



Docket Item #3

Special Use Permit #2013-0050
5428 Eisenhower Avenue – Martial Arts Studio

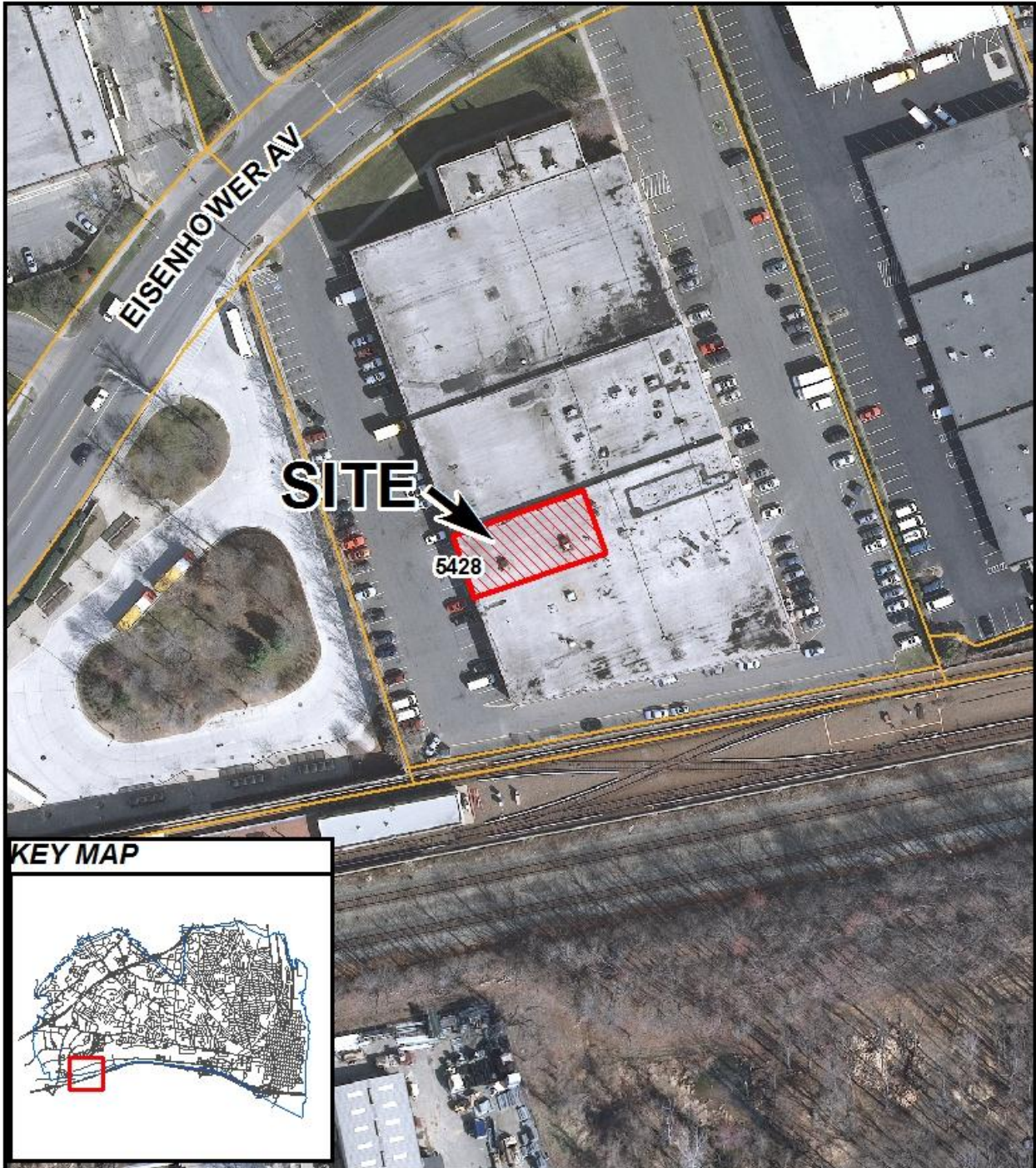
Application	General Data	
Consideration of a Special Use Permit request to operate a martial arts studio (private commercial school).	Planning Commission Hearing:	September 3, 2013
	City Council Hearing:	September 21, 2013
Address: 5428 Eisenhower Avenue	Zone:	OCH / Office Commercial High
Applicant: European Martial Arts, LLC	Small Area Plan:	Landmark/Van Dorn

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov

PLANNING COMMISSION ACTION, SEPTEMBER 3, 2013: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.



