



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of November 13, 2010

**DATE:** October 27, 2010

**SUBJECT:** U-3153-06-2 USE PERMIT to renew live entertainment located at 77 and 79 N. Glebe Road. (RPC#: 20-033-004)

**Applicant:**

Moisés H. Hernandez  
Mi Pueblo Restaurant  
77 N. Glebe Road  
Arlington, Virginia 22203

**C.M. RECOMMENDATION:**

Renew the use permit for live entertainment, subject to all previous conditions and new condition #7, and with a review by the County Board in five (5) years (November 2015)

**ISSUES:** This is a request for a renewal of an existing use permit for live entertainment. There are no known issues as of the date of this report.

**SUMMARY:** This is a three-year review of an existing use permit for live entertainment at Mi Pueblo restaurant at 77-79 N. Glebe Road which is operating in compliance with the approved use permit conditions. Therefore, it is recommended that the use permit be renewed, subject to all previous conditions and new Condition #7, and with a review by the County Board in five (5) years (November 2015).

**BACKGROUND:** In May 2006, the County Board approved a use permit for live entertainment at Mi Pueblo Restaurant. The use permit was administratively reviewed in three (3) months, and was reviewed by the County Board in six (6) months. In November 2006, the live entertainment use was renewed with a one-year review, and in November 2007 was renewed with a three-year review. No issues were raised at the time of review in 2007.

**DISCUSSION:** Mi Pueblo Restaurant's live entertainment operates on Fridays and Saturdays from 9 p.m. to 2 a.m. The live entertainment consists of karaoke on weekend nights and has been reduced from karaoke nights previously held on Sunday, Monday, and Thursday nights. . The use has operated in compliance with use permit conditions and staff has not received any complaints since the last use permit review. Staff is adding a new Condition #7, consistent with

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Staff: Peter Schulz, DCPHD, Planning Division  
PLA-5735

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current practice for live entertainment uses, that a County Board review will be triggered by a change in the restaurant's ownership.

**Since the prior County Board review (November 2007):**

Use Permit Conditions: The use is in compliance with the approved use permit conditions.

Community Code Enforcement, Police Department, and Fire Marshal's Office: Community Code Enforcement, the Police Department, and the Fire Marshal's Office have not reported any issues regarding the live entertainment use.

Virginia ABC: The Virginia ABC states that they have no concerns regarding the continuation of the live entertainment use.

Civic Associations: The site is located within the Ashton Heights Civic Association. However, at the date of this report, the Association had not responded to staff's request for comments on this use.

**CONCLUSION:** The live entertainment use has operated in compliance with the approved use permit conditions, and staff has not received any complaints regarding this use. Therefore, staff recommends that the use permit be renewed, subject to all previous conditions and new Condition #7, and with a review by the County Board in five (5) years (November 2015).

New Condition:

