon-Courthouse Civic Association (CCCA) at its October 16, 2012, considered the live entertainment permit renewals above and voted to communicate the following to County staff.

The CCCA supports the live entertainment permit renewals for the establishments above for a one year period. The CCCA supports a process that provides for an expedited renewal process on an annual basis for those establishments for which no complaints have been filed since the last annual renewal. Establishments that have experienced complaints should be subject to a more rigorous review process before approval. The CCCA would request to be notified when permits are approaching renewal or review, regardless of their complaint status.

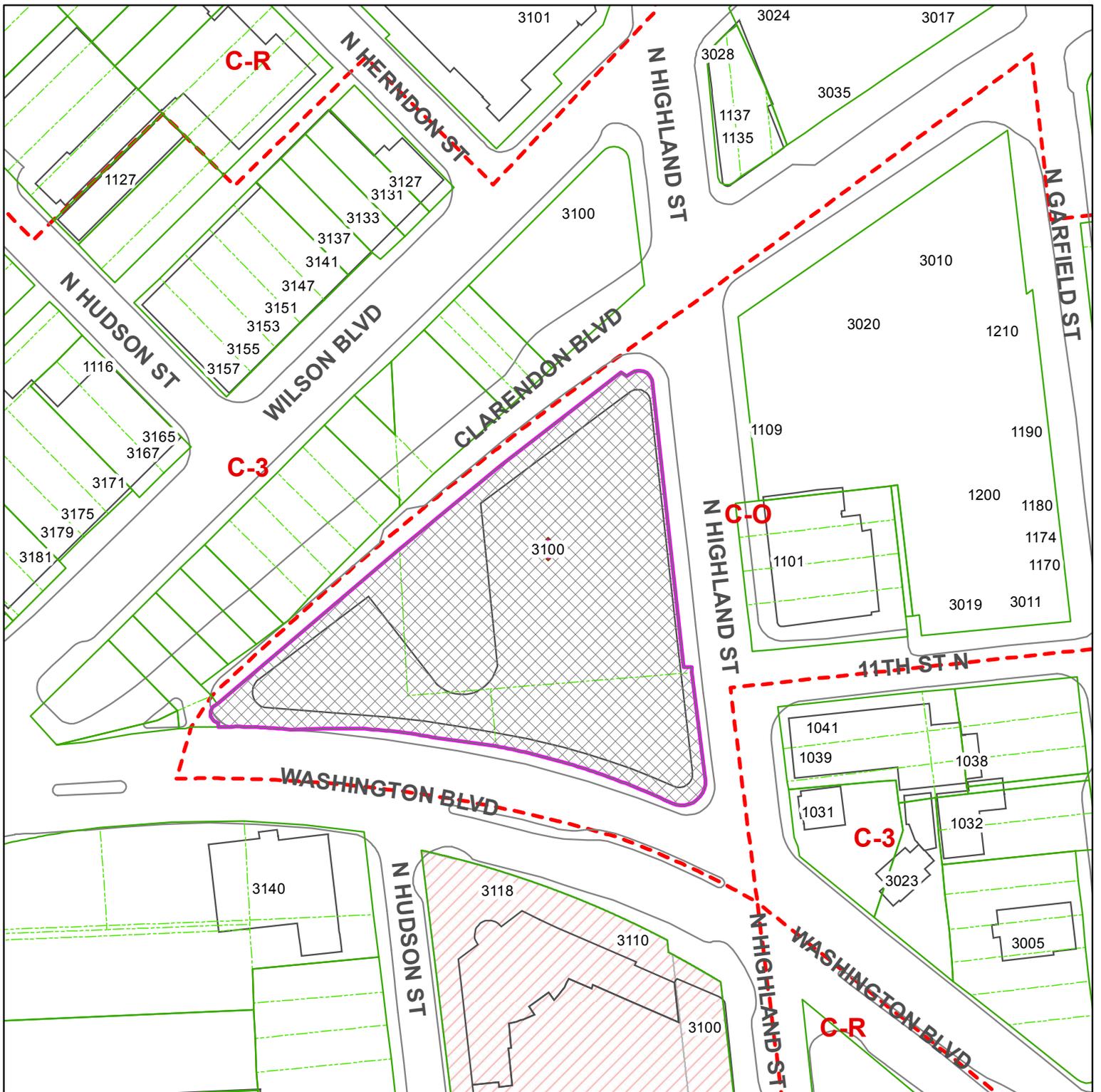
The CCCA believes that enforcement of permit conditions can be strengthened. Enforcement currently is overly dependent on citizen complaints, does not recognize complaint documentation provided by citizens, and performs condition compliance reviews only infrequently. We would encourage the County to explore meaningful enforcement mechanisms that are less dependent on the periodic permit renewal process.

While not tied directly to a particular live entertainment permit, the CCCA strongly encourages the County to consider and implement better trash management programs, including but not exclusively limited to those areas where establishments have live entertainment. The behavior of patrons during and after business hours is associated with the type of entertainment at those establishments. The CCCA strongly encourages the County to consider and install more trash receptacles, and to provide for more frequent collection.

Thank you for the opportunity to comment.