KEY MAP



SUP #2013-0050
5428 Eisenhower Ave

9/3/2013 N



I. DISCUSSION

The applicant, European Martial Arts LLC, requests Special Use Permit approval to operate a martial arts studio (private commercial school) at 5428 Eisenhower Avenue.

SITE DESCRIPTION

The subject property is one lot of record with approximately 375 feet of frontage on Eisenhower Avenue approximately 475 feet of lot depth, and a total lot area of 164,000 square feet (3.8 acres). The lot is developed with a one-story industrial/flex-space building in which several commercial/industrial tenants are located, including automobile-repair facilities and other private commercial schools.



The property is surrounded by a mix of commercial, industrial and transportation-related uses. The Covanta waste-to-energy plant and a UPS warehouse facility are located to the north across Eisenhower Avenue. Another industrial/flex-space center, containing several commercial and industrial uses, is located to the east. Railroad tracks and the Capital Beltway are located to the south. The Van Dorn Metrorail Station is located immediately to the west.

BACKGROUND

The site was rezoned from I-2 / Industrial to OCH as part of the 1992 City-wide rezoning. Several existing uses became noncomplying as a result of this change and continue to operate on the site today. City Council approved an umbrella SUP and parking reduction in October 1997 (SUP#97-0107). In addition to reducing the parking requirement by 50 spaces, the umbrella SUP also allowed certain noncomplying and special uses to operate at the site without the need of individual Special Use Permit approvals. Most recently, City Council approved a five-year review of the 1997 approval in December 2002 (SUP#2002-0098).

Private commercial schools were not included in the list of uses in the umbrella SUP that are exempted from the need for individual Special Use Permit approval. Since 2002, City Council has separately approved two other private commercial schools at the site: a dance studio in 2003 and a yoga studio in 2006.

PROPOSAL

The applicant proposes to operate an approximately 3,500 square-foot martial arts studio at this location. Martial arts and physical training, including boxing, wrestling, and sword fighting, will be offered to as many as 78 students at one time. The applicant expects to offer instruction to

both children and adults. A small aerobic/gym activity area will be located to the rear of the main classroom area for strength training and cardiovascular fitness. Additional elements of the applicant's proposal are as follows:

- Hours of Operation: 4 p.m. – 9 p.m. Monday-Thursday
4 p.m. – 7 p.m. Friday
1 p.m. – 5 p.m. Saturday
- Number of Students: Up to 78 at any one time
- Noise: Typical noises from exercising students are expected
- Odors: No odors are expected from the use
- Trash/Litter: Minimal trash generated by the use will be collected from the site weekly.

ZONING/MASTER PLAN DESIGNATION

The property is located in the OCH / Office Commercial High zone. Section 4-1103(U) of the Zoning Ordinance allows a private commercial school exceeding 20 students in the OCH zone only with Special Use Permit approval.

The proposed use is consistent with the Landmark/Van Dorn Small Area Plan chapter of the Master Plan which designates the property for commercial uses. The property is on the border of, but not located within, Landmark/Van Dorn Corridor Plan approved in 2009.

PARKING

Pursuant to Section 8-200(A)(11) of the Zoning Ordinance, one off-street parking space is required for every two private commercial school students. A school with up to 78 students is therefore required to provide 39 off-street parking spaces.

A total of 221 parking spaces would be ordinarily required for all of the various uses at the industrial/flex-space center, including the proposed martial arts school. However, this number is reduced by 50 spaces pursuant to the parking reduction approved in SUP#2002-0098, bringing the total parking requirement at the site to 171. A total of 171 parking spaces exist at the site, including several non-required loading spaces, which have historically been counted toward the available parking at the site. The applicant therefore meets its parking requirement.

