



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of November 19, 2011

DATE: November 1, 2011

SUBJECT: U-2629-89-1 USE PERMIT REVIEW for live entertainment and dancing at 2039 Wilson Boulevard. (Guarapo Restaurant) (RPC# 18-030-003)

Applicant:

Guarapo Restaurant
2039 Wilson Boulevard
Arlington, Virginia 22201

C. M. RECOMMENDATION:

Renew, subject to all previously approved conditions, and with a County Board review in five (5) years (November 2016).

ISSUES: This is a use permit review for live entertainment and dancing at Guarapo Restaurant, and no issues have been identified.

SUMMARY: This is a five (5) year use permit review for live entertainment and dancing at Guarapo Restaurant between the hours of 7:30 p.m. and 1 a.m., Monday through Saturday, and between 10 a.m. and 4 p.m., on Sunday. The use has operated in compliance with the conditions of the use permit. There is a renewed dance hall permit on file and the applicant is in good standing with all relevant County departments and State agencies. Therefore, staff recommends that the use permit be renewed, subject to all previously approved conditions, and with a County Board review in five (5) years (November 2016).

BACKGROUND: The use permit was originally approved in 1989 for the Little Café located at 2039 Wilson Boulevard. Since that time, several establishments have occupied that space. Guarapo Restaurant has been at this location since 2002 and has been in compliance with the conditions of the use permit since that time. The use permit allows live entertainment and dancing between the hours of 7:30 p.m. and 1 a.m., Monday through Saturday, and between 10 a.m. and 4 p.m., on Sunday.

County Manager:

BMD/GA

County Attorney:

MNC

Staff: Marco Antonio Rivero, DCPHD, Planning Division

PLA-6042

9.

DISCUSSION: The applicant has operated in compliance with the conditions of the use permit.

Since the Last Review (November 14, 2006)

Use Permit Conditions: The use has continued to operate in compliance with the use permit conditions.

Community Code Enforcement, Fire Marshal's Office, and Police Department: Community Code Enforcement, the Fire Marshal, and the Police Department have not reported any complaints or concerns on the subject site.

State ABC Board: The State ABC Board reports no concerns about this use.

Civic Associations: Staff contacted the Clarendon-Courthouse, Lyon Village, and Radnor/Ft. Myer Heights civic/citizens' associations, as well as Colonial Village Commons Inc. and representatives of Colonial Village I, II, and III (residential buildings). As of the date of this report, the Lyon Village Citizens' Association responded by offering no comment regarding this use. The Radnor/Ft. Myer Heights Civic Association and the Clarendon-Courthouse Civic Association report no issues. The remaining organizations have not commented.

CONCLUSION: The applicant has operated in compliance with the conditions of the use permit and there is a renewed dance hall permit on file. As of the date of this report, staff has received no complaints regarding this use. Therefore, staff recommends that the use permit be renewed, subject to all previously approved conditions, and with a County Board review in five (5) years (November 2016).

PREVIOUS COUNTY BOARD ACTIONS:

April 8, 1989	Approved use permit (U-2629-89-1) for live entertainment and dancing in a restaurant, subject to conditions and with a review in six (6) months.
October 7, 1989	Continued use permit (U-2629-89-1) for live entertainment and dancing in a restaurant, subject to all previous conditions and with a review in three (3) months.
January 9, 1990	Continued use permit (U-2629-89-1) for live entertainment and dancing in a restaurant, subject to all previous conditions and with a review in one (1) year.
January 5, 1991	Continued use permit (U-2629-89-1) for live entertainment and dancing in a restaurant, subject to all previous conditions and with a review in one (1) year.
January 18, 1992	Continued use permit (U-2629-89-1) for live entertainment and dancing in a restaurant, subject to all previous conditions and with a review in three (3) years.
January 7, 1995	Continued use permit (U-2629-89-1) for live entertainment and dancing in a restaurant, subject to all previous conditions and with a review in five (5) years.
April 8, 2000	Continued use permit (U-2629-89-1) for live entertainment and dancing in a restaurant, with a new condition #5, subject to all previous conditions and with a review in six (6) months.
October 7, 2000	Continued use permit (U-2629-89-1) for live entertainment and dancing in a restaurant, subject to all previous conditions and with a review in one (1) year.
October 13, 2001	Deferred use permit (U-2629-89-1) review to the November 17, 2001 County Board meeting.

