

Current SUP Compliance & Enforcement Record

Current Requirements	Compliance by Applicant	Enforcement by City
<p>1 <i>“Events shall be limited to a maximum of 225 guests”</i></p>	<p><u>Appears Compliant.</u></p>	
<p>2 <i>“Events shall start no earlier than 9:00a.m., and shall end by 10:00 p.m. Sunday through Thursday and by 11:00 p.m. on Fridays and Saturdays”</i></p>	<p><u>Compliant.</u> Some loading and clean-up has occurred as late as 3am.</p>	
<p>3 <i>“Music and entertainment shall discontinue by 9:45 p.m. Sunday through Thursdays and by 10:45 p.m. on Fridays and Saturdays”</i></p>	<p><u>Compliant.</u></p>	
<p>4 <i>“Alcoholic beverages shall not be served after 9:30p.m. Sunday-Thursday and 10:30 p.m. on Fridays and Saturdays”</i></p>	<p><u>Compliant.</u></p>	
<p>5 <i>“Events at the facility shall be subject to the sound decibel restrictions established for residential properties”</i></p>	<p><u>Limited Compliance.</u> Noise from dance music can be heard inside neighbor’s homes frequently, especially the thumping of the base sounds.</p>	<p><u>Limited Enforcement.</u></p>
<p>6 <i>“Any amplification, speaker or music source shall be required to be located entirely within the building”</i></p>	<p><u>Limited Compliance.</u> Speakers have been used outside of building on occasion.</p>	<p><u>Limited Enforcement.</u></p>

7	<i>“Noise dampening materials shall be installed inside the structure”</i>	<p><u>Non-Compliant.</u> Based on the City Chief Build Official’s discussion with Architect of Record, no special noise dampening material was included in the scope of work. Applicant’s consultant letter confirms only basic thermal building insulation was used, producing a Sound Transmission Class (STC) rating of only 38 (industry rating just above Poor). Replacement windows had a STC rating of 27 according to manufacturer. City appears to require a minimum STC rating of at least 50 for the exterior shell of apartments and motels.</p>	<p><u>Not Enforced.</u> City Staff has said that the SUP requirement was too vague, though the City Council was publicly promised superior noise dampening materials would be used by the applicant.</p>
8	<i>“An automated sound meter that controls decibel levels shall be utilized by the facility”</i>	<p><u>Non-Compliant.</u> This technology apparently has never been installed inside the facility. Based on discussions with sound experts, this technology is not available.</p>	<p><u>Not Enforced.</u></p>
9	<i>“A facility owner shall be required to be present on-site during all events”</i>	<p><u>Limited Compliance.</u> The last 6 months, only a manager has been on-site.</p>	<p><u>Not Enforced.</u></p>
10	<i>“A minimum of one security officer shall be required at any event where alcohol is to be served that exceeds 50 guests, with two required at an event that exceeds 100 guests”</i>	<p><u>Non-Compliant.</u> Applicant’s standard contract ONLY requires 1 security for all events over 50 with no mention of 2 officers for events over 100. Most events are clearly larger than 100 guests. Wilco Courthouse & other event venues require 2 security officers for events over 100 guests.</p>	<p><u>Not Enforced.</u> Neighbors have raised this non-compliance issue with the City a number of times. Applicant only uses Georgetown Police officers for events, so the City clearly knows the requirement for a 2nd officer is not occurring.</p>

11	<i>“Inside dance lighting, such as a strobe light, shall not be visible from outside the building”</i>	<u>Non-Compliant.</u> Numerous events have used visible dance lighting inside during parties without any window covering.	<u>Not Enforced.</u> Neighbors have raised this non-compliance issue with the City a number of times.
12	<i>“Events serving alcohol shall require a state-licensed and certified bartender”</i>	<u>Appears Compliant.</u>	
13	<i>“No direct retail sales of alcohol to the general public is permitted”</i>	<u>Appears Compliant.</u>	
14	<i>“Primary entry to the building will be on the north side of the property for guests, vendors, and office usage”</i>	<u>Partial Compliance.</u> The applicant has used the north entrance on 8 th St for guests, but allows vendors, including large food truck/trailers, to use the east entrance along Myrtle St, a narrow (24’ wide) residential street.	<u>Not Enforced.</u> Neighbors have raised this non-compliance issue with the City.
15	<i>“The proposed 30-foot wide door shall remain closed when there is music or amplification or may be replaced with a stationary glass wall and a standard width glass door”</i>	<u>Limited Compliance.</u> The applicant has allowed a number of parties during the spring, summer and fall to have the 30’ wide door to the yard completely open while amplified dance music has played inside.	<u>Not Enforced.</u> Neighbors have raised this non-compliance issue with the City a number of times.
16	<i>“No parking related to the event or office usage will be allowed on Myrtle Street and the adjacent residential area”</i>	<u>Mainly Compliant.</u> During the last 6 months (when no owner has been onsite during events), valet staff have parked cars on residential streets.	<u>Not Enforced.</u> When Valet staff parked on residential streets, the City was contacted, but no action was taken.
17	<i>“Valet parking is required for events of 75 or more adult guests”</i>	<u>Compliant.</u>	

<p>18</p>	<p><i>“A low level landscape buffer shall be planted and maintained along the southern property line”</i></p>	<p><u>Eventually Compliant.</u> The applicant attempted to build a brick wall on the southern property, which would have eliminated the required 10’ buffer yard with the residential neighbor. After 6 months of discussion with the City, City Staff directed him to build the brick wall no closer than 10’ of the residential property line.</p>	<p><u>Enforced.</u> City enforced SUP requirement after 6 months of discussion.</p>
<p>19</p>	<p><i>“The applicant shall acquire a shared parking agreement, as outlined in the UDC, to address the parking demands of larger events prior to issuance of the Certificate of Occupancy”</i></p>	<p><u>Non-Compliant.</u> The applicant <u>has never</u> acquired and recorded an approved Parking Agreement for the last 2 years according to City Staff, even though an approved <u>Parking Agreement was a specific requirement for issuing a Certificate of Occupancy.</u></p>	<p><u>Not Enforced.</u> Neighbors have asked City Staff about this non-compliance issue a number of times over the last 2 years. <u>Staff has confirmed there has not been an approved Parking Agreement in place during the first 2 years,</u> but have taken no action, even though an approved Parking Agreement was required to receive and maintain a Certificate of Occupancy from the City.</p>
	<p>The City does not allow the House Trailer on the property</p>	<p><u>Non-Compliant.</u> The applicant continues to bring the house trailer on the property for events.</p>	<p><u>Not Enforced.</u> City Staff has told the applicant 4-5 times that the House Trailer was not allowed on property. City has taken no action though the applicant continues to bring trailer on property during events.</p>