

January 27, 1999

TO: The County Board of Arlington, Virginia

FROM: William T. Donahue, County Manager

APPLICANT: Galloping Horse, Inc.

BY: Jane Negrey Inge, Occupant

IOTA Restaurant and Bar

2830 and 2832 Wilson Boulevard

Arlington, Virginia 22201

SUBJECT: U-2791-93-1 Use Permit Review for live entertainment from 11:00 p.m. to 1:00 a.m. seven days per week; on premises known as 2830 and 2832 Wilson Boulevard (IOTA Restaurant and Bar).

RECOMMENDATION: Continue, subject to all previous conditions, and with a review in one (1) year. (February 2000)

BACKGROUND: This use permit for live entertainment in a restaurant was approved in December 1993, and was continued in September 1994 with a three- (3) year review. A use permit amendment request was approved in February 1997 for additional hours (11:00 a.m. to 1:00 a.m. seven days per week) and space (expanding into 2832 Wilson Boulevard) with a one (1) year review, subject to all previous conditions. The use permit was continued in February 1998 for an additional year. The Police Department, who believed that it was necessary to monitor the live entertainment use as an expanded operation, recommended a second, one (1) year review period.

DISCUSSION: The business has been permanently established in its 2832 Wilson Boulevard location for approximately one year. While the use is in compliance with all use permit conditions, the Community Code Enforcement Office reported that during a response to a noise complaint, Iota doors were open during the hours of live entertainment. Community Code Enforcement officials were unable to determine at the time, whether Iota or its neighbor Whitlow's on Wilson were responsible for the noise. The Police Department does not object to the continuance of the use permit and no other complaints have been filed. The Lyon Village and Courtlands Civic Associations do not object the continuing of the use permit. However, staff believes that an open door during live entertainment requires that the use continue to be closely monitored with an unextended review period. Therefore, it is recommended that the use permit be continued as amended, and with a review in one (1) year. **(February 2000)**

PREVIOUS COUNTY BOARD ACTIONS:

December 11, 1993 Approved a 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 a 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 an amendment to use permit (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 a 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.