Regards,

Ken Fulton
CCCA President



SP#194

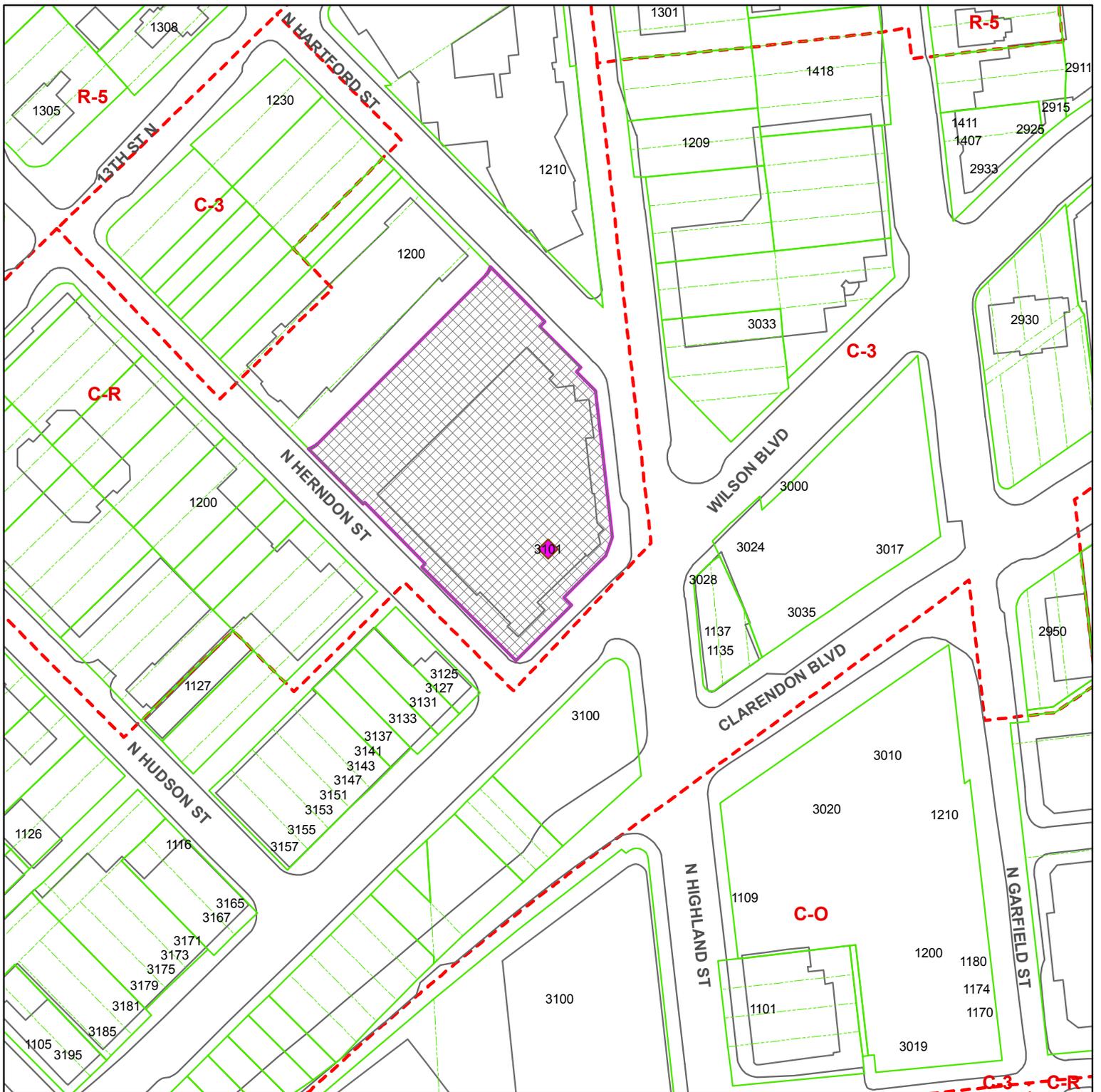
3100 Clarendon Boulevard

RPC# 19-002-007



 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.