II. STAFF ANALYSIS

Staff does not object to the applicant's request to operate a martial arts studio. The proposed location in an industrial/flex-space center is well-suited for the business and no residences are located in the immediate vicinity. Few impacts, such as excessive noise, odors, or trash, are expected from the operation of the use.

Staff has reviewed the provision of parking at the site, particularly given the existing parking reduction, and has determined that it will be adequate both as a technical and practical matter. Although the applicant initially proposed a maximum student capacity of 100, it later chose to reduce this number to 78 consistent with the number of parking spaces that are technically available to the business at all times. Staff has visited the site and observed that a sufficient number of parking spaces exist as a practical matter as well.

Several conditions of approval have been included in this report, many of which are standard conditions regarding matters such as noise, employee training, and the one-year review. Staff has also included modified condition language requiring litter pick-up only once each day, a recent recommendation from the Planning Commission during its consideration of a private academic school near Del Ray.

Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit request.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The maximum number of students attending the private commercial school at any one time shall be 78. (P&Z)
3. The hours of operation of the business shall be limited to between 4 p.m. and 9 p.m., Monday-Friday and between 1 p.m. and 5 p.m. Saturdays. (P&Z)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
6. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)

7. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up to prevent an unsightly or unsanitary accumulation once each day that the business is open to the public. (T&ES)
8. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees and students. (T&ES)
9. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a security survey for the business and a robbery readiness program for all employees. (Police)
10. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
11. The Director of Planning and Zoning shall review the Special Use Permit one year after approval, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Karl Moritz, Deputy Director, Department of Planning and Zoning;
Nathan Randall, Urban Planner.

Staff Note: In accordance with Section 11-506(c) of the Zoning Ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a Special Use Permit by City Council or the Special Use Permit shall become void.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services

- R-1 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-2 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-3 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up to prevent an unsightly or unsanitary accumulation once each day that the business is open to the public. (T&ES)
- R-4 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)

Code Enforcement

- F-1 No comments received

Health

- F-1 No comments

Parks and Recreation

- F-1 No comments received

Police Department

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-764-6838 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a robbery readiness program for all employees.



REVISED

APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2013-00050

PROPERTY LOCATION: 5428 Eisenhower Ave

TAX MAP REFERENCE: 077.01-01-03 ZONE: OCH

APPLICANT:

Name: European Martial Arts, LLC

Address: 5428 Eisenhower Ave

PROPOSED USE: European martial arts school for 100⁷⁸ person occupancy.

[X] THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia

[X] THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

[X] THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

[X] THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

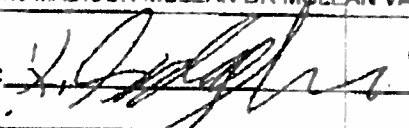
Jennifer Lankford 5/21/13
Print Name of Applicant or Agent Signature Date
5428 Eisenhower Ave 757-651-8542
Mailing/Street Address Telephone # Fax #
Alexandria, Va 22314 grandknight@europeanmartialart.com
City and State Zip Code Email address

ACTION-PLANNING COMMISSION: DATE:
ACTION-CITY COUNCIL: DATE:

SUP # 2013-00050

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 5428 Eisenhower Ave, I hereby
(Property Address)
 grant the applicant authorization to apply for the 100 person fitness center use as
(use)
 described in this application.

Name: Kinosh sadeghian Phone: 703-881-2200
Please Print
 Address: 6620 MADISON MCLEAN DR MCLEAN VA 22101 Email: unityllp@aol.com
 Signature:  Date: 6/20/2013

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

- Required floor plan and plot/site plan attached
- Requesting a waiver. See attached written request.

