



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of September 15, 2012

**DATE:** September 5, 2012

**SUBJECT:** U-3205-08-1 USE PERMIT REVIEW for live entertainment and dancing at El Manantial; located at 2618 N. Pershing Drive (RPC# 18-056-005).

**Applicant:**

Alvaro Ronquillo Barrera  
2618 N. Pershing Drive  
Arlington, Virginia 22201

**C.M. RECOMMENDATION:**

Renew the use permit for live entertainment and dancing at El Manantial, subject to all previously approved conditions, with quarterly administrative reviews in December 2012, March and June 2013, and a County Board review in one (1) year (September 2013).

**ISSUES:** This is a one (1) year review of a use permit for live entertainment and dancing at 2618 N. Pershing Drive. The Police Department has expressed that there has been a high volume of calls-for-service related to the restaurant during the past year.

**SUMMARY:** This is a one (1) year review of a use permit for live entertainment and dancing at El Manantial located off Pershing Drive close to the Washington Boulevard intersection. No violations of use permit conditions have been identified, however the Police Department has noted a high volume of calls-for-service recorded during the past review period. Staff is recommending that the use permit be kept on a short review cycle in order to monitor the operation of live entertainment and dancing. Therefore, staff recommends renewal of the subject use permit subject to all previously approved conditions, with quarterly administrative reviews and a County Board review in one (1) year (September 2013).

**BACKGROUND:** This is a one (1) year review of a use permit for live entertainment and dancing at El Manantial, originally approved in 2008. The use permit was amended in 2011 to

County Manager:

*BMD/GA*

County Attorney:

*[Signature]*

*[Signature]*

Staff: Matthew W. Pfeiffer, DCPHD, Planning Division

PLA-6271

permit longer hours of operation on weekends and Sundays. The applicant provides karaoke during the hours specified in the use permit.

**DISCUSSION: Since the last review and amendment (September 2011):**

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

Community Code Enforcement: The Code Enforcement Office reports that there are no issues regarding the continuation of this use.

Police Department: The Police Department reports that there were 22 calls-for-service during the review period, representing an unusually high volume of police activity at the restaurant. The Police Department recommends that the use permit be monitored closely, however they do not object to the renewal of the use permit on a limited basis.

Fire Marshal's Office: The Fire Marshal's Office reports that there are no issues regarding the continuation of this use.

Virginia Alcoholic Beverage Control (ABC) Board: The ABC Board reports that there are no issues regarding the continuation of this use.

Neighborhood: The site is located within the Lyon Park Civic Association. The civic association has expressed that the restaurant should be monitored closely due to past concerns about patron conduct.

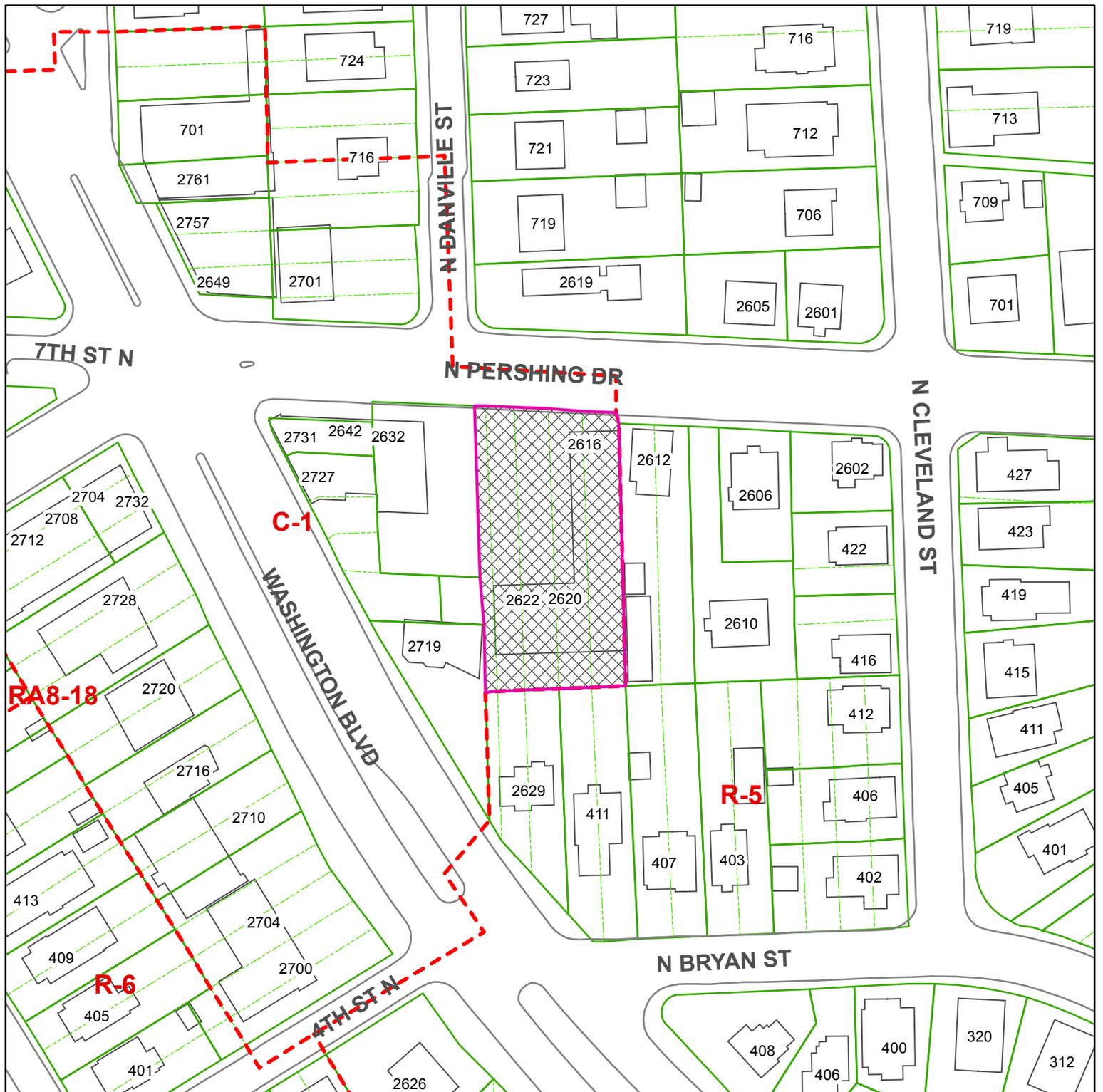
**CONCLUSION:** The restaurant has operated in compliance with use permit conditions; however, the Police Department has reported that there was an unusually high volume of calls for service during the review period. As a result, staff is recommending that quarterly administrative reviews be conducted in order to closely monitor live entertainment at this location. Staff has informed the applicant that they need to work harder to control patron conduct to ensure that no adverse impacts to surrounding neighbourhoods arise or the use permit could be discontinued. Should issues be identified during the quarterly administrative reviews, the use permit could be brought to the County Board for an out-of-cycle review. Therefore, staff recommends renewal of the subject use permit subject to all previously approved conditions, with quarterly administrative reviews and a County Board review in one (1) year (September 2013).