SP #298

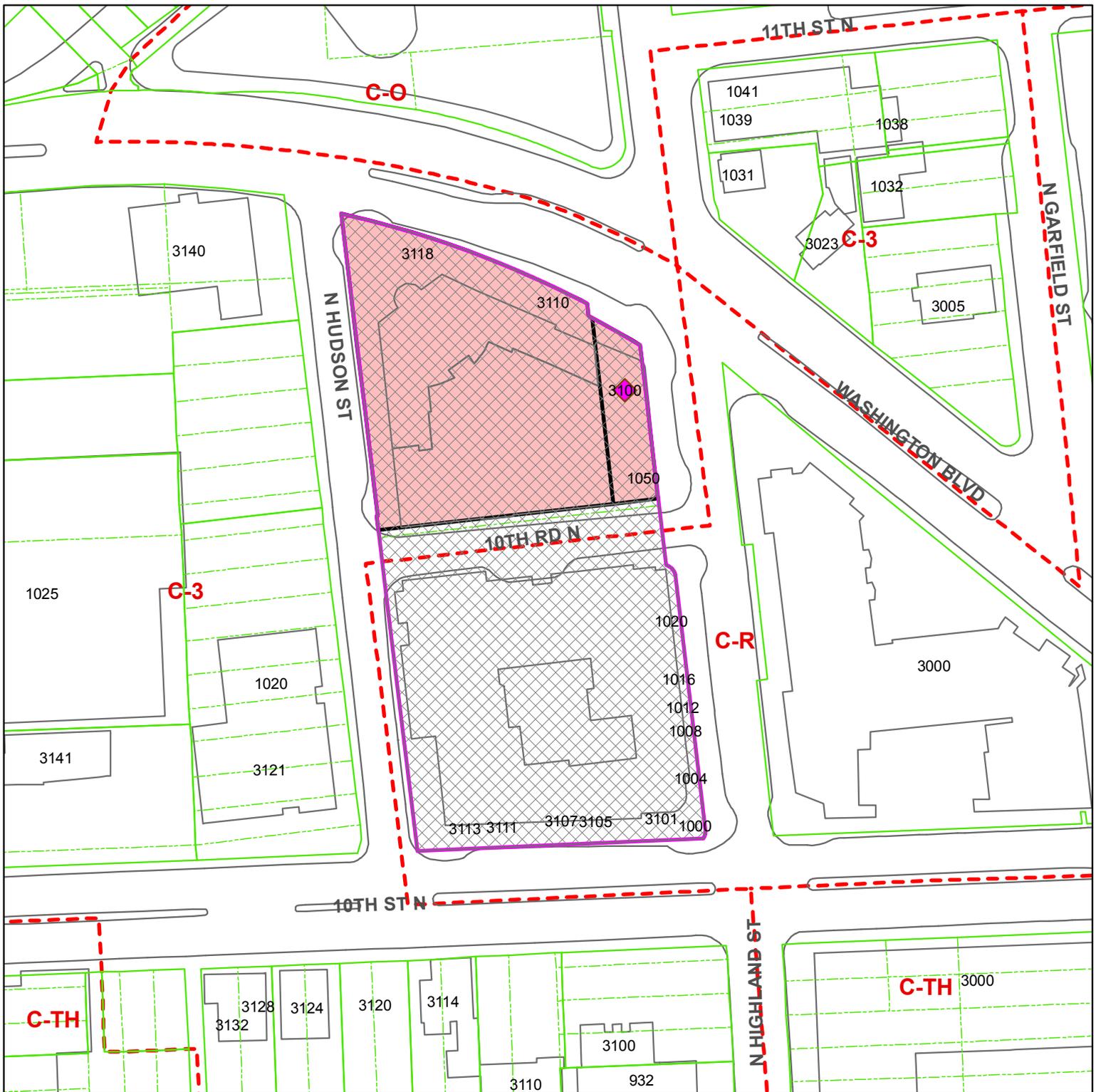
3101 Wilson Boulevard

RPC: 15071031



 Case Location(s)
 Scale: 1:1,418

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



SP #333

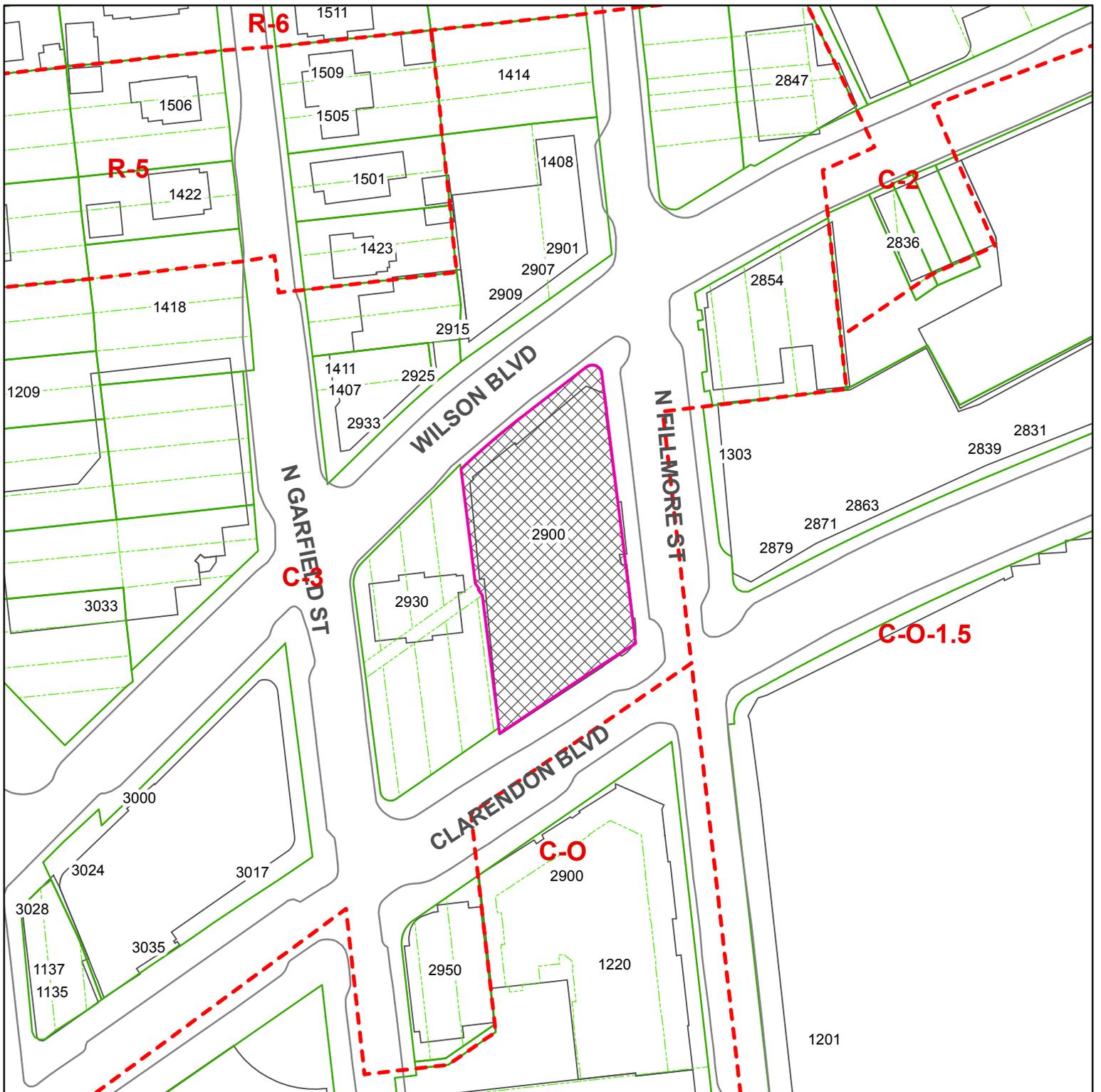
3100 Washington Blvd

RPC: 19-006-196



 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.



SP# 362

2900 Wilson Blvd.

RPC 18-011-008

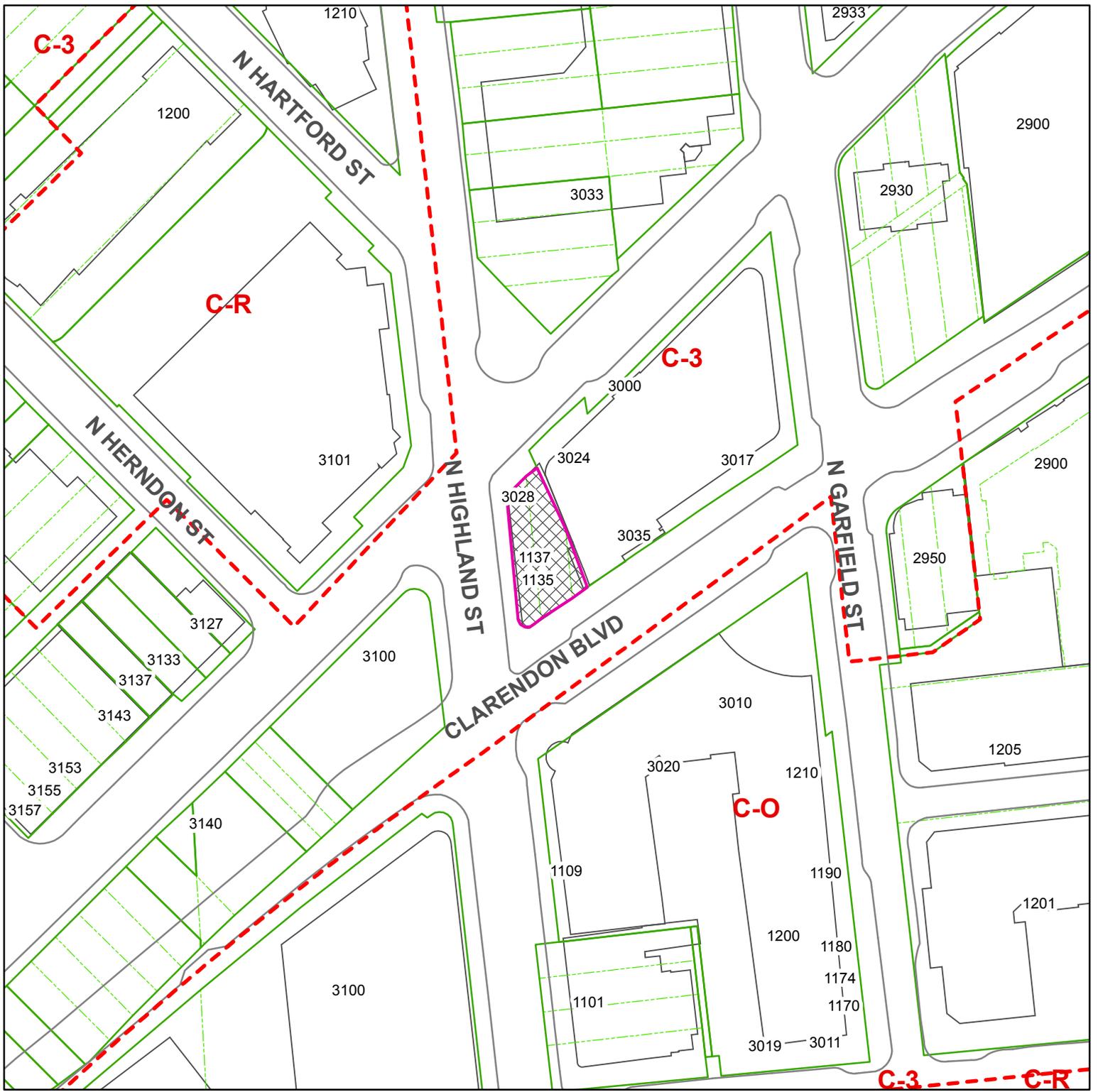
Note: These maps are for property location assistance only.
They may not represent the latest survey and other information.

