



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of July 10, 2010

DATE: June 25, 2010

SUBJECT: U-3113-04-3 USE PERMIT AMENDMENT for expansion of an martial arts studio from 25 to 35 students per class; located in the Lee-Harrison Shopping Center, 2425, 2499, 2503, 2509 North Harrison Street. (RPC #02-073-084)

Applicant:

TKD Life Skills, Inc.

By:

Nan E. Walsh and Kara MW Bowyer
Walsh, Colucci, Lubeley, Emrich & Walsh, PC
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Approve the use permit amendment, subject to all previously approved conditions, one (1) modified condition, one (1) new condition, and with a County Board review in three (3) years and three (3) months (October 2013).

ISSUES: This is a use permit amendment for an expansion of an existing martial arts studio located in the Lee Harrison Shopping Center and no issues have been identified.

SUMMARY: The applicant is requesting a use permit amendment to occupy an additional 2,018 square foot space in the lower level of the Lee Harrison Shopping Center, and increase the maximum number of students allowed per class from 25 to 35. Staff supports this minor expansion and increase because the use has operated without issues since approval, and the applicant has agreed to conditions regarding the utilization of the parking garage on-site for the pick-up and drop-off of children. Staff is recommending that the use permit amendment be reviewed concurrently with other child care uses located in the lower level of the Lee Harrison Shopping Center. Therefore, staff recommends approval of the use permit amendment for expansion of the martial arts studio from 25 to 35 students per class subject to all previously approved conditions, one (1) modified condition, one (1) new condition, and with a County Board review in three (3) years and three (3) months (October 2013).

County Manager: MB/GA

Staff: Matthew Pfeiffer, DCPHD, Planning Division

PLA-5639

21.

BACKGROUND: The applicant requests a use permit for an expansion of an existing martial arts studio. There are a number of similar uses located on the lower-level of the Lee Harrison Shopping Center. The following is additional information about the site:

Site: The site is bound on the west by North Harrison Street and on the south by Lee Highway. The site consists of a shopping center set back from curb by a surface parking lot, and an underground garage.

Zoning: The site is zoned “C-1” Local Commercial Districts.

Land Use: The site is identified on the General Land Use Plan (GLUP) as "Service Commercial" Personal and business services.

Neighborhood: The site is within the Yorktown Civic Association. The civic association has expressed support for the applicant’s proposal.

DISCUSSION: The applicant is requesting an amendment to the use permit for TKD Life Skills, a Tae Kwon Do studio located in the lower level of the Lee Harrison Shopping Center that has operated under a use permit since 2005. The applicant currently operates two (2) non-contiguous studios totaling 5,100 square feet in the lower level and would like to occupy a new space measuring 2,081 square feet. This new space will be contiguous to one (1) of the existing spaces. The applicant intends to make minor interior alterations to remove a wall between the existing and new space, which will create one (1) larger space. In addition, the applicant is requesting to increase the maximum class size from its current 25 students to a maximum of 35 students. Class hours of operation would remain the same. Staff supports this minor expansion of the existing Tae Kwon Do studio as the use has operated without issue for nearly five (5) years, and such an expansion will not result in any adverse impacts. Since the majority of students would be dropped-off and picked-up by parents, parking on-site is not an issue. The applicant has agreed to new conditions that would require them to distribute information to parents informing them that all pick-up and drop-off activity will occur in the parking garage. These conditions are identical to those approved with the expansion of the Perfect Pointe Dance Studio, which is also located in the lower level of the Lee Harrison Shopping Center. The conditions were recommended by staff as a way to control crowded conditions at the surface parking lot at the Lee Harrison Shopping Center.

CONCLUSION: Staff supports the applicant’s request for an expansion of an existing martial arts studio. The expansion is minor, and the use has operated without issue for the nearly five (5) years. No adverse impacts are anticipated as a result of this expansion. Staff recommends that the use permit amendment be reviewed concurrently with the other child-care uses located in the lower level of the Lee Harrison Shopping Center. Therefore, staff recommends approval of the use permit amendment for an expansion of the martial arts studio from 25 to 35 students per class subject to all previously approved conditions, one (1) modified condition and one (1) new condition, with a County Board review in three (3) years and three (3) months (October 2013).

Modified Condition:

6. The applicant agrees to provide information to patrons that, parents, and/or students on the first day of classes that:
 - Encourages parking in the underground parking garage and describes the location of the garage entrance and hours of operation
 - Encourages all pick-up and drop-off activity to occur in the underground parking garage
 - Encourages patrons/students, and parents escorting students, to utilize the path that connects the parking garage to the outdoor entrances to the lower level studios when entering and exiting the site.