2. The applicant is the (check one):

- Owner
- Contract Purchaser
- Lessee or
- Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

European Martial Arts, LLC 5428 Eisenhower Ave
Alexandria VA 22304
Jenny Lankford 4905 29th Rd S. Apt B1
Arlington VA 22206

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OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1 Jenny Lankford	4905 29th Rd S B1	100%
2	Arlington VA 22206	
3		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 5428 Eisenhower Ave (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1 Kianosh Sadeghian	6620 Madison McLean Dr	100%
2	McLean VA 22101	
3		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

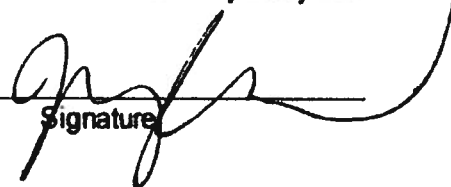
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1 Jenny Lankford	none	City Council / Planning Commission
2 Kianosh Sadeghian	none	City Council / Planning Commission
3		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

5/21/13
Date

Jenny Lankford
Printed Name


Signature

8. Describe any potential odors emanating from the proposed use and plans to control them:

No odor problems expected.

9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

Our trash is minimal and contributed to the normal trash pick-up done in the shopping center.

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

4 bags of trash per week.

C. How often will trash be collected?

Weekly

D. How will you prevent littering on the property, streets and nearby properties?

Other than some vending product, we don't create serious trash problems.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

SUP # 2013-00050

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

12. What methods are proposed to ensure the safety of nearby residents, employees and patrons?
We're not aware of any dangers to nearby residents, employees or patrons.

ALCOHOL SALES

13.

A. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

PARKING AND ACCESS REQUIREMENTS

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14. A. How many parking spaces of each type are provided for the proposed use:

- ~~48~~ 37 Standard spaces
- Compact spaces
- A 2 Handicapped accessible spaces.
- Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A _____

Does the application meet the requirement?
 Yes No

B. Where is required parking located? (check one)

on-site

off-site

If the required parking will be located off-site, where will it be located?

PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are available for the use? 2

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____

Does the application meet the requirement?
 Yes No

REVISED

B. Where are off-street loading facilities located? We have parking, and the metro is right next door.

C. During what hours of the day do you expect loading/unloading operations to occur?
We don't expect this, other than parents dropping children off to exercise.

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access is adequate.

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? Yes No

Do you propose to construct an addition to the building? Yes No

How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?

3515 sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building

a house located in a residential zone

a warehouse

a shopping center. Please provide name of the center: Van Dorn Metro Business Center

an office building. Please provide name of the building: _____

other. Please describe: _____

End of Application

Akida Rouzi

Subject: FW: SUP Amendment

From: Madam Jenny [<mailto:grandknight@europeanmartialart.com>]