Department of Community Planning, Housing and Development



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

Planning Division



SP# 397

3028 Wilson Blvd.

RPC 18-012-003

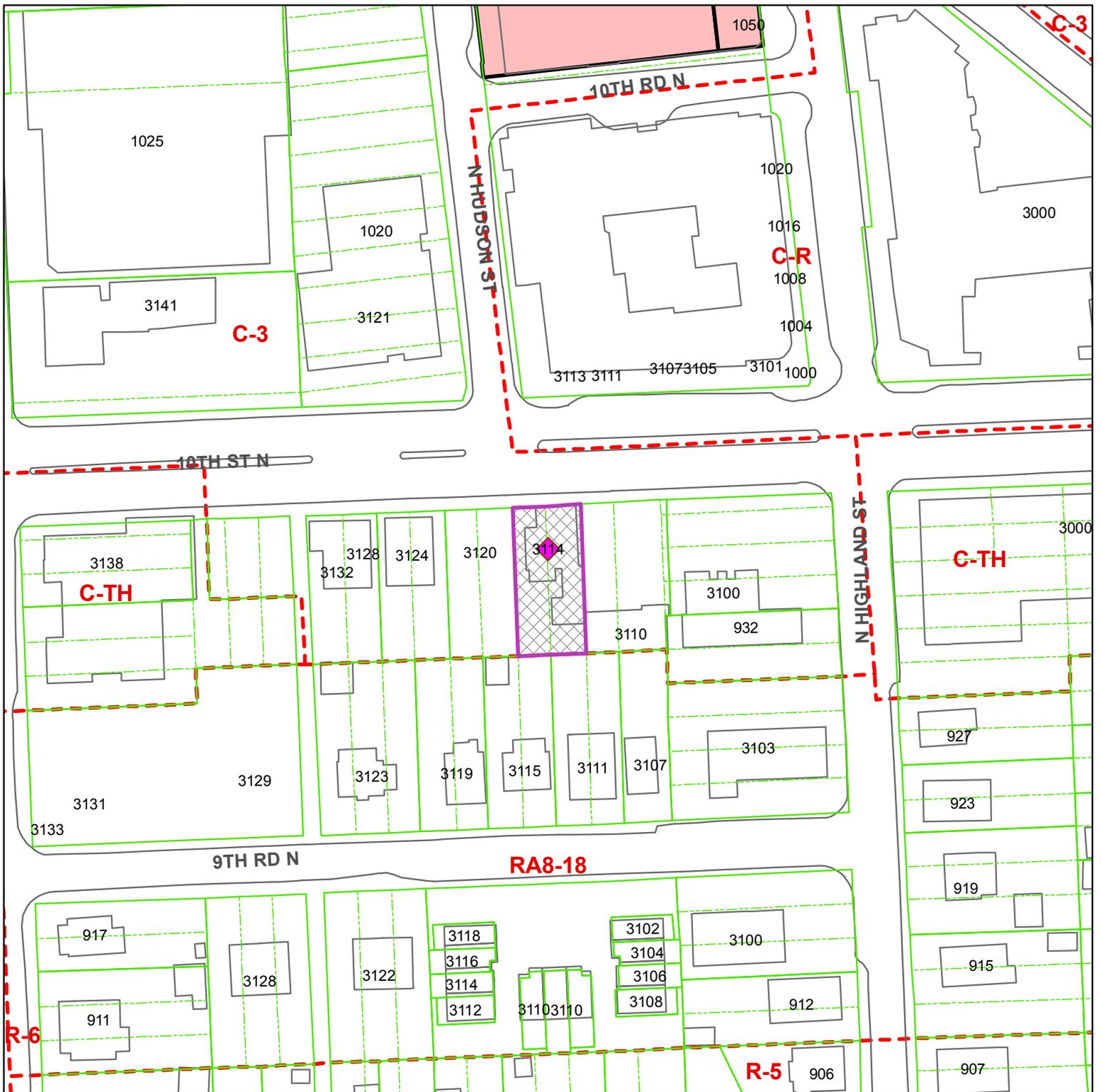
Note: These maps are for property location assistance only.
They may not represent the latest survey and other information.

Department of Community Planning, Housing and Development



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

Planning Division



U-2776-93-1

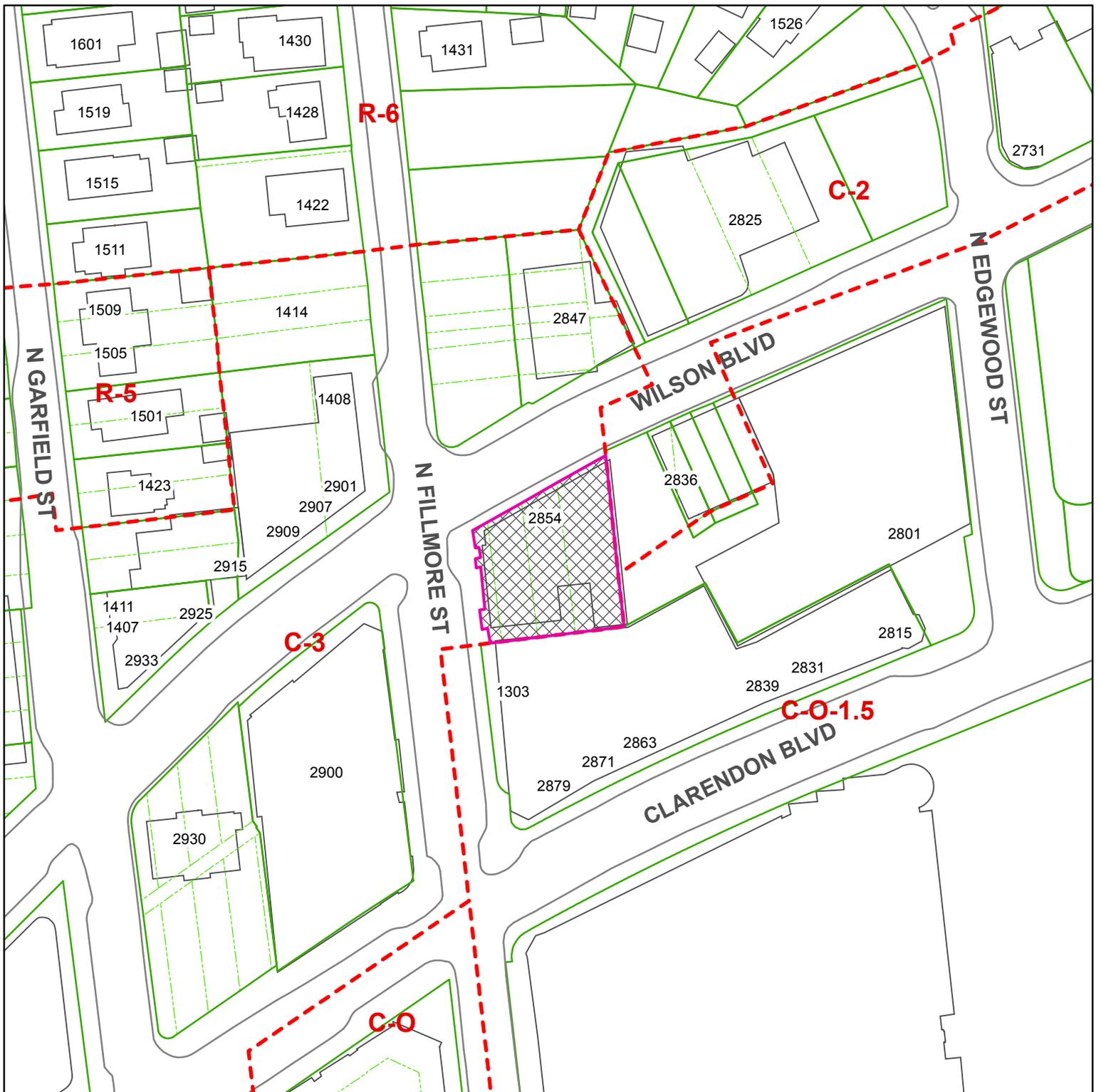
3114 10th St. North

RPC: 19-007-005



 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.



