



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of November 13, 2007**

**DATE:** October 31, 2007

**SUBJECT:** U-2791-93-1 USE PERMIT REVIEW of live entertainment; premises known as 2830 and 2832 Wilson Blvd. (IOTA) (RPC #18-010-005 and -006)

**Applicant:**

Jane Negrey Inge  
IOTA Restaurant and Bar  
2832 Wilson Blvd  
Arlington, Virginia 22201

**C.M. RECOMMENDATION:**

Renew, subject to all previous conditions and with a County Board review in five (5) years (November 2012).

**ISSUES:** None.

**SUMMARY:** IOTA seeks renewal of a use permit for live entertainment at the restaurant located at 2830 and 2832 Wilson Boulevard. The use has operated in compliance with the conditions of approval. Therefore, staff recommends renewal of the live entertainment with a review by the County Board in five (5) years (November 2012).

**BACKGROUND:** The restaurant was originally approved for live entertainment in December 1993. In 1997, the premises at 2830 Wilson Boulevard was incorporated into the use permit, and the current schedule for entertainment was approved for 11 a.m. to 1 p.m. seven days a week. Live entertainment has continued at this location successfully since its original approval.

**DISCUSSION:** At the time of this review, the applicant is adhering to the stipulated hours and days for the live entertainment. The applicant continues to participate in the Neighborhood Advisory Group along with other live entertainment uses in the Clarendon area.

County Manager: \_\_\_\_\_

Staff: Peter Schulz, DCPHD, Zoning Division

PLA-4812

**Since the Last Review in February 2005:**

Use Permit Conditions: The site is in compliance with all use permit conditions.

Code Enforcement Office, Police Department, and State ABC Board: Neither the Police Department nor the State ABC Board has expressed issues regarding the continuation of the live entertainment use. No Code Enforcement complaints have been filed against this property since the last review.

Fire Marshal's Office: The Fire Marshal's office did not express any concerns regarding the continuation of the live entertainment use.

Civic Associations: The Lyon Village Citizens Association, the Lyon Park Citizens Association, the Clarendon-Courthouse Civic Association and the Clarendon Alliance were notified of this use permit review. No concerns have been brought to staff's attention.

**CONCLUSION:** Since its inception, live entertainment at IOTA has operated in accordance with all conditions of approval. Therefore, staff recommends renewal of the live entertainment use, subject to all previous conditions and with a County Board review in five (5) years (November 2012).

Approved Conditions:

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.

PREVIOUS COUNTY BOARD ACTIONS:

- December 11, 1993                      Approved use permit (U-2791-93-1) for live entertainment in a restaurant, Fridays and Saturdays from 11:00 a.m. to 1: 00 a.m. and Sundays through Thursdays from 11:00 a.m. to 12:00 midnight, subject to conditions and with a review in 6 months from the issuance of the certificate of occupancy.
- September 10, 1994                      Continued use permit (U-2791-93-1) for live entertainment, subject to all original conditions and with a review in three (3) years.
- February 8, 1997                          Approved use permit amendment (U-2791-93-1) for live entertainment, to incorporate 2830 Wilson Boulevard into the use permit and permit live entertainment from 11:00 p.m. to 1:00 a.m., seven days per week, subject to all original conditions, and with a review in one (1) year.
- February 7, 1998                          Continue use permit amendment (U-2791-93-1) for live entertainment from 11:00 a.m. to 1:00 a.m., seven days per week, for 2830 and 2832 Wilson Boulevard, subject to all previous conditions and with a review in one (1) year.
- February 6, 1999                          Continued use permit amendment (U-2791-93-1) for live entertainment from 11:00 a.m. to 1:00 a.m., seven days per week, for 2830 and 2832 Wilson Boulevard, subject to all previous conditions and with a review in three (3) years.
- February 12, 2000                          Continued use permit amendment (U-2791-93-1) for live entertainment from 11:00 a.m. to 1:00 a.m., seven days per week, for 2830 and 2832 Wilson Boulevard, subject to all previous conditions and with a review in one (1) year. (February 2001)
- February 10, 2001                          Continued use permit amendment (U-2791-93-1) for live entertainment from 11:00 a.m. to 1:00 a.m., seven days per week, for 2830 and 2832 Wilson Boulevard, subject to all previous conditions and with a review in one (1) year. (February 2002)

February 9, 2002

Continued use permit amendment (U-2791-93-1) for live entertainment from 11:00 a.m. to 1:00 a.m., seven days per week, for 2830 and 2832 Wilson Boulevard, subject to all previous conditions and with a review in three (3) years. (February 2005)

February 12, 2005

Renewed use permit (U-2791-93-1) for live entertainment from 11:00 a.m. to 1:00 a.m., seven days per week, for 2830 and 2832 Wilson Boulevard, subject to all previous conditions and with an administrative review in October 2006 and a review by the County Board in October 2007.

