



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 21, 2012**

DATE: June 29, 2012

SUBJECT: U-3088-04-1 USE PERMIT REVIEW for a yoga studio and retail sales at Sun and Moon Yoga Studio, located at 3811 Lee Highway (RPC# 05-051-001).

Applicant:

Annie Moyer, Director
Sun and Moon Yoga Studio
3811 Lee Highway
Arlington, Virginia 22207

C.M. RECOMMENDATION:

Renew the subject use permit for yoga classes for children up to age eighteen (18), subject to all previously approved conditions, with no further scheduled County Board review.

ISSUES: This is a five-year review of a yoga studio that offers classes to children up to age eighteen (18), and no issues have been identified.

SUMMARY: This is a use permit for a yoga studio that provides instruction seven days a week 6:30 a.m. to 10 p.m. to adults, teenagers and children (use permit is required only for classes for children), and has operated in accordance with the conditions of approval. The use has not had any adverse impacts on the neighborhood in the eight (8) years since the original approval. Therefore, it is recommended that this use permit be renewed subject to the conditions of the staff report with no further scheduled County Board review.

BACKGROUND: The Sun and Moon Studio, a yoga studio, offers yoga instruction to adults, teens and children. In 2004, they moved within the same shopping center, which also contains the Cherrydale Hardware Store, to this larger space, which has two studios on the ground floor

County Manager:

BMD/GA

County Attorney:

[Handwritten signatures]

Staff: Sophia S. Fisher, DCPHD, Planning Division

PLA-6245

with a maximum capacity of 25 students in one room and 28 students in the other. In addition to the students, there are two teachers (one for each room) and two office staff.



Source: Bing Maps

DISCUSSION: The applicant previously had a use permit for a yoga studio in the same shopping center at a different location, which was approved in 1995. The applicant remained in compliance with the conditions throughout the life of that use permit. This use permit for a yoga studio was discontinued in May 2004, because the applicant moved to this new location.

Currently, the applicant offers several classes including yoga for adults, post-natal yoga, teen yoga (between the ages of 12 to 16) and yoga for kids (for ages 5 to 9). The applicant is requesting renewal of the use permit to provide classes for children up to eighteen (18) years of age. In addition to the space on the ground floor, the applicant also occupies space in the basement. This space is not used to offer classes to children, and therefore is not subject to this use permit review. The applicant has been in compliance with the use permit conditions since the use permit was first approved in 2004, and is in good standing with the Child Care Office.

Since the last review (July 7, 2007):

Use Permit Conditions: The applicant is compliant with the use permit conditions.

Code Enforcement: Code Enforcement reports no issues with the site.

Fire Marshal's Office: No concerns reported on this site.

Child Care Office: The applicant is in good standing with the Child Care Office.

Civic Associations: The site is located within the Maywood Community Association and is adjacent to the Cherrydale Civic Association. The Cherrydale Civic Association reported no issues, and the Maywood Community Association has no comments.

CONCLUSION: The applicant has been in compliance with the conditions of the use permit and has been a good community business. The use permit conditions help to ensure the health and safety of the patrons in the applicant's care, and the use has not had any adverse impacts on the neighborhood in the eight (8) years since the original approval. Therefore, it is recommended that this use permit be renewed subject to all previous conditions with no further scheduled County Board review.

PREVIOUS COUNTY BOARD ACTIONS:

