



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of September 16, 2017

DATE: September 6, 2017

SUBJECT: U-3368-13-1 USE PERMIT REVIEW for live entertainment at La Perla del Valle Restaurant; located at 36 S. Glebe Road (RPC# 23-001-037).

Applicant:

Genara Caussin, Owner
7403 Exmore Street
Springfield, Virginia 22150

C.M. RECOMMENDATION:

Renew the use permit for live entertainment, subject to the previously approved conditions and proposed Condition #11, and with a County Board review in five (5) years (September 2022).

ISSUES: This is a three (3) year use permit review for live entertainment at La Perla del Valle Restaurant, and no issues have been identified.

SUMMARY: The applicant received approval of a use permit for live entertainment at La Perla del Valle Restaurant, located at 36 S. Glebe Road in September 2013. The applicant provides live entertainment, which includes a karaoke DJ, Thursday through Sunday from 9 p.m. to 2 a.m. Staff confirmed that the use permit operates in compliance with the approved use permit conditions. The use has not had an undue adverse impact on adjacent uses or to surrounding neighborhoods or streets. Live entertainment is confined to the interior structure and ample parking is available within the shopping center's parking lot. The surrounding civic/citizens' associations have not provided comments as of the date of the staff report. Therefore, staff recommends that the use permit be renewed, subject to the previously approved conditions, and proposed Condition #11, and with a County Board review in five (5) years (September 2022).

County Manager:

County Attorney:

CR Sanders

Staff: Nicole R. Boling, DCPHD, Planning Division

PLA-7616

BACKGROUND: The County Board approved a use permit for live entertainment at La Perla del Valle Restaurant in September 2013 with associated conditions. The County Board renewed the use permit in September 2014 with a review in three (3) years.

Figure 1: Location of La Perla del Valle Restaurant



Source: Bing Maps

DISCUSSION: During this use permit review, staff confirmed that the applicant is in compliance with the use permit conditions. The use is in conformance with the uses allowed within the ACZO and the [General Land Use Plan \(GLUP\)](#) for this site. Furthermore, no undue adverse impacts will result from the continuation of this use permit.

The applicant offers live entertainment in the form of live ensembles, soloists, and karaoke DJ. Computer and television equipment supports the karaoke operation at the establishment. Live entertainment occurs Thursday through Sunday from 9 p.m. to 2 a.m. The applicant agreed to ten (10) conditions which mitigate the potential impacts of live entertainment. These conditions include but are not limited to: compliance with all applicable requirements found in County and

State Ordinances, providing on-site dedicated security during hours of live entertainment, providing TIPS (Training for Intervention Procedures) training, cleaning/maintenance of sidewalks outside of the establishment, and providing a community liaison to the affected civic/citizens' associations should any issues arise. In addition, staff is recommending to add Condition #11 which states that the existing use permit for live entertainment is only approved for the current tenant. If there is a change in tenant, the use permit shall be subject to review and renewal by the County Board. The live entertainment use is consistent with County plans and policies, and does not create an undue adverse impact to the surrounding streets or properties.

Since Last Use Permit Review (September 20, 2014):

Zoning Enforcement: There have been no zoning issues identified during the use permit review.

Code Enforcement: Code Enforcement reports no concerns regarding the continuation of this use permit.

Virginia Department of Alcoholic Beverage Control (ABC): The Virginia ABC reports there are no concerns with the continuation of this use.

Fire Marshal's Office: The Fire Marshal's Office reports no concerns regarding the continuation of this use.

Police Department (ACPD): The Police Department reports no concerns regarding this use.

PUBLIC ENGAGEMENT: La Perla del Valle Restaurant is located within the Alcova Heights Citizens Association and adjacent to the Arlington Heights Civic Association, Ashton Heights Civic Association, and Buckingham Community Civic Association. Staff contacted each association on July 31, 2017. As of the date of this report, a response has not been received regarding questions, comments, or concerns related to the existing use permit.

CONCLUSION: Live entertainment has operated in compliance with the use permit conditions since the use was approved in September 2013 and renewed in September 2014. No issues or concerns regarding this use have been raised during this review. Therefore, staff recommends that the use permit be renewed, subject to proposed Condition #11 and all previously approved conditions and with a County Board review in five (5) years (September 2022).

Proposed Condition:

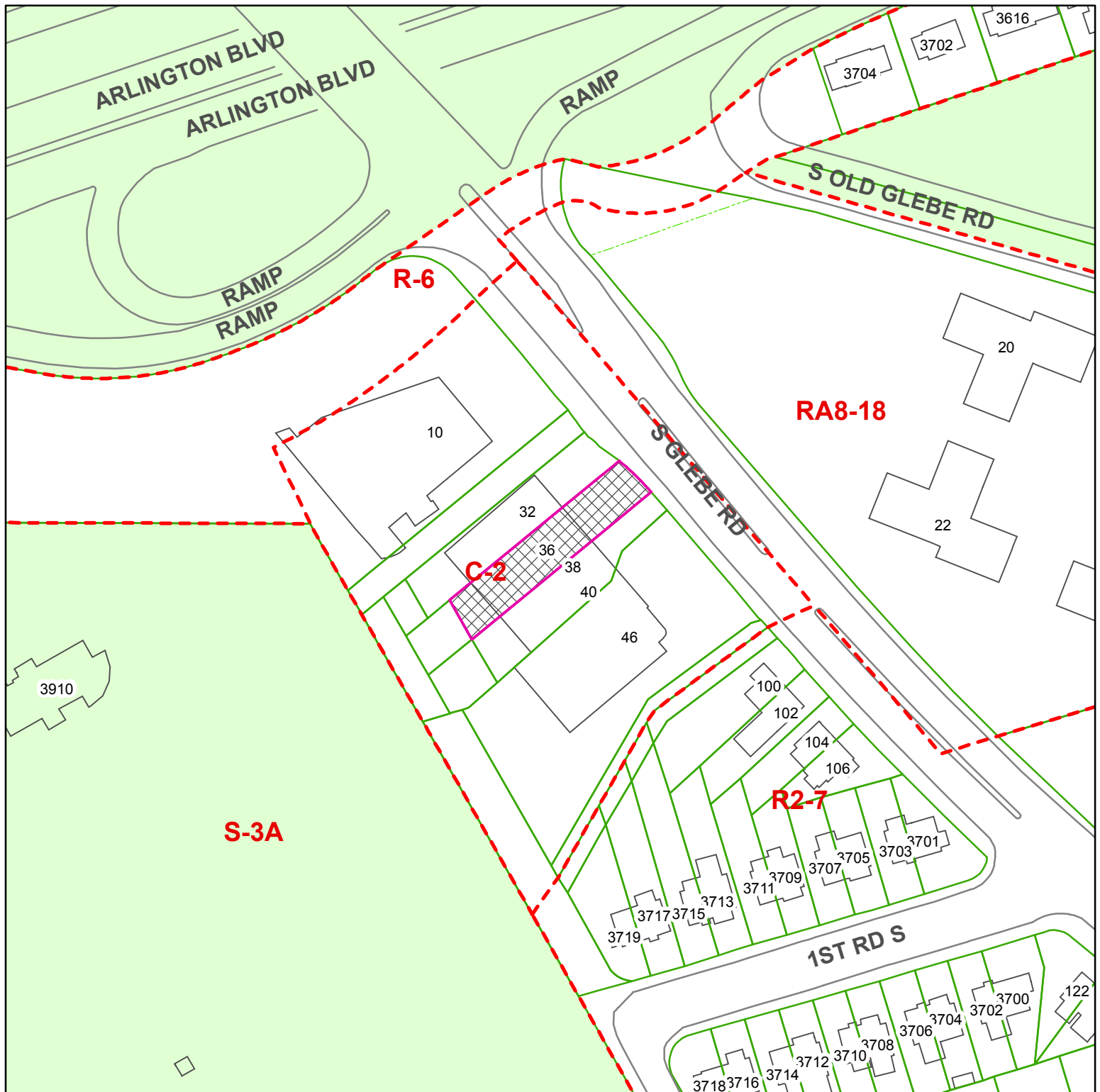
11. The applicant agrees that the approval for live entertainment at 36 S. Glebe Road is valid only for the current tenant/owner of La Perla del Valle Restaurant. In the event that any other tenant/owner occupies the premises, the use permit shall be subject to review and renewal by the County Board at the time of such change in occupancy.

PREVIOUS COUNTY BOARD ACTIONS:

September 21, 2013	Approved a use permit (U-3368-13-1) for live entertainment at La Perla del Valle Restaurant, subject to the use permit conditions (numbers 1 through 10), with a review by the County Board in one (1) year (September 2014).
September 20, 2014	Renewed a use permit (U-3368-13-1) for live entertainment at La Perla del Valle Restaurant, subject to the approved use permit conditions (numbers 1 through 10), with a review by the County Board in three (3) years (September 2017).

Approved Use Permit Conditions (La Perla del Valle Restaurant Live Entertainment)

1. The applicant agrees that live entertainment is permitted only from 9 p.m. to 2 a.m., Thursdays through Sundays.
2. The applicant agrees to comply with all applicable requirements of County and State Ordinances including, by way of illustration and not limitation, the Environmental Health Bureau, and the Fire Marshal, the Police Department and the Virginia Department of Alcohol Beverage Control (ABC).
3. The applicant agrees to provide on-site dedicated security from 9 p.m. until closing on nights in which live entertainment is provided. The on-site security may consist of “in house” staff, so long as that staff is dedicated to security only.
4. The applicant agrees to comply with the Arlington County noise ordinance and further agrees to keep the restaurant’s windows and doors closed during the times of live entertainment except for the purposes of entry, egress, and other intermittent uses, such as serving an outdoor seating area.
5. The applicant further agrees that under no circumstances shall live entertainment be permitted outside of the building or broadcast over loudspeakers outside of the building. The applicant agrees that doors shall not be propped open during live entertainment.
6. The applicant agrees to provide, to all staff serving alcohol to customers, TIPS (Training for Intervention Procedures), RSVP (Responsible Sellers and Servers), or similar certification. All staff serving alcohol to customers shall receive certification prior to the commencement of live entertainment.
7. The applicant agrees that dancing is not permitted unless and until a use permit amendment is approved by the County Board and a subsequent dance hall permit is obtained from the Zoning Office.
8. The applicant agrees to post sign signs in windows telling patrons to respect the residential neighborhoods and to avoid parking in the residential neighborhood where possible.
9. The applicant agrees to clean the sidewalk in front of its establishment each morning, including sweeping and picking up cigarette butts and litter, which may have accumulated overnight.
10. The applicant agrees to designate and make available a neighborhood liaison to communicate with nearby residents and neighbors to address concerns which may be related to the live entertainment and an onsite 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, telephone number, and e-mail address (if applicable) shall be submitted to the Zoning Administrator and a copy sent to the Alcova Heights Citizens’ Association and the Arlington Heights Civic Association.



U-3368-13-1

36 S Glebe Rd

RPC # 23-001-037



Case
Location(s)

Scale: 1:1,200

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

County Use Only
Date Placard Posted _____
By _____
Removed _____