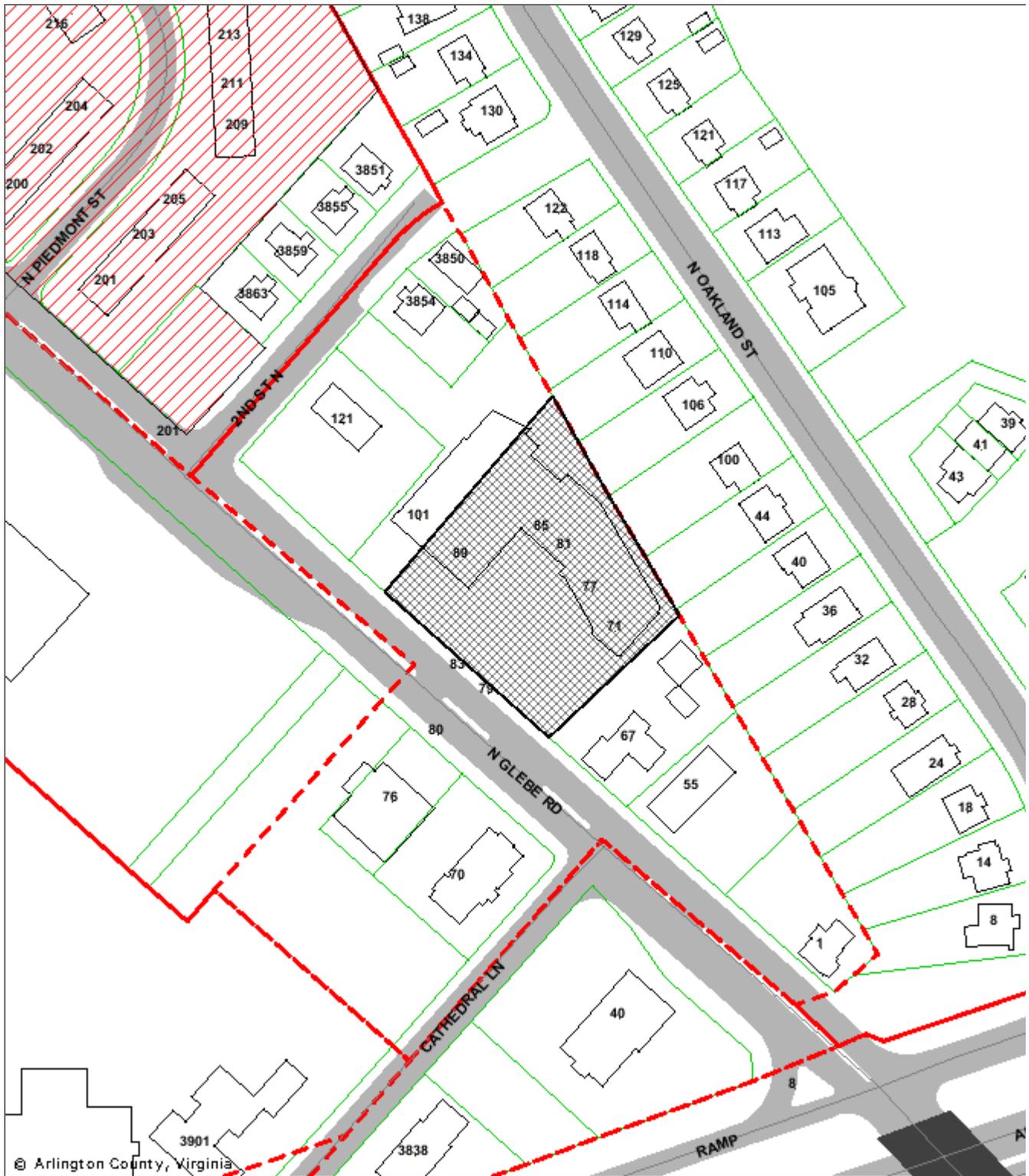
7. The applicant agrees that if the business changes ownership, a County Board review of this live entertainment approval will be scheduled.

PREVIOUS COUNTY BOARD ACTIONS:

- May 14, 1977                      Approved use permit (U-2114-77-1) for live entertainment at a restaurant, 75-77 North Glebe Road, with a review every two years.
- May 12, 1979                      Renewed use permit (U-2114-77-1) for live entertainment at a restaurant, 75-77 North Glebe Road, with a review every two years.
- May 16, 1981                      Renewed use permit (U-2114-77-1) for live entertainment at a restaurant, 75-77 North Glebe Road, with a review every two years.
- May 7, 1983                        Discontinued use permit (U-2114-77-1) for live entertainment at a restaurant, 75-77 North Glebe Road.
- May 20, 2006                      Approved use permit (U-3153-06-2) for live entertainment at a restaurant, 75-77 North Glebe Road, on Fridays and Saturdays from 9 p.m. to 2 a.m., with a three-month administrative review (August 2006), and six-month County Board review (November 2006).
- November 14, 2006                Renewed use permit (U-3153-06-2) for live entertainment with a County Board review in one year (November 2007).
- November 13, 2007                Renewed use permit (U-3153-06-2) for live entertainment with a County Board review in three years (November 2010).

### Approved Conditions

1. Live entertainment shall be permitted only between the hours of 9 p.m. to 2 a.m. Friday and Saturday.
2. The windows and doors to outside of the restaurant shall be closed during hours of live entertainment and the applicant shall improve the soundproofing of the windows and shall comply with the Arlington County Noise Ordinance. No music shall be piped outside of the restaurant.
3. The applicant agrees that all requirements of County and State Ordinances, the Environmental Health Bureau, the Fire Marshal, the Police Department and the Alcohol Beverage Control Board shall be met.
4. The applicant shall provide the name, address, and phone number of an on-going community liaison to the Zoning Administrator and to the surrounding civic association presidents, in order to effectively address neighborhood concerns.
5. The applicant agrees that the door to the rear of the building shall be limited to deliveries, trash removal and emergency evacuation only. The applicant further agrees that there shall be no entry into or exit from the establishment permitted from this rear doorway by patrons.
6. The applicant agrees to ensure that all restaurant staff is enrolled in the Police Department's TIPS training.



**U-3153-06-2**  
**77, 79 N. Glebe Rd.**  
**(RPC #20-033-004)**

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