New Condition:

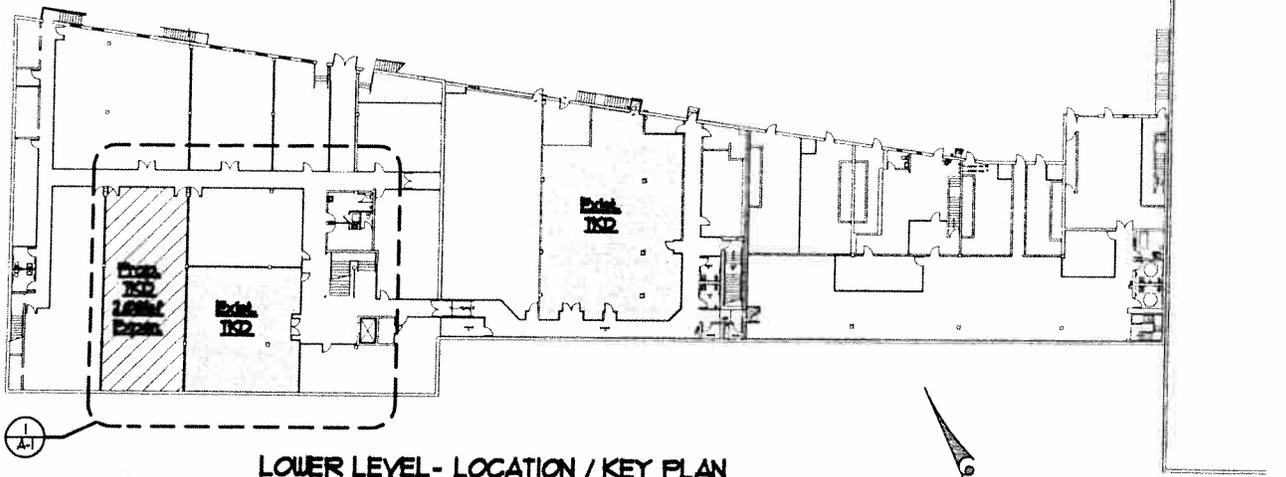
7. The applicant agrees that all instructors and/or staff will park in the underground parking garage.

PREVIOUS COUNTY BOARD ACTIONS:

- October 2003 Approved use permit (U-3067-03-1) for an after school supplemental program subject to conditions and administrative review in one year (October 2004) and County Board review in two years (October 2005).
- July 2004 Approved use permit (U-3092-04-2) for a children's tumbling, fitness, and activity center subject to conditions and with an administrative review in one (1) year (July 2005) and County Board review in three (3) years (July 2007).
- February 2005 Approved use permit (U-3092-04-3) for a tae kwon do studio subject to conditions and with an administrative review in one (1) year (February 2006) and County Board review in three (3) years (February 2008).
- July 2006 Approved use permit amendment (U- 3092-04-3) to expand the operating hours to one hour earlier on Saturdays and to allow classes on Saturday and Sunday afternoons, subject to all previous conditions, with revised Condition #3, new Condition #6, and a review by the County Board in one (1) year (July 2007).
- July 2007 Renewed use permit amendment (U- 3092-04-3) for a tae kwon do studio subject to conditions and with a County Board review in three (3) years (July 2010).
- April 2008 Approved use permit amendment to U-3113-04-3 to occupy additional space, allow children ages two (2) and older, and provide more flexibility in hours of operation.
- April 2009 Renewed use permit U-3113-04-3 subject to a County Board review in one (1) year (April 2010).
- April 2010 Renewed use permit U-3113-04-3 subject to a County Board review in three and a half (3.5) years (October 2013).

