

The following are use permit conditions associated with the proposed live entertainment use permit for El Salvador Restaurant. They are modeled heavily on the use permits that were approved for other areas of Columbia Pike. The applicant has agreed to these conditions, and staff is considering a recommendation for approval with an administrative review in six (6) months and a review by the County Board in one (1) year.

Conditions:

1. The applicant agrees that live entertainment is permitted only from 9 p.m. to 2 a.m., Tuesdays, Fridays, Saturdays and Sundays.
  
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 on which live entertainment is provided. The applicant further agrees that, during the hours of live entertainment there will be at least two (2) security persons working on-site at all times, as follows: at least one (1) person will be stationed at the door of the restaurant; and at least one (1) security person will be working within the restaurant.
  
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. The applicant agrees that live entertainment shall be restricted to the restaurant space, which is depicted on the floor plan attached to this report (however, dancing is not permitted under this use permit request). The applicant expressly agrees that only the area shown on the attached plan may be used for live entertainment. To the extent that live entertainment is amplified using an internal speaker system, the applicant agrees that live entertainment shall not be piped to areas other than the space depicted in the attached floor plan.
  
5. The applicant agrees to provide, to all staff serving alcohol to customers, TIPS (Training for Intervention Procedures), RSVP (Responsible Sellers and Servers), or similar certification. All staff serving alcohol to customers shall receive certification prior to the commencement of live entertainment. This information shall be submitted upon the County Manager's request.
  
6. The applicant agrees that dancing is not permitted unless and until a use permit amendment is approved by the County Board and a subsequent dance hall permit is obtained from the Zoning Office.

7. The applicant agrees to post signs inside all entrances that ask patrons to respect the residential neighborhoods and to avoid parking in the residential neighborhood. The signs shall be readily visible to entering patrons, and will be in both English and Spanish.

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

9. The applicant agrees to clean the sidewalk in front of their establishment as well as their property, following close of business each night, including removing all litter and sweeping cigarette butts and litter that may have accumulated from any outdoor seating area, if applicable.

10. 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, telephone number, and e-mail address (if applicable) shall be submitted to the Zoning Administrator and a copy sent to the Zoning Administrator and a copy sent to the Barcroft School and Civic League and Douglas Park Civic Association.

11. The applicant agrees to establish, coordinate, and host standing biannual meetings between the operators of the business, the Barcroft School and Civic League, and the Douglas Park Civic Association and to notify the Civic Association presidents at least two (2) weeks in advance of the meeting. The applicant further agrees to invite the Police Department to attend all such meetings. The purpose of this meeting is to continue to improve communication and cooperation between the applicant and the nearby neighborhood. The applicant further agrees to submit a copy of minutes of these meetings to the Zoning Administrator to demonstrate its compliance with this condition.

12. The applicant agrees that if more than two (2) violations of use permit conditions or County ordinances are identified by the Zoning Administrator, the applicant will, within seven (7) days of receiving notice from the County Manager, cease and desist all live entertainment and dancing on the premises until the use permit is reviewed by the County Board at which point the County Board may renew, approve additional conditions, or discontinue the use permit.