ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of April 24, 2010

DATE: April 14, 2010

SUBJECT: SP #346 SITE PLAN AMENDMENT RENEWAL for live entertainment and dancing at McGinty's Public House located at 3650 S. Glebe Road (The Eclipse at Potomac Yard) (RPC: 34-027-322)

Applicant:
McGinty's Public House
Greg Whelan, Co-Owner/Manager
3650 S. Glebe Road
Suite 170
Arlington, Virginia 22202

C. M. RECOMMENDATION:

Renew the site plan amendment for live entertainment and dancing, subject to all previous conditions, and with a County Board review in three (3) years (April 2013).

ISSUES: This is a renewal of a site plan amendment for live entertainment and dancing at McGinty's Public House and no issues have been identified.

SUMMARY: This is a renewal of a site plan amendment for live entertainment and dancing at McGinty's Public House, located on the ground floor of the Eclipse at Center Park (the "Eclipse") Condominium Building in Potomac Yard. The live entertainment and dancing was approved April 25, 2009. The Eclipse Condominium Association has been contacted during this review period and states there have been no concerns with the use. The use has operated in compliance with the approved conditions and without issue. Therefore, staff recommends renewal of the site plan amendment request, subject to all previous conditions, and with a County Board review in three (3) years (April 2013).

BACKGROUND: McGinty's Public House opened in April 2009 and is approved for live entertainment and dancing seven (7) nights a week with additional hours for brunch on Sundays. Regular weekly live entertainment events include trivia nights on Monday nights, traditional Irish music sessions on Wednesday nights, and karaoke on Thursday nights.

County Manager: BMD/GA

Staff: Melanie Jesick, DCPHD, Planning Division

PLA-5541

4.

DISCUSSION: This is a one (1) year renewal of a site plan amendment for live entertainment and dancing at McGinty's Public House in Potomac Yard.

Since use permit approval (April 25, 2009):

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

Community Code Enforcement: The Code Enforcement Office reports no issues with the use.

Police Department: The Police Department has not reported any issues with the use.

Fire Marshal's Office: The Fire Marshal's Office has not reported any issues with the use.

Civic Association: The site is located within the Eclipse Condominium Building in landbay "F" of Potomac Yard. The Eclipse Condominium Building has been contacted during this renewal and states that there have been no issues with the live entertainment use.

CONCLUSION: The Eclipse Condominium Association has been contacted during this review and states there are no concerns with the use. The use has been operating in compliance with the approved conditions and without issue. Therefore, staff recommends renewal of the site plan amendment request, subject to all previous conditions, and with a County Board review in three (3) years (April 2013).