Sent: Monday, August 12, 2013 2:06 PM

To: Nathan Randall

Subject: SUP Amendment

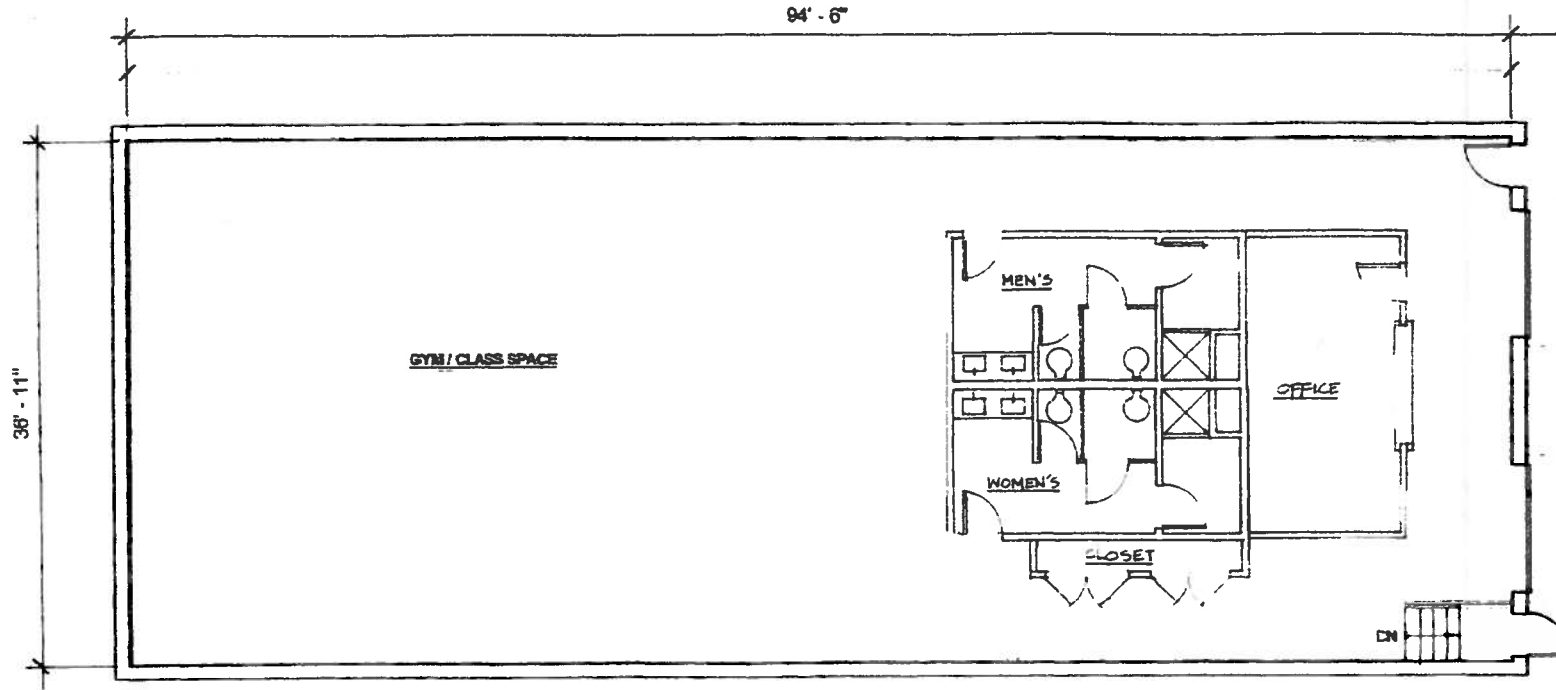
Hi Nathan

Based on our conversation last Friday, I'd like to amend the SUP and reduce the maximum occupancy from 100 students to 78 students so that we can meet the parking requirement and still be able to have classes which start before 5:00pm. If you have any questions or need anything else from me please let me know.

Thanks Nathan!

Jenny Lankford
Grand Knight
European Martial Arts Academy
5428 Eisenhower Ave., Alexandria VA, 22304
grandknight@europeanmartialart.com
757.651.8542

REVISED



DATE
DESCRIPTION
PRELIMINARY NOT FOR CONSTRUCTION
ISSUED

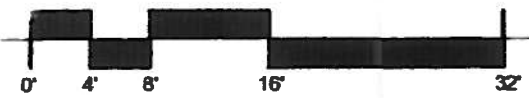
DIANA KUO
ARCHITECTURAL DESIGN
 1020 WEST TAYLOR RUN PKWY
 ALEXANDRIA, VA 22302
 703-926-8810

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MARTIAL ARTS SCHOOL
PROPOSED FLOOR PLAN
ADDRESS 6428 BRIDGEMAN AVE, ALEXANDRIA, VA
SIZE 11' x 11'
ISSUE DATE 1/17

A-101

1 PROPOSED FLOOR PLAN
 1/8" = 1'-0"





Legend for Parcel Map

- Metrolist Outlines
- City Boundary
- Address Points
- Metrolist Tracts
- Blue
- Water
- Water Blue
- Parcels
- Road Labels
- 2007 Aerial
- Road Centerlines
- Arrows/Primary Outlines Address Centerlines
- Expressway
- Other Roads
- Roads
- Railroads
- Buildings
- Parks
- Water
- Water Blue
- Blue
- City of Alexandria

DISCLAIMER: The maps/data presented hereunder are provided "as is" and the City expressly disclaims all warranties, LLC and otherwise, express or implied, including warranties as to accuracy of the maps/data and morphological and lines for a particular purpose, and further expressly disclaims responsibility for all incidental, consequential or special damages arising out of or in connection with the use of the application. This information is not survey quality and should not be used to establish property lines or legal descriptions for sale or construction. All boundary information provided on this site is for informational purposes only and not considered official. Official documents on the information presented are available through various departments within the City of Alexandria.

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