



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of December 15, 2007

**DATE:** December 5, 2007

**SUBJECT:** U-3186-07-1 USE PERMIT for Martial arts training 4142 South Four Mile Run Drive (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:**

Approve, subject to the conditions in the staff report, with an administrative review in six (6) months (June 2008), and a County Board review in one (1) year (December 2008).

**ISSUES:** None.

**SUMMARY:** The applicant requests a use permit to expand the existing martial arts instruction at the site to include instruction for children. The applicant has worked with the County Child Care office staff and meets County regulations and licensing requirements. Given the location of the subject property in a commercial area, no adverse impact to adjacent properties is anticipated. Nevertheless, staff recommends a number of conditions to ensure the safety of the children and to prevent any potential impacts to surrounding properties. Therefore, staff recommends approval of the subject use permit for martial arts instruction for children, subject to the conditions of this report, and with an administrative review in six (6) months and a County Board review in one (1) year (December 2008).

#### **BACKGROUND:**

Site: The existing two-story space of 2,808 square feet is located within a larger commercial building of 13,100 square feet, with associated surface parking. Adjacent uses are warehouse and retail, and include the following:

County Manager: \_\_\_\_\_

Staff: Colleen J. Connor, DCPHD, Planning Division

PLA-4841

To the north: The West Village at Shirlington Condominiums (across South Four Mile Run Drive)  
 To the east: Fur-Get-Me-Not retail  
 To the west: Quality Brake and Chassis Distributor  
 To the south: Dave’s Car Wash and Jiffylube

The martial arts use occupies approximately 1,992 square feet of training area space and 408 square feet of lobby on the first floor and 408 square feet of storage on the second floor.

Zoning: “M-1” Light Industrial District.

Land Use: The site is designated on the General Land Use Plan (GLUP) as “Service Industry”.

Neighborhood: The site is located in the Douglas Park Civic Association neighborhood. Staff notified the Douglas Park Civic Association and the Civic Association reports that it has no comments.

**DISCUSSION:** The applicant requests a use permit to expand the existing martial arts instruction at the site to include instruction to children separated into three age groups (4-6), (7-12), and 13-17). The applicant has a Certificate of Occupancy to run the adult martial arts training facility, which is permitted by-right and does not require a special exception. Because the applicant proposes to add instruction to children, the use requires a use permit. The martial arts studio has been in operation at this site since August 2005. The instruction is located on the first and second floors of a leased commercial space within a strip of retail spaces. The instruction for the children will occur on the first floor.

Staff from the County’s Department of Human Services Child Care Office has inspected the space and brought the applicant into the appropriate process. They have no objection to the proposed use permit.

The proposed classes for the children are scheduled in the afternoon hours. Specifically, the applicant proposes to offer the following classes each week:

Monday and Wednesday	4:30-5:15 PM	Ages 4-6	10-15 participants
Monday and Wednesday	5:30-6:15 PM	Ages 7-12	10-15 participants
Tuesday and Thursday	5:30-6:30 PM	Ages 13-17	10-20 participants
Friday	6:00-7:00 PM	Ages 7-12	10-15 participants
Saturday	1:45-2:30 PM	Ages 4-6	10-15 participants
Saturday	2:30-3:30 PM	Ages 13-17	10-20 participants

The facility will be open seven (7) days a week during the following hours:

- 4:00 to 10:00 p.m. Monday through Thursday,
- 6:30 through 8:30 p.m. on Friday,
- 9 a.m. to 3:30 p.m. on Saturday, and
- 9:00 a.m. to 12:30 p.m. on Sunday.

The martial arts use has 13 parking spaces, sufficient to meet the requirement of one (1) space per 250 square feet. The entire building of retail and warehouse uses has a surface parking lot to the north and west that provides 66 parking spaces, which exceeds the required 52 parking spaces for the six (6) businesses located on the site.

**CONCLUSION:** The site is located along South Four Mile Run Drive area and it is generally surrounded by commercial uses. No adverse impacts from the martial arts training facility are anticipated. The Child Care Office will continue to work with the applicant and monitor the applicant's operation. Therefore, it is recommended that the use permit be approved, subject to the following new conditions, with an administrative review in six (6) months (June 2008) and a County Board review in one (1) year (December 2008).

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.

PREVIOUS COUNTY BOARD ACTIONS: There have been no previous County Board actions.