



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of November 13, 2007

DATE: October 23, 2007

SUBJECT: U-3153-06-2 USE PERMIT REVIEW for live entertainment located at 77 and 79 North Glebe Road. (RPC #20-033-004)

Applicant:

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

C.M. RECOMMENDATION:

Renew, subject to all previous conditions, and with a review by the County Board in three (3) years (November 2010).

ISSUES: None.

SUMMARY: The County Board approved the subject use permit for live entertainment on November 14, 2006. The live entertainment use operates in compliance with the approved use permit conditions. Therefore, it is recommended that the use permit be renewed, subject to all previous conditions, and with a review by the County Board in three (3) years (November 2010).

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.

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 prior use permit review.

Since the prior County Board review (November 14, 2006):

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

County Manager: _____

Staff: Rasheda DuPree McKinney, DCPHD, Planning Division

PLA-4805

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 and is adjacent to the Buckingham Civic Association boundary. Both associations were notified of the use permit review. However, at the date of this report, neither association had 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 with a review by the County Board in three (3) years (November 2010).

PREVIOUS COUNTY BOARD ACTIONS:

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| 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). |

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.