U-2861-95-1 and U-2886-96-3

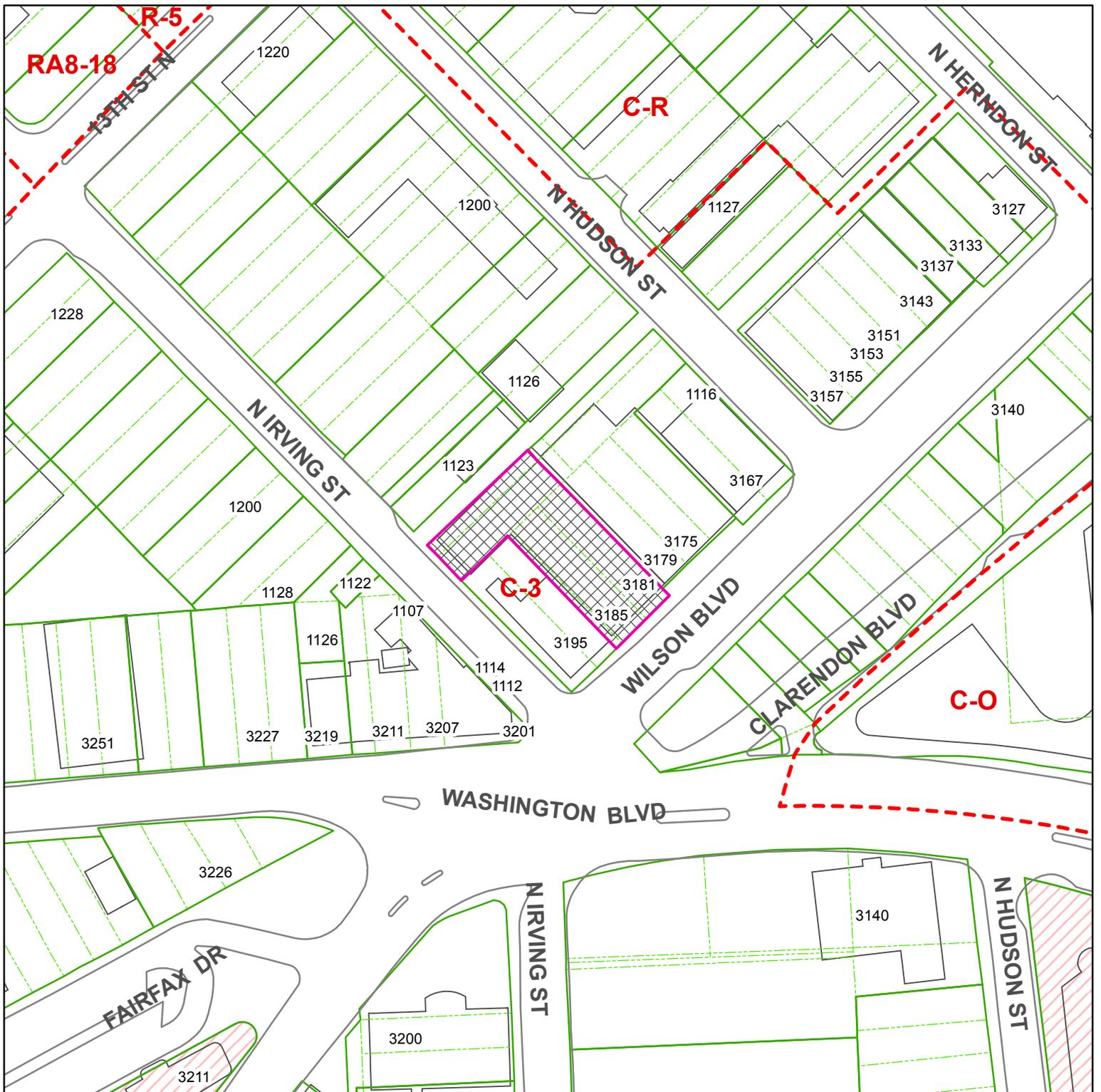
2854 Wilson Blvd.

RPC 18-010-008



 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.



U-2984-00-1

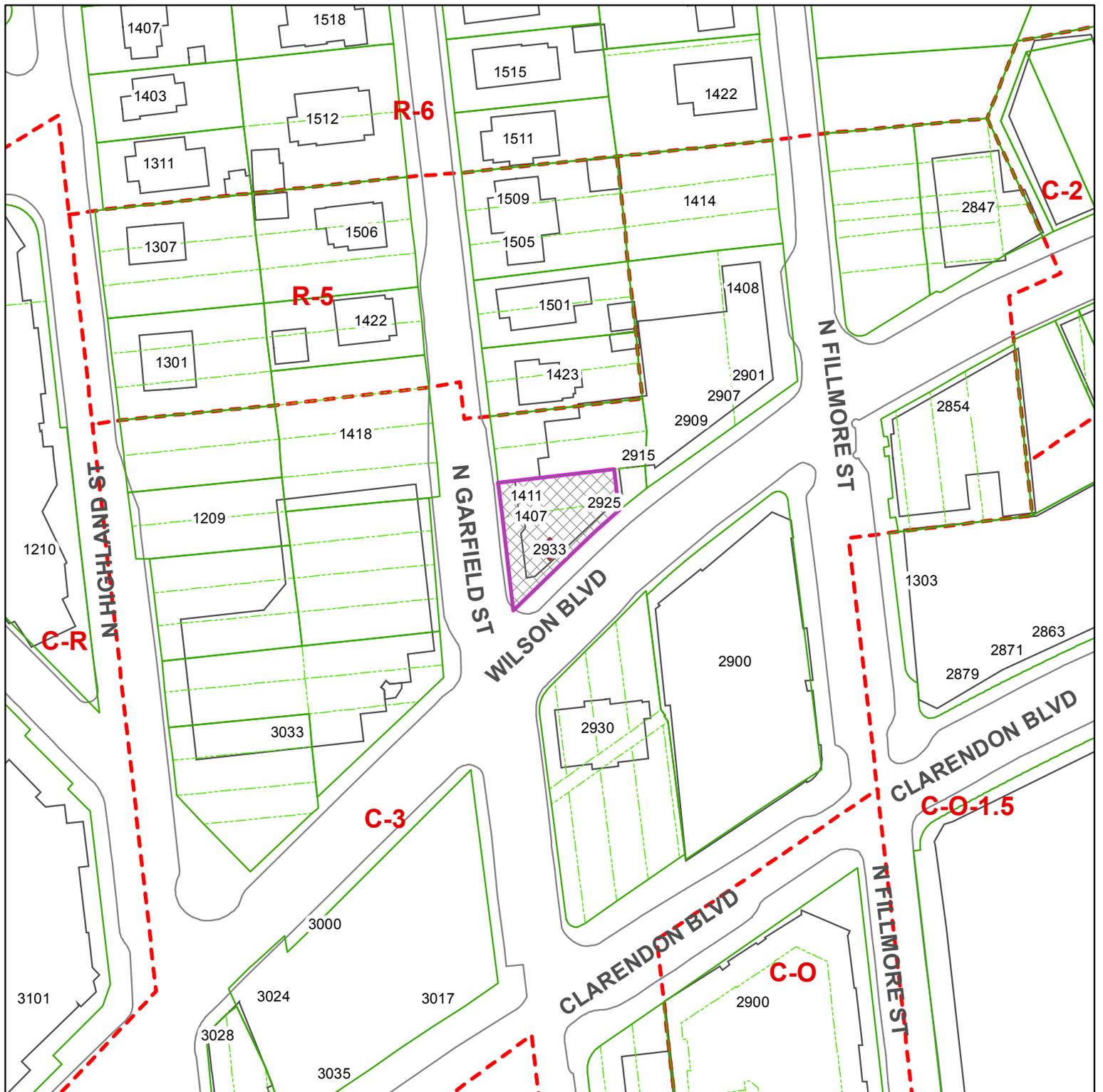
3185 Wilson Blvd.

