



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of July 8, 2006

DATE: June 29, 2006

SUBJECT: U-3113-04-3 USE PERMIT AMENDMENT for a Tae Kwon Do Studio; premises known as 2425, 2499, 2503, 2509 North Harrison Street. (RPC #02-073-084)

Applicant:

TKD Life Skills, Inc.

By:

Kara M. Whisler, Agent
Walsh, Colucci, Lubeley, Emrich & Walsh
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Approve, 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).

ISSUES: None.

SUMMARY: The Tae Kwon Do studio received use permit approval on February 12, 2005. When administratively reviewed in February 2006, the use was found to be operating one hour earlier on Saturdays than approved. The applicant has filed this application to amend the approved hours to one hour earlier on Saturdays and to allow classes on Saturday and Sunday afternoons. Currently, the use is approved only for special events those afternoons. As the use has received no complaints, staff recommends approval of the use permit amendment, 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).

BACKGROUND: The Jhoon Rhee Institute of Tae Kwon Do is a martial arts studio with locations throughout the United States. The curriculum integrates traditional Tae Kwon Do/Martial Arts Instruction with current methods of self-defense and contemporary modes of teaching. The objective of the studio is to provide a fun and positive learning environment, especially for young students that will enhance the development of important "life skills," such as attention, following direction, cooperation, respect for self and others, self-control and self-discipline. In addition to regularly scheduled classes, the studio is available for birthday parties

County Manager: _____

Staff: Lorrie Pearson, DCPHD, Planning Division

PLA-4399

and other special events. Enrollment for each class averages between 10 to 12 students, but does not exceed 25 students in any one class and only one class is offered at a time. Classes vary in length of time depending on the skill levels of the students. The amended hours of operation would be Sunday through Friday from 9 a.m. to 9 p.m. and Saturday from 8 a.m. to 9 p.m. for classes and/or special events.

There would be two (2) to four (4) on-site staff members/instructors present at any given time. Parents are required to escort their children to and from the program. Parents of children between the ages of eight (8) and twelve (12) will be encouraged to remain and observe the class and will be required to remain in the vicinity of the school during the child's class.

Site: The site is the part of the Lee-Harrison shopping center located at the intersection of Lee Highway and North Harrison Street. The location of the proposed use would be on the lower level/basement of the building. The use would occupy approximately 3,200 square feet of space.

Zoning: "C-1" Local Commercial Districts.

Land Use: Designated "Service Commercial" (Personal and business services. Generally one to four stories. Maximum 1.5 F.A.R.) on the General Land Use Plan.

Neighborhood: The use is located in the Yorktown Civic Association area.

DISCUSSION: Since approval in 2005, the owners have generally complied with the conditions, with the exception of hours of operation. This violation was identified during a site inspection. The facility holds adult kickboxing classes one hour earlier (8 a.m.) than approved on Saturdays. The applicant has requested this amendment to their use permit to bring the use into compliance with the conditions and to allow more flexibility for holding classes weekend afternoons.

The Yorktown Civic Association was contacted about this amendment. The association has no objection to the amendment, but did recommend adding Condition #6 to encourage use of the underground parking garage.

CONCLUSION: The applicant has requested the amendment in order to bring the use into compliance with the use permit conditions. The use has received no complaints during its operation. Therefore, staff recommends approval of the use permit amendment, 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).

Revised Condition #3

3. The applicant agrees that the hours of operation of the program for classes and/or special events shall be limited to ~~Monday~~ Sunday through Friday from 9 a.m. to 9 p.m. ~~with and~~

Saturday hours from ~~9 a.m.~~ 8 a.m. to ~~2 p.m.~~ and Saturday and Sunday hours from ~~2 p.m.~~ to 9 p.m. for special events.

New Condition #6

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.

PREVIOUS COUNTY BOARD ACTIONS:

October 18, 2003

Approved use permit (U-3067-03-1) for a use permit 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 10, 2004

Approved use permit (U-3092-04-2) for a use permit 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 12, 2005

Approved use permit (U-3092-04-3) for a use permit 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).

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.
3. The applicant agrees that the hours of operation of the program shall be limited to Monday through Friday from 9 a.m. to 9 p.m. with Saturday hours from 9 a.m. to 2 p.m. and Saturday and Sunday hours from 2 p.m. to 9 p.m. for special events.
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.