

January 28, 1999

TO: The County Board of Arlington, Virginia

FROM: William T. Donahue, County Manager

APPLICANT: Golden Axe Inc/Bangkok Siam,

BY: Sudan Wadee Pilnhoma, (Owner)

307 North Glebe Road

Arlington Virginia 22312

SUBJECT: U-2952-98-1 Use Permit to permit live entertainment (Karaoke) 7 days a week from 10 p.m. to 5 a.m. at 307 North Glebe Road.

SITE: An existing 1,160 square feet area currently used as a restaurant called the Golden Axe Inc. and located in the Buckingham Shopping Center near the northwest corner of the intersection of Pershing Drive and North Glebe Road. To the southwest across Glebe Road is the Glebe Market. To the north and east are the historically designated Buckingham apartments, now known as Ballston Park. To the south across Pershing Drive from the property is the Crestar Bank, several other stores and the Post Office. The area is generally surrounded by retail establishments facing North Glebe Road.

ZONING: "C-2" Service Commercial (Also designated "H-D" Historic Districts).

LAND USE: "Service Commercial" Personal and Business Services

CIVIC

ASSOCIATION: Ashton Heights Civic Association_

RECOMMENDATION: Approve the Use Permit (U-2952-98-1) for live entertainment, 6 days a week (Monday – Saturday) from 10 p.m. to midnight, subject to the conditions of the staff report and with a review in six (6) months. (July 1999)

DISCUSSION: The Buckingham Shopping Center is at the intersection of North Glebe and Pershing Drive. The Golden Axe restaurant in the shopping center has been operating as a restaurant for more than seven years. It is among many stores and restaurants in the area. There have been no complaints reported to the Police Department in reference to this restaurant. The Virginia Department of Alcohol and Beverage Control does not object to the operation of the proposed live entertainment but has observed after hours drinking in October 1998 after 2 a.m. In February 1998, the restaurant was cited in violation for operating live entertainment in the restaurant without a use permit and overcrowding of the restaurant. In response to those violations, the applicant applied for a use permit for live entertainment and has applied for a Certificate of Occupancy. Preliminary staff review indicates that restaurant has a seating capacity of 42 persons.

The Ashton Heights Civic Association has concerns related to live entertainment at this location. Their

concerns include live entertainment taking place beyond 12 midnight, excessive noise from the Buckingham Shopping Center after hours and also the impact of the noise on the adjacent apartments. The Civic Association discussed the application at their meeting held on January 27, 1999 and voted to support staff recommendations. (See attached document).

Staff supports the live entertainment request with a reduced number of days and hours of live entertainment. (Six days a week from Monday – Saturday but ending at 12 midnight.) The applicant's proposal of seven (7) days a week and hours from 10 p.m. until 5 a.m. is excessive given the Civic Association's concerns and the close proximity of the restaurant to residential uses.

Staff therefore recommends approval of the Use Permit subject to the following conditions and with a review in six (6) months (July 1999):

1. Live entertainment, in the form of Karaoke, shall be permitted six days a week between the hours of 10 p.m. and 12 midnight.
2. No dancing shall occur without the applicant first obtaining a use permit amendment and a valid dance hall permit.
3. The applicant shall ensure that all trash generated by the live entertainment is appropriately stored in trash receptacles until such a time as it is removed from the premises. Debris and discarded 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 closed during the hours of live entertainment and shall appropriately soundproof the site if necessary.
5. The applicant shall designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to live entertainment. The name and telephone number shall be submitted to the Zoning Administrator and to the President of the Ashton Heights Civic Association.

Previous County Board Actions:

There have been no previous County Board Actions on this site.