



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of December 13, 2008

DATE: November 21, 2008

SUBJECT: U-3186-07-1 USE PERMIT REVIEW: Maiky Tran, martial arts classes; 4142 S. Four Mile Run Dr. (RPC #28-001-006)

Applicant:
Maiky Tran, President

By:
Shaolin-Do Kung Fu & Tai Chi
4142 South Four Mile Run Drive
Arlington, Virginia 22206

C. M. RECOMMENDATION:

Renew the use permit for martial arts classes for children, subject to all previously approved conditions, with a County Board review in three (3) years (December 2011).

ISSUES: This is a review of a use permit for martial arts classes for children at an existing martial arts studio and no issues have been identified.

SUMMARY: The County Board approved a use permit for martial arts classes for children in December 2007, at a martial arts studio that had been offering classes to adults by-right. The applicant is in compliance with the use permit conditions, and there are no concerns about the use. Therefore, staff recommends renewal of the use permit for martial arts classes for children, subject to all previously approved conditions, with a County Board review in three (3) years (December 2011).

BACKGROUND: Shaolin-Do Kung Fu and Tai Chi has been operating by-right since 2005 at the present location. Because they wished to offer martial arts classes to children, they obtained a use permit in December 2007. There has been no history of concerns raised about this use since approval.

DISCUSSION: The applicant offers martial arts lessons to instruction to children separated into three age groups (4-6), (7-12), and 13-17), on the first floor of a commercial building located in an "M-1" (Light Industrial) zoning district. Martial arts studios are a by-right use in "M-1" (although there is no reference in the Zoning Ordinance to martial arts studios, the Zoning

County Manager: _____

Staff: Peter Schulz, DCPHD, Planning

PLA-5141

Administrator considers them akin to “dance studios” which are permitted by-right in “C-2” (Service Commercial—Community Business Districts) and zoning districts like “M-1” that refer back to “C-2”). The applicant was granted a use permit in December 2007 to offer classes to children. There have been no complaints and the applicant is compliant with use permit conditions. Therefore, staff recommends renewal of the use permit for martial arts classes for children, subject to all previously approved conditions, with a County Board review in three (3) years (December 2011).

Since the original approval (December 2007):

Use Permit Conditions: The classes for children are in compliance with the approved use permit conditions.

Community Code Enforcement: The Community Code Enforcement office has not reported any concerns regarding the renewal of this use.

Fire Marshal’s Office: The Fire Marshal’s Office has not reported any concerns regarding the renewal of this use.

Police Department: The Police Department has not reported any concerns regarding the renewal of this use.

Child Care Office: The Child Care office has not reported any concerns.

Neighborhood: The site is not located within the boundaries of a civic association, but Douglas Park is across Four Mile Run Drive to the north. No concerns have been raised by the neighborhood.

CONCLUSION: The applicant has been compliant with all conditions of approval since the original approval one (1) year ago. Therefore, staff recommends renewal of the use permit for martial arts classes for children, subject to all previously approved conditions, with a County Board review in three (3) years (December 2011).

PREVIOUS COUNTY BOARD ACTIONS:

December 15, 2007

Approved a use permit for martial arts classes for children with an administrative review in six (6) months (June 2008), and a County Board review in one (1) year (December 2008).

Approved Conditions:

1. The applicant shall meet the requirements of the Child Care Ordinance, the Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office, including securing the required fire inspection assembly permit.
2. The applicant agrees that parents of children up to age twelve (12) receiving instruction shall escort their children both to and from the facility at all times.
3. The applicant agrees that the hours of operation are from 4 p.m. to 10 p.m., Monday through Thursday, 6:30 p.m. through 8:30 p.m. on Friday, 9 a.m. to 3:30 p.m. on Saturday, and from 9 a.m. to 12:30 p.m. on Sunday.