PREVIOUS COUNTY BOARD ACTIONS:

October 2008	Approved U-3205-08-1 (El Manantial) for restaurant live entertainment at 2618 N. Pershing Dr.
May 2009	Renewed U-3205-08-1 (El Manantial) for restaurant live entertainment at 2618 N. Pershing Dr.
May 2010	Renewed U-3205-08-1 (El Manantial) for restaurant live entertainment at 2618 N. Pershing Dr. for one (1) year.
May 2011	Renewed U-3205-08-1 (El Manantial) for restaurant live entertainment at 2618 N. Pershing Dr. for three (3) years.
July 2011	Deferred U-3205-08-1 (El Manantial) for extension of permitted hours of live entertainment.
September 2011	Approved U-3205-08-1 for extension of permitted hours of live entertainment.

Approved Conditions:

1. The applicant agrees that live entertainment (karaoke) shall be permitted only between the hours of 5 p.m. to 12 a.m. Mondays through Thursdays, 5 p.m. to 12:30 a.m. Fridays and Saturdays, and 11 a.m. to 12 a.m. Sundays, and Mondays that fall on a Federal Holiday.
2. The applicant agrees that the live entertainment use is for karaoke only, and that no dancing shall occur on the premises without a dance permit being first obtained from the Zoning Office.
3. The applicant shall ensure that all windows and doors to the subject site are kept closed at all times, with the exception of patrons and/or staff entering and exiting the premises.
4. The applicant agrees that there shall be no entry into or exit from the establishment permitted from the rear doorway by patrons.
5. The applicant agrees to provide and/or maintain signs, in both English and Spanish, in the dedicated parking lot on the six (6) spaces closest to the restaurant, that state "Parking for El Manantial Thursdays 5 p.m.-12 a.m., Fridays and Saturdays 5 p.m.-12:30 a.m." The applicant further agrees to provide and/or maintain at least two (2) signs on the premises, in both English and Spanish that discourage patrons from parking on residential streets.
6. The applicant agrees to identify an on-site 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 of the liaison shall be shared with the nearest neighbors, the Lyon Park Civic Association, and the County's Zoning Office immediately upon approval of the use permit.
7. 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 and the Code Enforcement Office shall be met.
8. The applicant agrees that the use permit for live entertainment shall be reviewed by the County Board upon any change of tenancy of the subject space currently occupied by El Manantial.
9. The applicant agrees to work with the Arlington County Police Department and ensure that all restaurant staff serving alcohol shall complete the State Training Intervention Procedures (TIPS) program.



**U-3205-08-1**

**2618 N. Pershing Dr.**

**RPC 18-056-005**

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

**Department of Community Planning, Housing and Development**



 Case Location(s)  
Scale: 1:1,200

**Planning Division**