RPC 15-075-003

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



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



U-3310-11-2

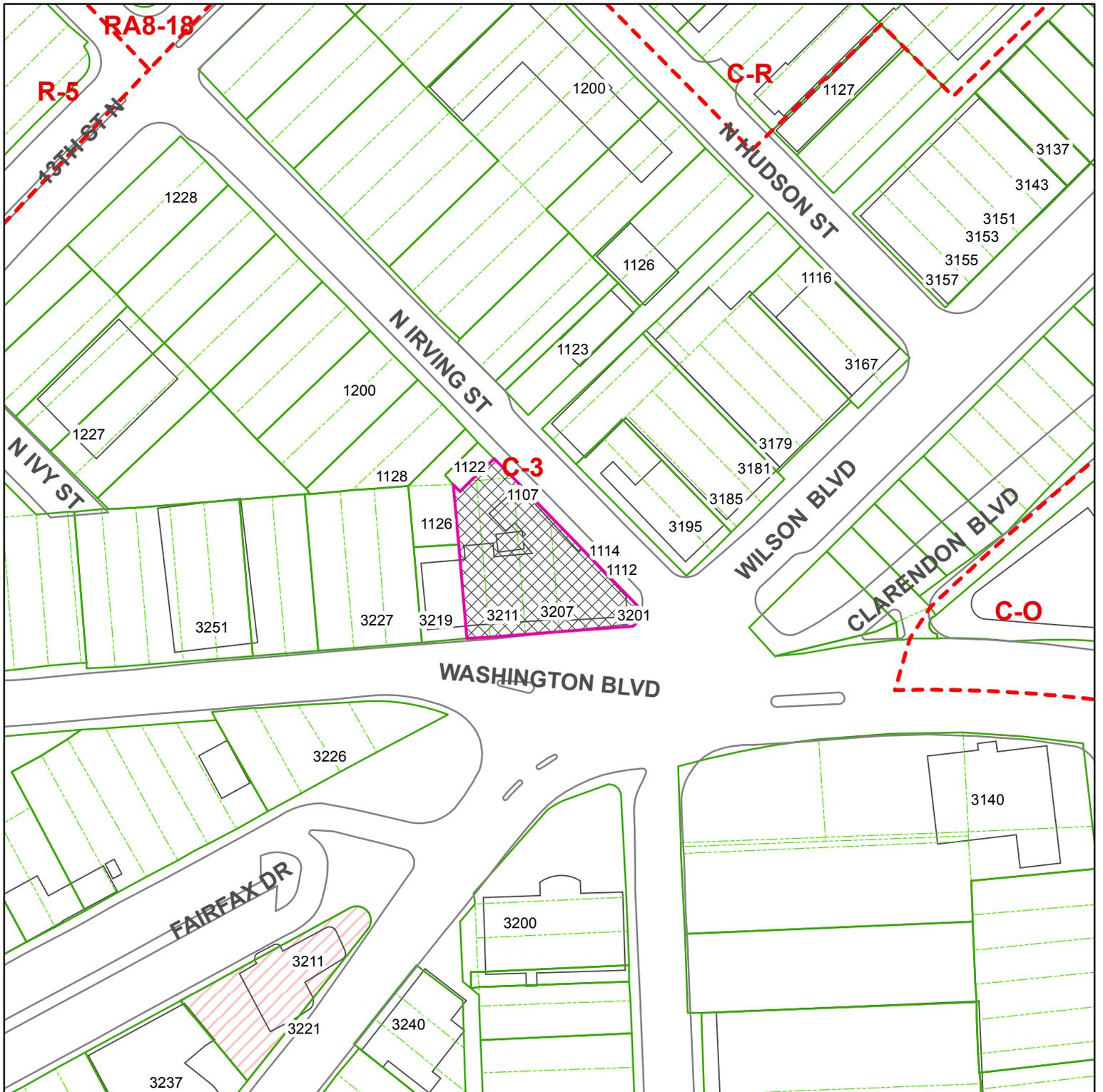
2933 Wilson Boulevard

RPC# 15-066-001



 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.



U-3114-04-1

3207 Washington Blvd.

RPC 15-078-001

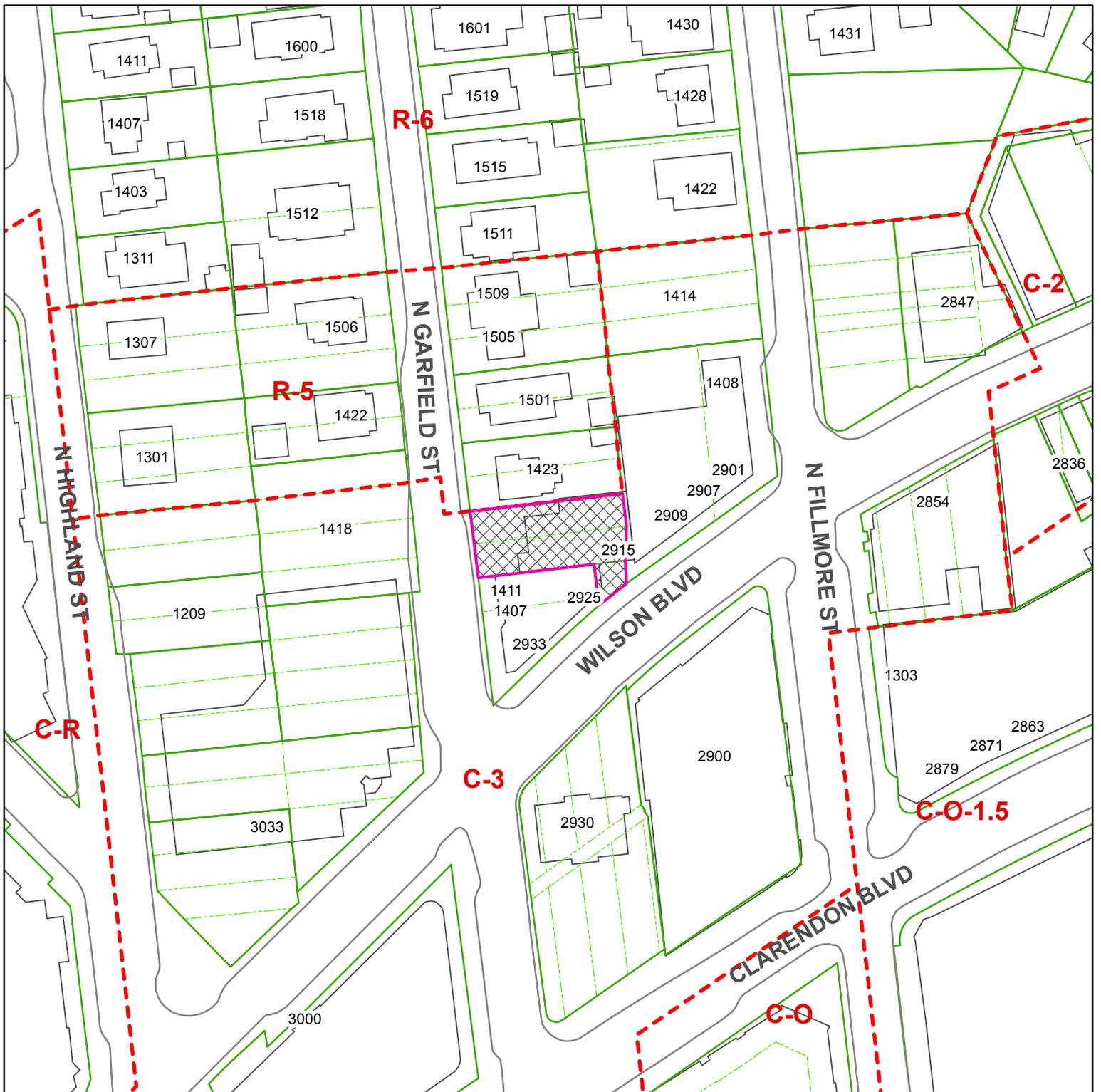
Note: These maps are for property location assistance only.
They may not represent the latest survey and other information.