November 17, 2001	Continued the use permit (U-2629-89-1) for live entertainment, subject to all previous conditions and new conditions, and with a three-month administrative review (February 2002), a six-month administrative review (June 2002) and one (1) year review (November 2002).
November 16, 2002	Continued the use permit (U-2629-89-1) for live entertainment, subject to all previous conditions and new conditions, and with a review in one (1) year (November 2003).
November 15, 2003	Renewed the use permit (U-2629-89-1) for live entertainment, subject to all previous conditions and amended Conditions #4 and #5, and with a review in three (3) years (November 2006).
November 14, 2006	Renewed the use permit (U-2629-89-1) for live entertainment, subject to all previous conditions and with a review by the County Board in five (5) years (November 2011).

Approved Conditions:

1. Live entertainment and dancing shall be permitted only between the hours of 7:30 p.m. and 1:00 a.m., Monday through Saturday, and between 10:00 a.m. and 4:00 p.m., Sunday.
2. Only customer dancing shall be allowed (no go-go dancing).
3. No dancing shall be permitted until a valid dance hall permit has been issued.
4. The windows of the Guarapo Restaurant shall be closed during hours of live entertainment and the applicant shall improve the soundproofing of the windows and shall work with the Colonial Village Tenant's Association to ensure that noise levels associated with live entertainment neither disturb Colonial Village residences nor violate the Arlington County Noise Ordinance.
5. The Guarapo Restaurant 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.

Kadnor / Ft. Myer / Val Issues, Guarapo

Marco Rivero

From: Dcstan@aol.com
Sent: Tuesday, October 11, 2011 3:23 PM
To: Marco Rivero
Subject: Re: U-2629-89-1 Use Permit Review, Guarapo

The RAFOM Board does not appear to have any problems with the two issues you sent me, either at 1701 Clarendon or at 2309 Wilson, which is not exactly in our civic association area. Thanks for letting us know.

Stan Karson
President, RAFOM

In a message dated 10/11/2011 11:16:11 A.M. Eastern Daylight Time, Mrivero@arlingtonva.us writes:

Hello,

I am currently reviewing U-2629-89-1, Guarapo Restaurant at 2039 Wilson Blvd for the County Board meeting on November 19, 2011. It is a five (5) year review for live entertainment and dancing, and I want to obtain input from you regarding this use permit. Are there any outstanding issues or concerns that you may have regarding this use? For your reference, attached is the staff report from November 2006.

Thank you for your cooperation!

Best,

Marco A. Rivero

Marco Antonio Rivero | Associate Planner - DCPHD, Arlington County Government

2100 Clarendon Blvd, Suite 700, Arlington, Virginia 22201

Main: 703-228-3525 | Direct: 703-228-3572 | Fax: 703-228-3543 | mrivero@arlingtonva.us

Guarapo's! CCCA Response: No Issues

Marco Rivero

From: Kenneth Fulton <kennethgfulton@yahoo.com>
Sent: Wednesday, October 19, 2011 7:07 AM
To: Matthew Pfeiffer; Marco Rivero
Cc: Tim Wise; Adam Thocher; Peter Owen; Melissa Bondi; Richard Dumas; HK Park
Subject: Re: Live music permits - County staff request for comments

Matthew and Marco,

The CCCA met last night, and our discussion included new and renewing permits. Below are the the positions regarding applications for which you have asked comments:

Clarendon Farmers Market -- The CCCA supports renewal of this permit, and has no adverse comments.

Mexicali Blues (new live entertainment) -- The CCCA does not support this permit. The CCCA President visited the restaurant and spoke with the its manager and emailed the owner to learn preliminary and sketchy details of the planned operations, and invited a management representative to attend a CCCA meeting where two other businesses (Mad Rose Tavern and Arlington Rooftop Bar and Grill) presented information about their business plans and responded to CCCA member questions. Representatives of Mexicali Blues declined to meet with the CCCA, and the information contained in the formal application indicates substantially longer hours and more neighborhood intrusive operations than was indicated in preliminary conversations. The CCCA is supportive of business activities in its neighborhood, as indicated by the other positions below, but in this instance does not believe the permit would be in the broad general interest of the neighborhood.

Mad Rose Tavern (new live entertainment) -- The CCCA supports this permit but with a 6 month review period as opposed to the usual 12 month. CCCA members have observed and spoken with the manager on repeated occasions (but have not filed formal complaints) regarding failure to maintain the required 6-foot clear sidewalk space adjacent to outdoor cafe seating, and open doors that permit loud recorded music into the street. While the applicant has demonstrated greater adherence to existing site requirements, we would encourage County staff and the Board to have a shorter review and evaluation period until a consistent pattern of compliance is established.

11th Street Lounge (renewal live entertainment) -- The CCCA supports renewal of this permit, and has no adverse comments.

