



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of March 10, 2009**

REVISED REPORT

DATE: ~~March 3, 2009~~ March 10, 2009

SUBJECT: U-1748-67-2: renew childcare; 2700 S. 19th St. (Our Lady Queen of Peace) (RPC #31-008-050)

REVISION EXPLANATION: This revised report contains text in the “Background” section that was inadvertently left out of the original printed staff report. The recommendation and other content of the report remain unchanged.

Applicant:

Our Lady Queen of Peace Early Learning Center
2700 19th St. South
Arlington, Virginia 22204

C. M. RECOMMENDATION:

Renew, subject to all previously approved conditions, with an Administrative Review in six (6) months (September 2009), and a County Board review in one (1) year (March 2010).

ISSUES: This is a scheduled use permit review for a childcare center. Recent concerns have been raised by the Child Care Office regarding compliance with the County Child Care Code. The applicant is being responsive and cooperative and the Center will continue to be monitored by the Child Care Office.

SUMMARY: This is a scheduled review of the Our Lady Queen of Peace Early Learning Center, which has been operating under the subject use permit since 1967. The Child Care Office states there have been some recent concerns regarding the Center’s compliance with the County Child Care Code, specifically with meeting requirements of safety, qualification of teachers, punishment versus positive discipline, records and report keeping. The Child Care Office has implemented an Action Plan to work with the Center in resolving violations. The Child Care Office notes that the Center is being responsive and cooperative during this process. Although there are no planning or land use issues, an Administrative Review is necessary to continue to monitor the Center and its compliance with the Action Plan. Therefore, staff

County Manager: _____

Staff: Melanie Wellman, DCPHD, Planning Division
Debra Sheppard-Ross, Child Care Specialist, DHS

PLA-5211

recommends the use permit be renewed, subject to all previously approved conditions, with an Administrative Review in six (6) months (September 2009), and a County Board review in one (1) year (March 2010).

BACKGROUND: In 1966 a use permit (U-1694-65-1) was granted for the operation of a community building and childcare center for 60 children. In 1967 the subject use permit (U-1748-67-2) was approved to increase enrollment to 100 children. In 1995, the Center was granted an amendment to increase enrollment to 153 children. A use permit amendment was also granted in 2003 to change the ages of the children in care to infants to 13 years and change the hours to 7 a.m. - 7 p.m. An administrative review conducted in March 2007 showed compliance with all use permit conditions and the Child Care Office requirements.

DISCUSSION: The Queen of Peace Early Learning Center has had several violations of the County Code Chapter 52: “Child Care Centers, Preschools, Nursery Schools, Parents-Day-Out Programs, And Cooperative Playgroups Program.” More specifically, these violations were related to safety, qualification of teachers, punishment versus positive discipline, records and report keeping. The Child Care Office implemented an Action Plan to work with the program in resolving the violations. The Child Care Office reiterated to the Center that failure to comply with the Action Plan can result in suspension or revocation of their license. Currently, the program is responsive, cooperative and has met most of the requirements of the Action Plan. The program will continue to be monitored by the Child Care Office.

Since the last County Board review (March 13, 2004)

Use Permit Conditions: The Center is not meeting the requirements of the County Child Care Office.

County Child Care Office: The County Child Care office reports concerns regarding compliance with the County Child Care Code as stated above, and continues to closely monitor the Center.

Community Code Enforcement: The Code Enforcement office has not reported any issues regarding the continuation of this use.

Police Department: The Police Department has not reported any issues regarding the continuation of this use.

Fire Marshal’s Office: The Fire Marshal’s Office has not reported any issues regarding the continuation of this use.

Civic Association: The subject use permit is located within the Nauck Civic Association. The Nauck Civic Association has been notified, and, to date, has not responded regarding the use permit review.

CONCLUSION: The Child Care Office states there have been some recent concerns regarding the Center’s compliance with the County Child Care Code, and has implemented an Action Plan

to work with the Center in resolving violations. An Administrative Review is necessary to continue to monitor the Center and its compliance with the Action Plan. Therefore, staff recommends the use permit be renewed, subject to all previously approved conditions, with an Administrative Review in six (6) months (September 2009), and a County Board review in one (1) year (March 2010).

PREVIOUS COUNTY BOARD ACTIONS:

June 4, 1966	Approved use permit (U-1694-65-1) for operating a community building and child care center for 60 children, ages 2 – 10 years.
April 15, 1967	Approved a use permit (U-1748-67-2) to increase authorized enrollment for a child care center from 60 to 100 children, ages 2 - 12 years.
June 22, 1967	Continued use permit (U-1748-67-2) for a day care center for 100 children.
June 4, 1969 – June 4, 1997	Annually continued use permit (U-1748-67-2) for a day care center for 100 children.
June 3, 1978	Continued use permit (U-1748-67-2) with no further review.
July 8, 1995	Approved use permit (U-1748-67-2) amendment to increase the enrollment from 100 to 153 children, ages two to six years, for the parcel of real property known as 2700 South 19th Street, subject to conditions, with a review in one (1) year (July 1996).
July 20, 1996	Continued use permit (U-1748-67-2) amendment to increase the enrollment from 100 to 153 children, ages two to six years, subject to all previous conditions, with a review in three (3) years (July 1999).
July 10, 1999	Continued use permit (U-1748-67-2) amendment to increase the enrollment from 100 to 153 children, ages two to six years, subject to all previous conditions, with a review in five (5) years (July 2004).
March 15, 2003	Approved use permit (U-1748-67-2) amendment to change the ages of children to infants to 13 years and hours 7:00 a.m. –

March 13, 2004

7:00 p.m., subject to all previous conditions, with a review in one (1) year (March 2004). Renewed the subject use permit (U-1748-67-2) subject to all previous conditions, with an administrative review in three (3) years (March 2007) and a County Board review in five (5) years (March 2009).

Approved Conditions:

1. The applicant shall meet the requirements of the Child Care Ordinance, Community Code Enforcement Office, Environmental Health Bureau, and Fire Marshal's Office, including the installation of smoke detectors.
2. The applicant shall be required to complete installation of one (1) new bathroom on the site prior to issuance of Certificate of Occupancy.