Department of Community Planning, Housing and Development



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

Planning Division



U-3125-05-1

2915 Wilson Blvd.

RPC 15-066-002

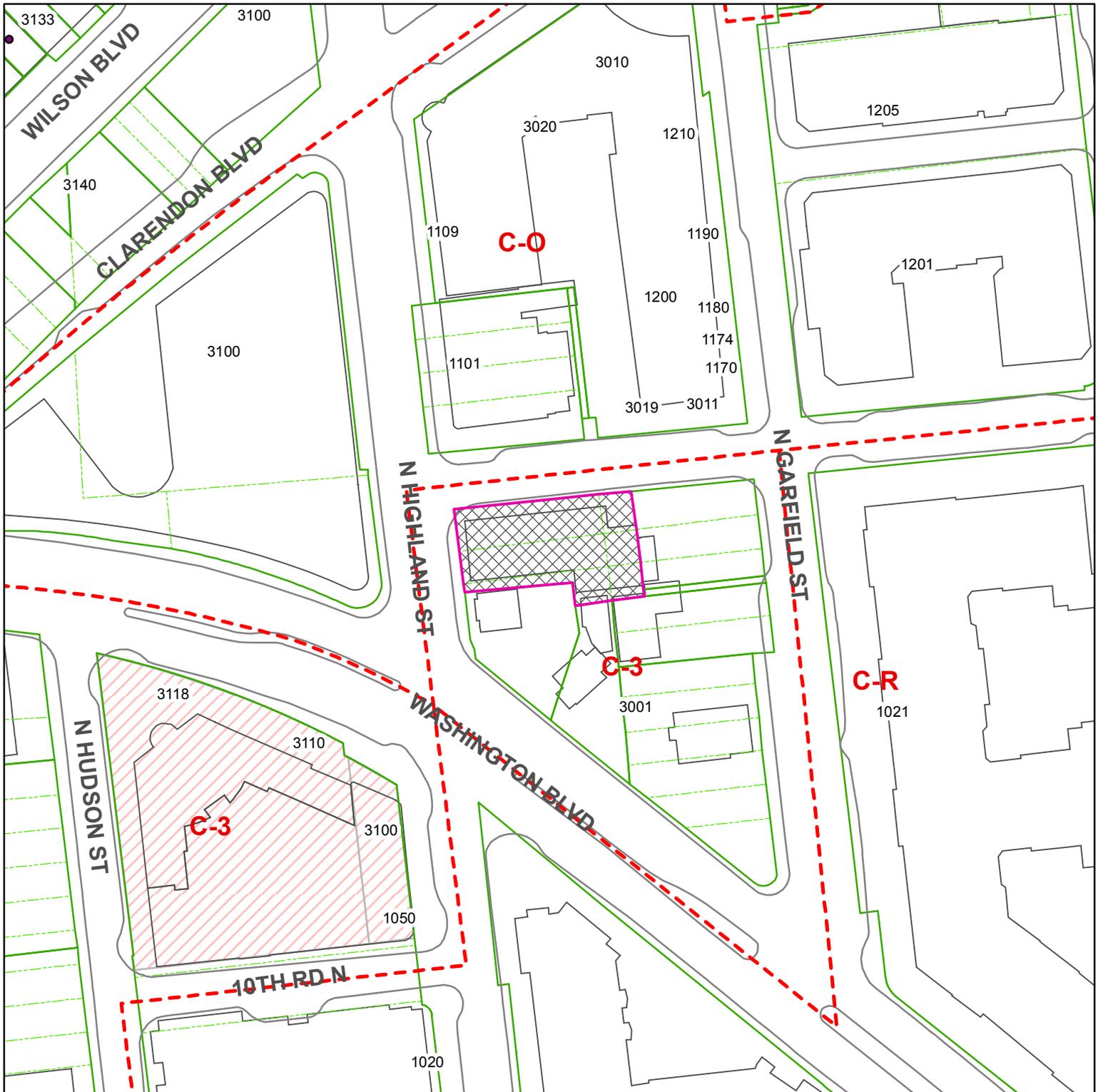
Note: These maps are for property location assistance only.
They may not represent the latest survey and other information.

Department of Community Planning, Housing and Development



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

Planning Division



U-3134-05-2

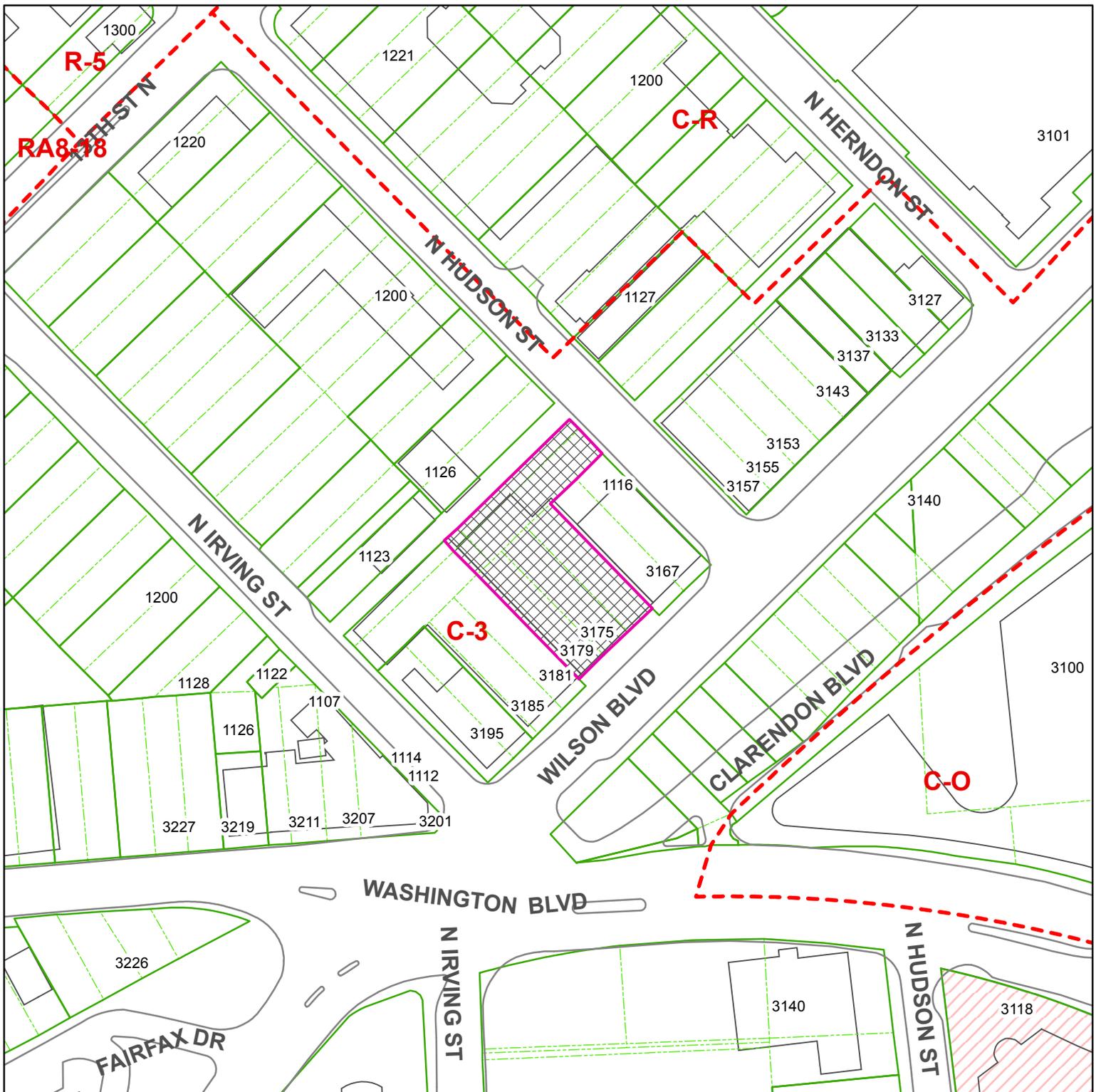
1041 N. Highland St.

RPC# 18-026-004



 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.