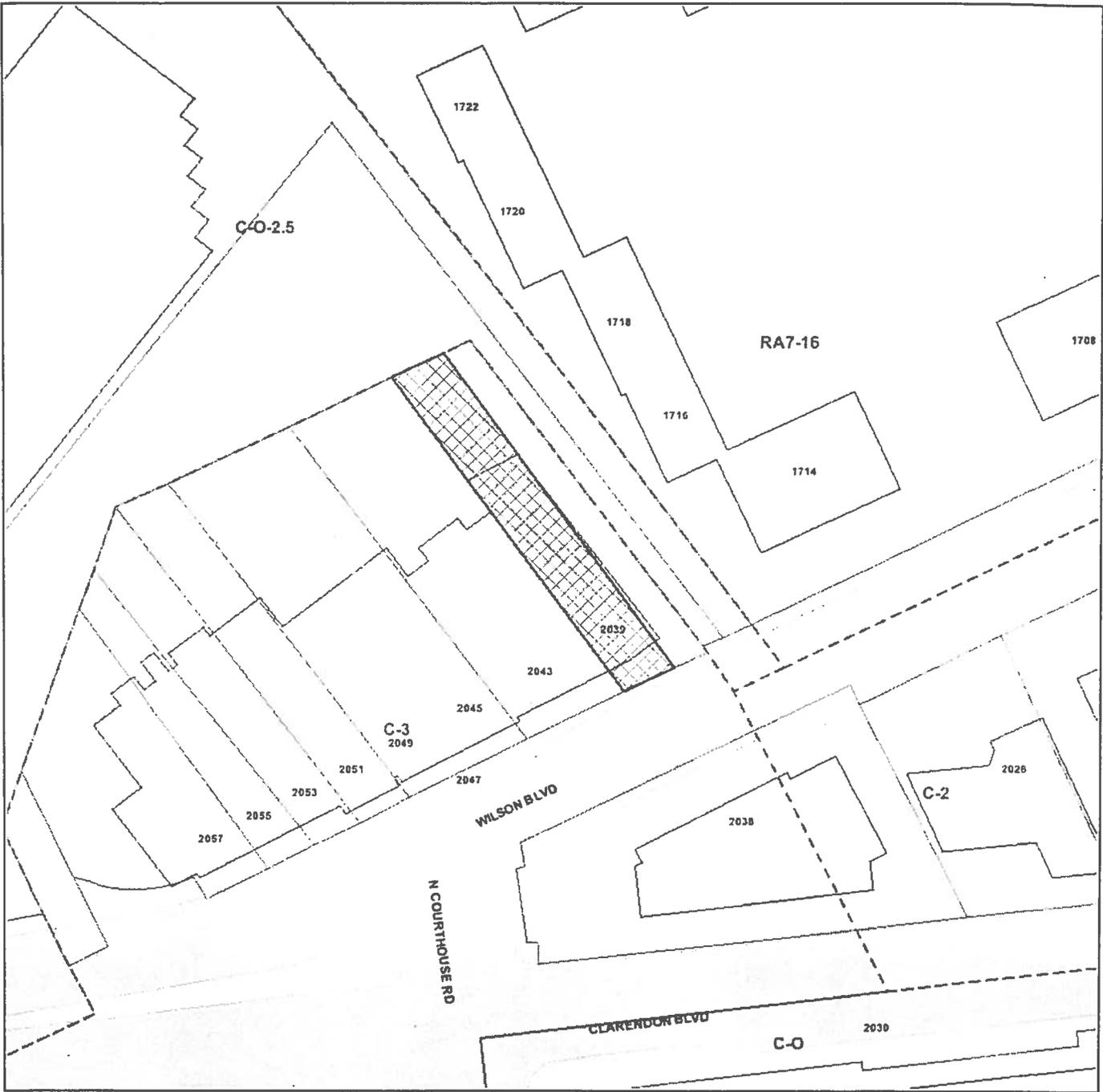
Guarapo (renewal live entertainment) -- The CCCA supports renewal of this permit, and has no adverse comments.

Regards,
Ken Fulton
CCCA President

cc: CCCA Executive Committee
HK Park, Lyon Village

----- Forwarded Message -----

From: Kenneth Fulton <kennethgfulton@yahoo.com>
To: Matthew Pfeiffer <Mpfeiffer@arlingtonva.us>; Marco Rivero <Mrivero@arlingtonva.us>



U-2629-89-1 USE PERMIT REVIEW
2039 Wilson Blvd. (Guarapo)
(RPC #16-030-003)


North

 **Case**
 **Location(s)**

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