July 10, 2004

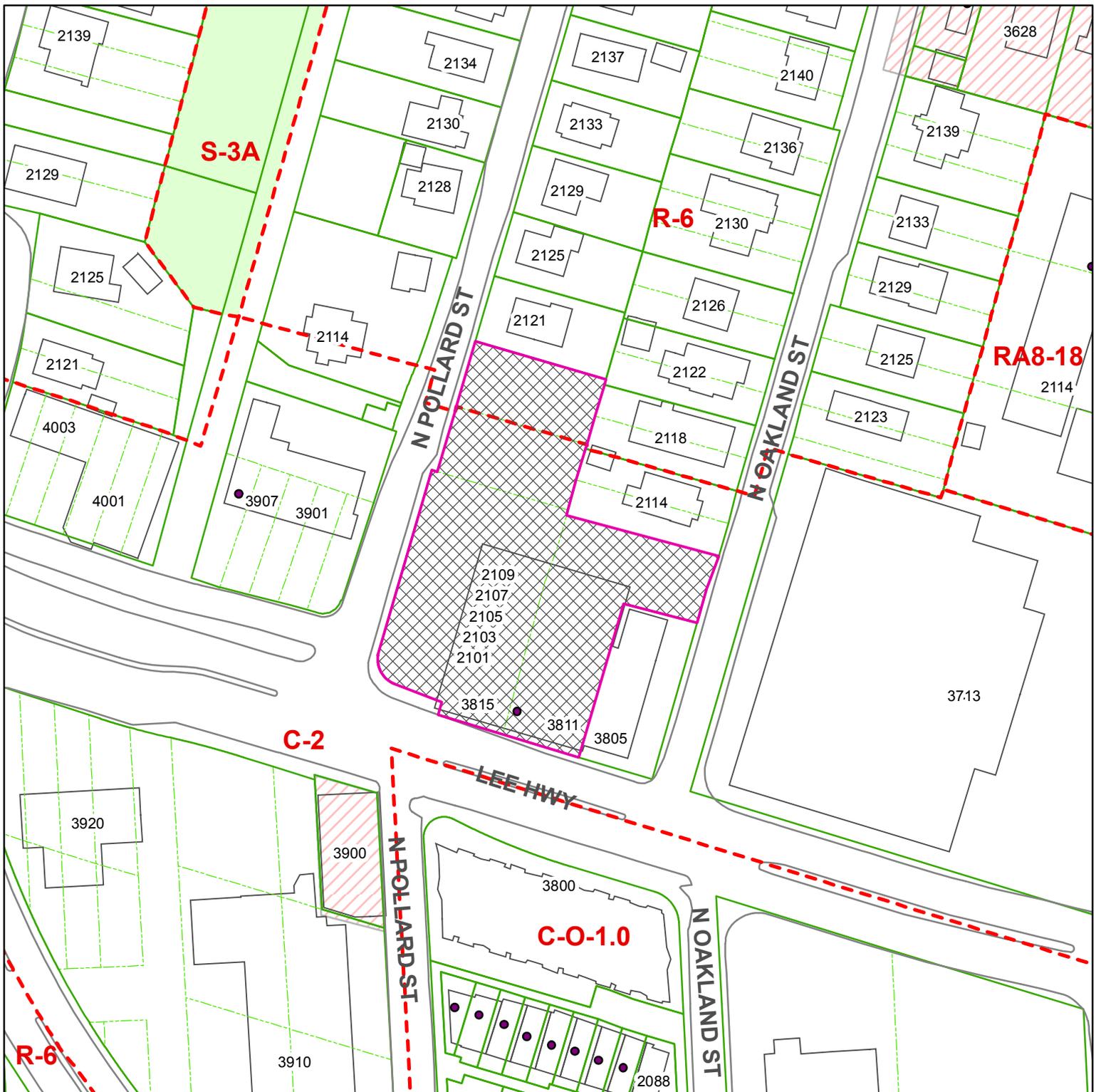
Approved use permit for yoga school and retail sales with a one (1) year administrative review and a three (3) year review by the County Board (July 2007).

July 7, 2007

Renewed use permit for yoga school and retail sales with a five (5) year review by the County Board (July 2012).

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 the installation of smoke detectors. The applicant agrees to obtain a certificate of occupancy on or before August 9, 2004.
2. The applicant shall require that all parents escort their children into and out of the studio at all times.
3. The applicant agrees that the hours of operation of the studios shall be 6:30 a.m. to 10 p.m., Sunday through Saturday, seven days a week.



U-3088-04-1

3811 Lee Hwy.

RPC # 05-051-001

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