U-3233-09-1

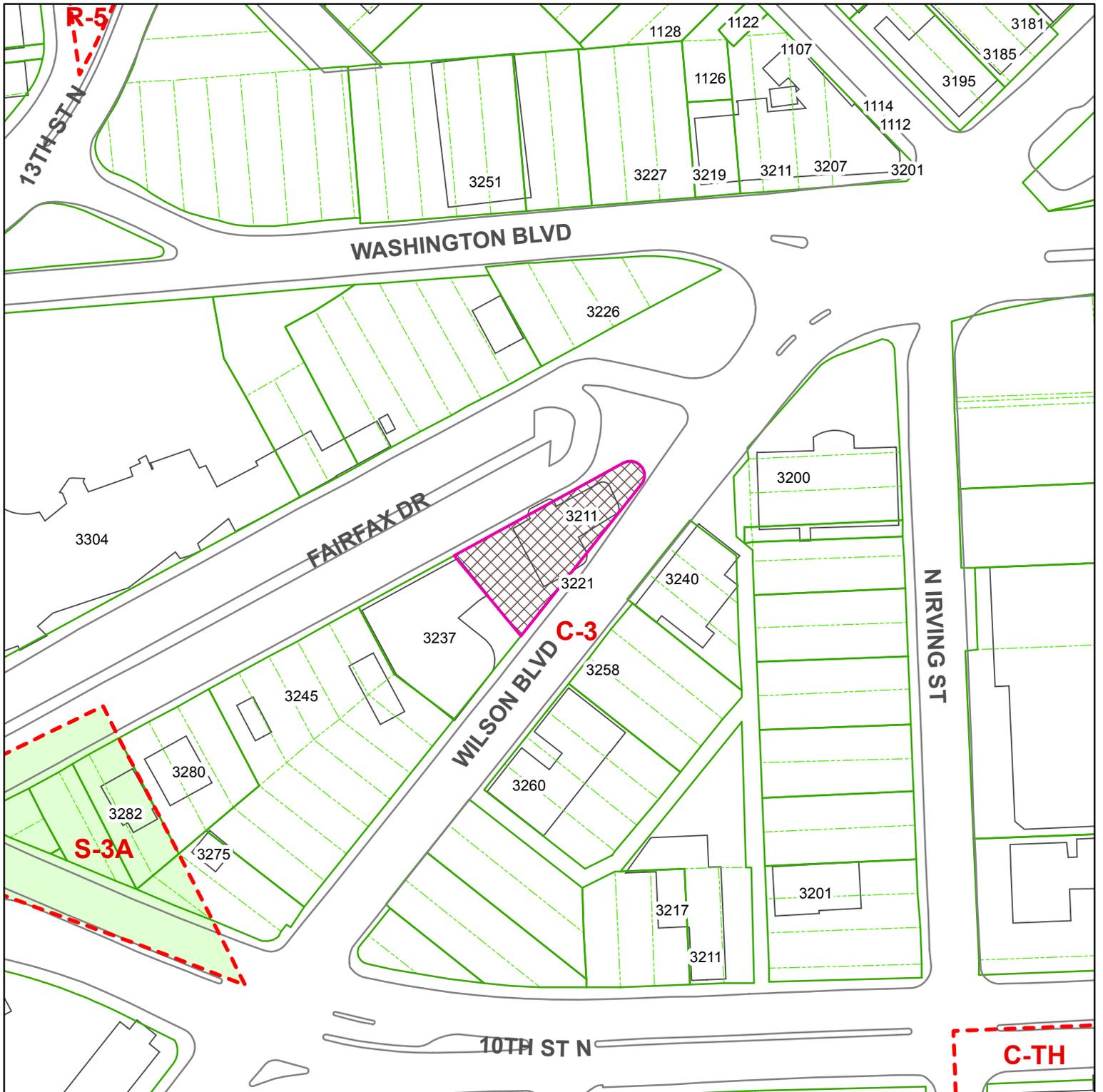
3171 and 3181 Wilson Blvd.

RPC 15-075-002

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



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



U-3250-10-1

3211 Wilson Blvd.

RPC 15-089-001

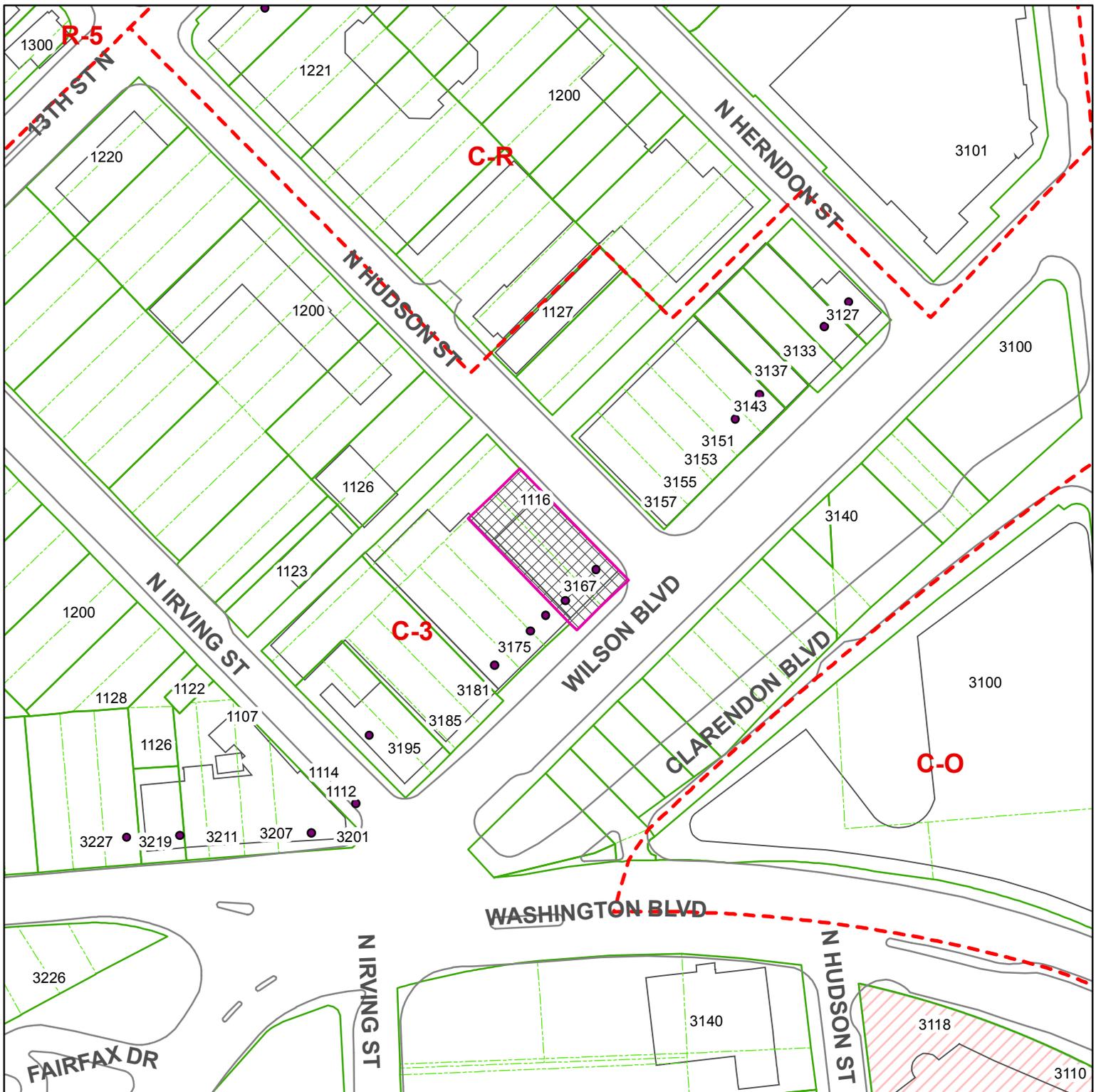
Note: These maps are for property location assistance only.
They may not represent the latest survey and other information.

Department of Community Planning, Housing and Development



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

Planning Division



U-3322-11-1

3165 Wilson Blvd.

RPC# 15-075-001

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