



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of September 25, 2010**

DATE: September 14, 2010

SUBJECT: U-2953-98-1 USE PERMIT REVIEW for live entertainment at the premises known as 3007 Columbia Pike (RPC #25-014-001)

Applicant:

El Puerto Restaurant
3007 Columbia Pike
Arlington, Virginia 22204

C.M. RECOMMENDATION:

Renew, the use permit for live entertainment subject to all previous conditions, and with no further scheduled County Board review.

ISSUES: This is a five (5)-year review for a live entertainment use located on Columbia Pike and no issues have been identified.

SUMMARY: This is a five (5)-year review of a live entertainment use permit for the El Puerto Peruvian Seafood restaurant, located at 3007 Columbia Pike. The restaurant is in compliance with all conditions and no issues have been reported with the operation. The Arlington Heights Civic Association has expressed no objection to the renewal of the use permit. Therefore, staff recommends renewal of the use permit, subject to all previously approved conditions, and with no further scheduled County Board review.

BACKGROUND: This live entertainment use permit was first approved in May 1994 and was last reviewed and renewed by the County Board in September 2005 with a five (5) year review. The use permit specifically permits one (1) person guitar entertainment from 6:30 p.m. until 10 p.m. Friday, Saturday and Sunday and a four (4) person musical group from 11 p.m. until 2 a.m. Thursday, Friday, Saturday, and Sunday. At the time of the last review, no issues were identified.

DISCUSSION: The applicant has provided live entertainment at the location in compliance with the use permit conditions, and staff has received no complaints regarding this establishment.

County Manager:

MB GA

Staff: Matthew Pfeiffer, DCPHD, Planning Division

PLA-5690

14.

Since The Last Review (September, 2005):

Use Permit Conditions: El Puerto is in compliance with all use permit conditions.

Community Code Enforcement: Code Enforcement has not received any complaints related to this restaurant.

Fire Marshal's Office: The Fire Marshal's Office reports no violations.

Police Department: The Police Department reports no problems with this establishment.

State ABC Board: The State ABC Board reports no problems with this establishment.

Civic Association: The Arlington Heights Civic Association has been contacted regarding the review of the subject live entertainment use permit, and has expressed no objection to the renewal of the use permit.

CONCLUSION: The El Puerto restaurant has provided live entertainment without issues for the last five (5) years. It is in compliance with the conditions of its use permit, and the Civic Association and all review agencies have reported no issues. Therefore, staff recommends that the use permit be renewed subject to all previously approved conditions, and with no further scheduled County Board review.

PREVIOUS COUNTY BOARD ACTIONS:

- May 7, 1994 Approved use permit (U-2807-94-1) for live entertainment, singer with a guitar, Thursday through Sunday, 8:00 p.m. until 11:00 p.m. with a review in one (1) year.
- May 20, 1995 Renewed use permit (U-2807-94-1) for live entertainment, singer with a guitar, Thursday through Sunday, 8:00 p.m. until 11:00 p.m., with a review in three (3) years.
- February 6, 1999 Approved use permit (U-2953-98-1) for live entertainment, one (1) person guitar entertainment from 6:30 p.m. until 10:00 p.m. Friday, Saturday, and Sunday; and a four (4) person musical group from 11:00 p.m. until 2:00 a.m. Thursday, Friday, Saturday, and Sunday, with conditions and a review in one (1) year.
- February 12, 2000 Renewed use permit (U-2953-98-1) for live entertainment in an existing restaurant, subject to all previous conditions and with a review in three (3) months.
- May 20, 2000 Renewed use permit (U-2953-98-1) for live entertainment in an existing restaurant, subject to all previous conditions and with a review in one (1) year.
- June 9, 2001 Renewed use permit (U-2953-98-1) for live entertainment in an existing restaurant, subject to all previous conditions and with a review in three (3) months.
- September 8, 2001 Renewed use permit (U-2953-98-1) for live entertainment in an existing restaurant, subject to all previous conditions and with a review in one (1) year.
- September 14, 2002 Renewed use permit (U-2953-98-1) for live entertainment in a restaurant, subject to all previous conditions and with a review in three (3) years.

Approved Conditions:

1. Live entertainment shall be limited to the following times: one (1) person guitar entertainment from 6:30pm to 10:00pm, Fridays, Saturdays and Sundays; and four (4)-person musical group entertainment from 11:00pm to 2:00am, Thursdays, Fridays, Saturdays and Sundays.
2. No dancing shall be allowed unless the applicant obtains a Dance Hall Permit.
3. All requirements of County Ordinances, Virginia Alcohol and Beverage Control Department, the Environmental Health Bureau and the Fire Marshal shall be met.
4. Trash areas shall be kept clean and well maintained on a continuous basis.

