



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of January 24, 2009

DATE: January 6, 2009

SUBJECT: U-3174-07-1 USE PERMIT REVIEW for a family day care for 9 children at 873 N. Patrick Henry Dr. (RPC #12-018-010)

Applicant:

Sellapperumage Roshanie Fernando
873 N. Patrick Henry Dr.
Arlington, Virginia 22205

C. M. RECOMMENDATION:

Renew the subject use permit, subject to all previously approved conditions, with a County Board review in two (2) years (January 2011).

ISSUES: This is a review of a use permit for a family day care home, and there are no issues.

SUMMARY: This is a one year review of a use permit for a family day care home. Staff has received no complaints and the Child Care Office reports no issues. The applicant is in compliance with the Use Permit conditions. Therefore, staff recommends that the use permit be renewed, subject to all previous conditions, with a County Board review in two (2) years (January 2011).

BACKGROUND: The use permit was approved in January 2008 for a family day care with an administrative review in June 2008 and a County Board review in January 2009. The approved hours of operation are Monday through Friday from 7 a.m. to 6 p.m. Pick-up and drop-off times are staggered between 7-9 a.m. and 3-6 p.m. to reduce parking demand. Children are to be escorted to and from the home by their parents. One unobstructed off-street parking space is to be made available to parents for pick-up and drop-off. The applicant received their occupancy permit for nine (9) children in February 2008.

DISCUSSION:

Since the last administrative review (June, 2008):

Use Permit Conditions: The applicant is in compliance with the Use Permit conditions. A site visit revealed no issues.

County Manager: _____

Staff: Matthew Pfeiffer, DCPHD, Planning

PLA-5165

Community Code Enforcement, Fire Marshal's Office, Police Department: No issues were reported the Fire Marshal's Office or the Police Department. There was one complaint issued by Code Enforcement staff regarding violations of the Virginia Universal Statewide Building Code (VUSBC), but the violations were corrected and the complaint closed.

Child Care Office: The Child Care office reports there have been no issues or complaints.

Civic Association: The Dominion Hills Civic Association reports that the community has had no issues with the daycare use.

CONCLUSION: The applicant has demonstrated continued compliance with County regulations, and continues to work with the County Child Care office and the Dominion Hills Civic Association. Therefore, it is recommended that the use permit for family day care home be renewed, subject to all previously approved conditions, and with a County Board review in two (2) years (January 2011).

PREVIOUS COUNTY BOARD ACTIONS:

June 9, 2007	Deferred use permit (U-3174-07-1) for a family day care home to the September 9, 2007 County Board meeting.
September 8, 2007	Deferred use permit (U-3174-07-1) for a family day care home to the November 13, 2007 County Board meeting.
November 13, 2007	Deferred use permit (U-3174-07-1) for a family day care home to the January 26, 2007 County Board meeting.
January 26, 2008	Approved use permit (U-3174-07-1) for a family day care service for up to nine (9) children located at 873 N. Patrick Henry Dr.

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 children receiving care shall escort their children both to and from the home at all times.
3. The applicant agrees that the hours of operation are Monday through Friday between 7 a.m. and 6 p.m., and the total number of children under the applicant's care should not exceed nine (9) children at any one time, except children who are related by blood, adoption or marriage to the person who maintains the home, pursuant to the provisions of the Child Care Ordinance.
4. The applicant agrees to make at least one unobstructed off-street parking space available to parents for pick-up and drop-off. Such off-street parking shall at no time obstruct any public right-of-way, or impede access to any neighboring property or driveway.
5. The applicant agrees to continue to stagger pick-up and drop-off times during business hours to alleviate parking demand during peak hours.
6. The applicant agrees, pursuant to Sec. 59-17 (b) (6) of Chapter 59 of the Arlington County Code (Family Daycare Homes), to provide direct supervision of all children in the applicant's care during all times of outdoor play activity.
7. The applicant agrees, pursuant to Sec. 14.2-24 of Chapter 14.2 of the Arlington County Code, (Motor Vehicles and Traffic) that children in the applicant's care will not be allowed to play on any street.