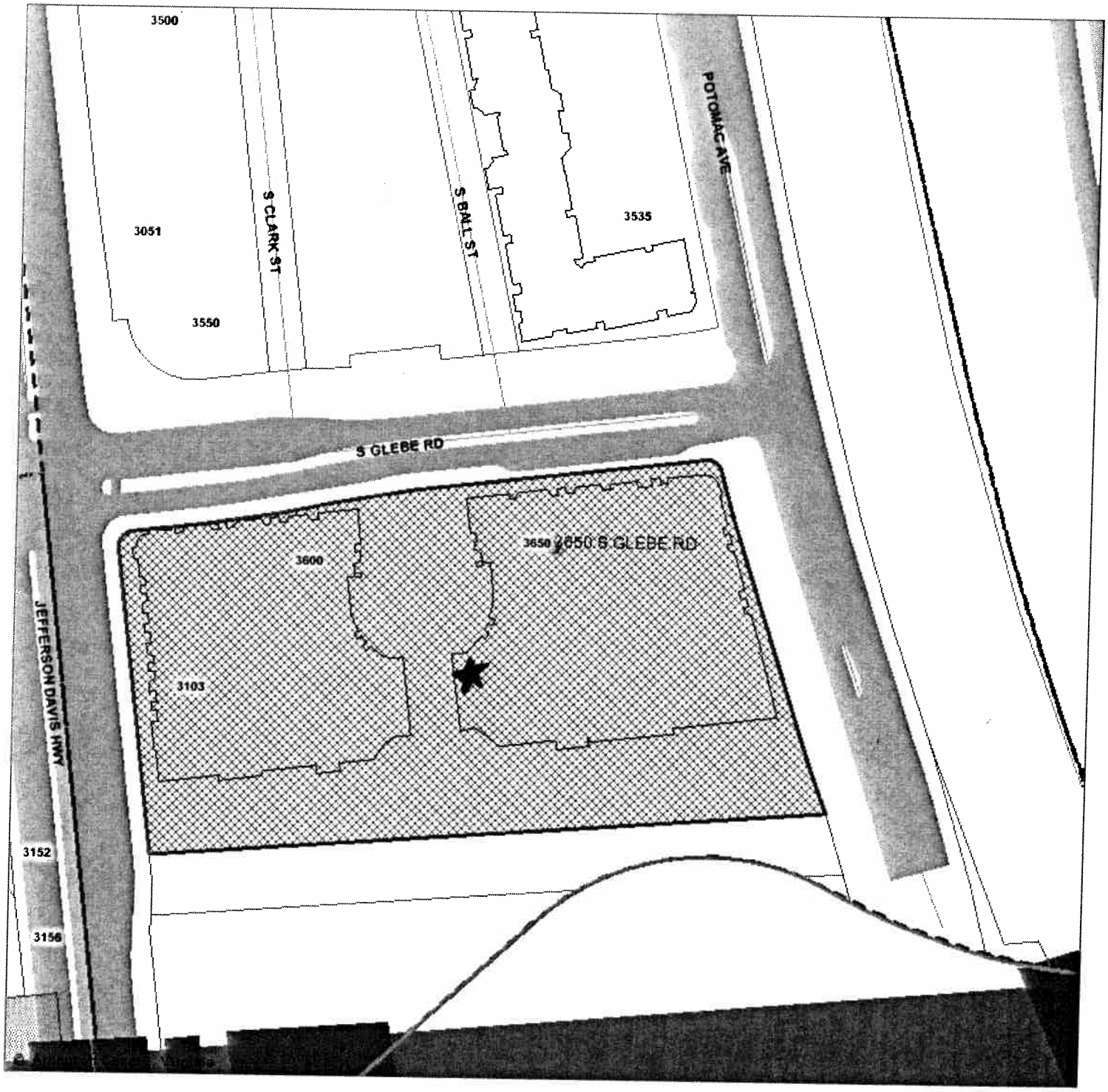
PREVIOUS COUNTY BOARD ACTIONS for live entertainment and dancing:

April 25, 2009	Approved site plan amendment request for live entertainment and dancing, subject to the proposed conditions, and with a County Board review in one (1) year (April 2010)

Approved Conditions:

1. The applicant agrees that live entertainment will be limited to seven (7) days a week, from 5 p.m. to 1:30 a.m., with additional hours on Sunday from 11 a.m. to 3 p.m.

2. The applicant agrees to comply with all requirements of County and State Ordinances, the Environmental Health Bureau, the Fire Marshal's Office, the Police Department, Community Code Enforcement Office and the Alcohol Beverage Control Board.
3. The applicant agrees that live entertainment shall meet the noise limits established in the County Noise Ordinance.
4. The applicant agrees to ensure that all windows and doors shall remain closed when live entertainment is being offered. The applicant agrees that no live entertainment shall be permitted outdoors, and further agrees to ensure that live entertainment performances inside the restaurant will not be broadcast to the exterior of the restaurant over the restaurant's audio system.
5. No customer dancing shall occur without the applicant first obtaining approval of a dance hall permit.
6. The applicant shall designate 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 and telephone number shall be submitted to the Zoning Administrator and a copy sent to the Eclipse Condominium Building.
7. The restaurant live entertainment use shall terminate upon the termination of the current tenant lease or upon vacation of the current tenant from the subject site and shall not transfer to any other tenant without subsequent approval by the County Board of a new site plan amendment request.



SP #346 SITE PLAN AMENDMENT
3650 Glebe Rd. S
RPC# 34-027-322

Note: These maps are for property location assistance only.
They may not represent the latest survey and other information.

Not To Scale

Case Location(s)

Department of Community Planning, and Housing Development

Planning Division