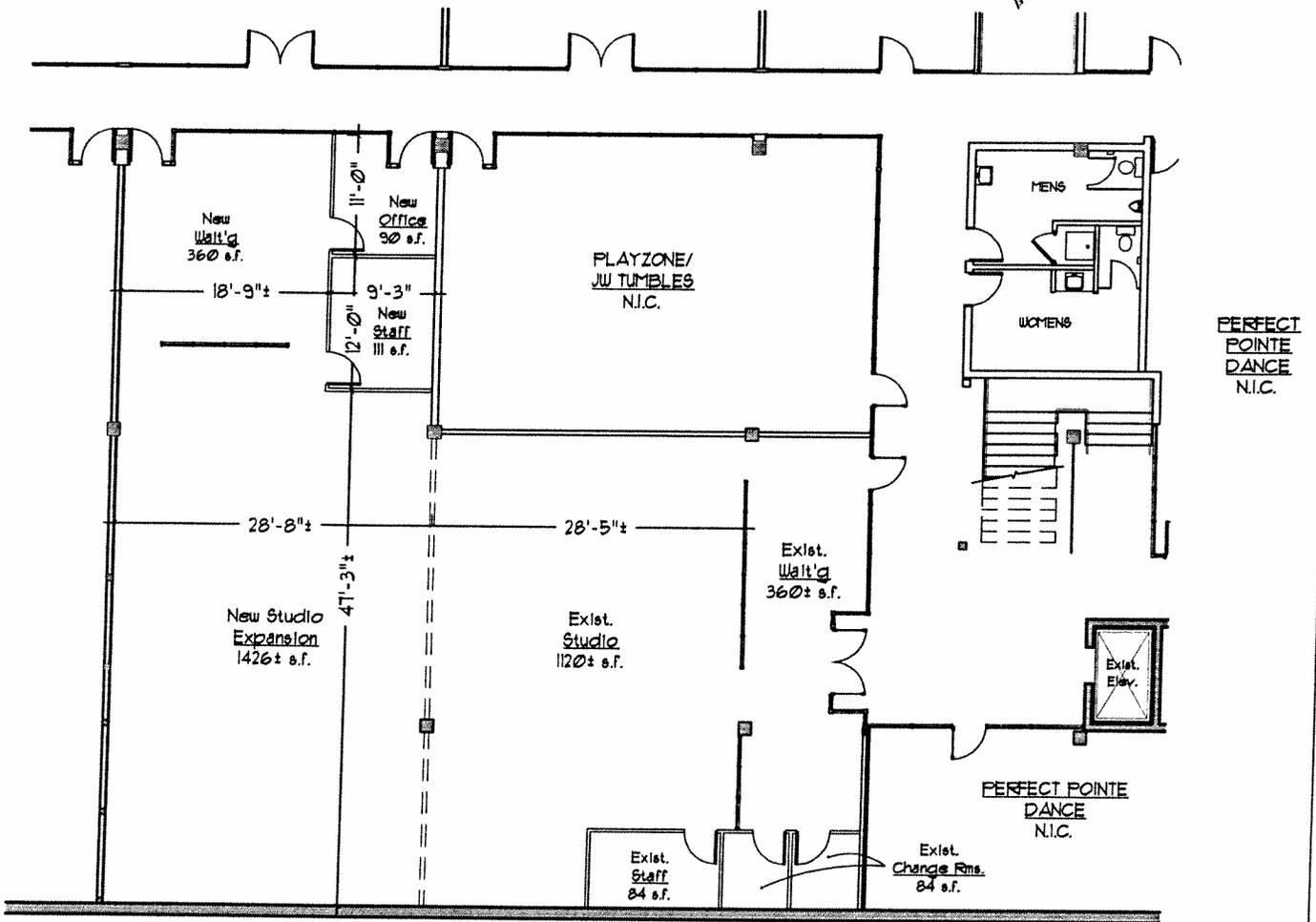
Approved Conditions:

1. The applicant agrees to meet the requirements of the Child Care Ordinance, Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a certificate of occupancy.
2. The applicant agrees that parents of students attending the program shall escort their students aged eight (8) and under to and from the facility at all times. Additionally, the applicant agrees that parents of students under the age of four (4) attending the program shall remain on site during class.
3. The applicant agrees that the hours of operation of the program for classes and/or special events shall be limited to Monday through Friday from 6 a.m. to 9 p.m. and Saturday from 8 a.m. to 9 p.m., and Sunday from 9 a.m. to 9 p.m.
4. The applicant agrees that separate bathroom and dressing facilities for males and females shall be operational prior to the time the Tae Kwon-Do school receives a Certificate of Occupancy. Separate public bathrooms are located adjacent to the Tae Kwon Do facility.
5. The applicant agrees to obtain a sign permit prior to the installation of any signage for the proposed use.
6. The applicant agrees to provide information to patrons that encourages parking in the underground parking garage and describes the location of the garage entrance and hours of operation.



LOWER LEVEL - LOCATION / KEY PLAN

No Scale



PRELIMINARY PROPOSED FLOOR PLAN

SCALE: 1/16" = 1'-0"

Jhoon Rhee Tae Kwon Do of Arlington

@ Lee Harrison Shopping Center

2449 North Harrison St. LL-2

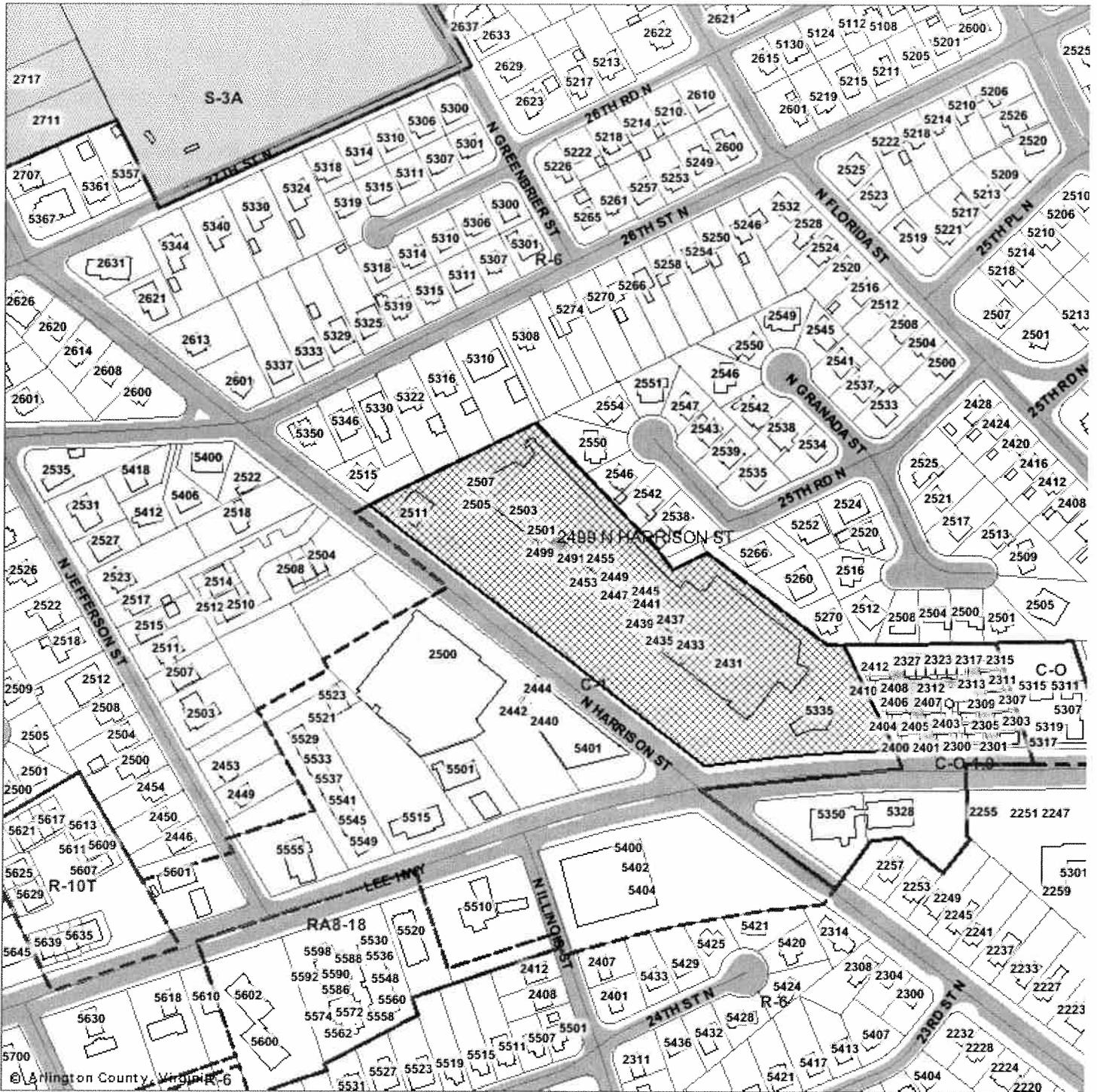
Arlington, VA 22207

A.J. DWOSKIN & ASSOCIATES, INC.

REAL ESTATE DEVELOPMENT & MANAGEMENT

9302 Lee Highway, Suite 300
(703) 273-9320 F:(703) 273-7348

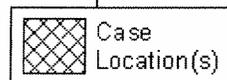
Fairfax, Virginia 22031
www.dwoskin.com



U-3113-04-3 USE PERMIT
2425, 2499, 2503, 2509 N. Harrison St. (TKD Life Skills)
(RPC #02-075-084)



Not To Scale



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