



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of June 13, 2009**

DATE: May 21, 2009

SUBJECT: U-3019-01-1 USE PERMIT AMENDMENT to increase enrollment and build out a new classroom located at 923 and 935 23rd St. South (Potomac Crescent Waldorf School) (RPC #s: 36-032-023, 36-032-013, and 36-032-001).

Applicant:

Potomac Crescent Waldorf School
923 S. 23rd Street
Arlington, Virginia 22202

C. M. RECOMMENDATION:

Approve the use permit amendment, subject to all previous conditions, one (1) revised condition, and one (1) new condition, with an administrative review in one (1) year (June 2010), and a County Board review in three (3) years (June 2012).

ISSUES: This is a use permit amendment to add ten (10) children to an existing school and no issues have been identified.

SUMMARY: This is a use permit amendment for the Potomac Crescent School to add ten (10) children to the current total number of students. In order to accommodate this increase in enrollment, the school would be building out an additional classroom in existing space in the church. The new ten (10) student, kindergarten class would occupy a room currently used as a grade class, while the grade class would be moved to the newly-constructed room. The Child Care Office conducted an inspection of the rooms and supports the applicant's request. Staff recommends an additional condition that would require the applicant to obtain appropriate inspections and a new Certificate of Occupancy prior to occupying these rooms. Given that the use permit was recently amended in January 2009 and has been reviewed several times before with no issues, staff recommends that an administrative review in one (1) year and a County Board review in three (3) years is appropriate. Therefore, staff recommends approval of the use permit amendment, subject to all previous conditions, one (1) revised condition, and one (1) new condition, with an administrative review in one (1) year (June 2010), and a County Board review in three (3) years (June 2012).

County Manager: _____

Staff: Melanie Wellman, DCPHD, Planning Division

PLA-5276

BACKGROUND: The applicant began operating a preschool and kindergarten under a use permit approved by the County Board on December 8, 2001. The use permit was renewed by the County Board in December 2002 and December 2005 with no issues. In January 2008, a use permit amendment was approved for the addition of a second and third grade class to the existing school of parent-child, kindergarten and first grade programs. In January 2009, the use permit was renewed and amended to add five (5) additional students to the total number. Condition #5 of the use permit was also amended at that time to delete the table delineating the number of children in each grade, and inserting a cap on the total number of children permitted in the grade classes and parent-child program. This allows the school to revise their grades based on enrollment and what they determine is appropriate for each school year. The Child Care Office continues to monitor the grades and number of children in each.

Site: The School is located in the Mount Vernon Baptist Church at 923 and 935 23rd St. South. The school and the church are in the same building, but the educational wing where the school is housed has its own address of 923 23rd St. South.

Zoning: The site is zoned “R-5” One-Family, Restricted Two-Family Dwelling Districts.

Land Use: The site is designated on the General Land Use Plan (GLUP) as “Low” Residential (1-10 units per acre).

Neighborhood: The site is located within the Aurora Highlands Civic Association. The applicant has presented the proposed amendment to the Aurora Highlands Civic Association, and the Civic Association has voted to support the amendment.

DISCUSSION: In order to accommodate the additional ten (10) children at the school, the applicant is proposing to reconfigure and occupy an additional existing room in the Mount Vernon Baptist Church. The applicant has obtained a letter of consent from the Mount Vernon Baptist Church to make modifications to the classroom space (attached). The room that will house the new ten (10) student, kindergarten is currently used for a grade classroom. The grade class will then be moved to another room that currently exists in the church, which the applicant will begin to renovate by building some additional walls to carve up the space for the classroom and a new storage room, while also updating the ceiling, floors and light fixtures. The Child Care Office has completed an inspection of both the new room and the existing classroom to be occupied by the new kindergarten class, and supports their request. Staff recommends a new Condition # 6, which would ensure that the applicant obtains the appropriate inspections and new Certificate of Occupancies for the spaces prior to being used for classrooms.

When the use permit was amended in January 2009, it was determined that 67 children would be an appropriate cap for the grade classes. Given that the School is gaining an additional room, the Child Care Office has agreed that 77 children is now an appropriate maximum. The parent-child class, which is not licensed because a parent is present with the child all the time, will remain capped at 20, as this is the limit the School set for pedagogical reasons. The revised Condition #5 reflects the maximum number of students permitted, and this allows enrollment to fluctuate without the applicant amending the use permit.

CONCLUSION: The school has operated in compliance with the use permit conditions, the local child care ordinances, and without complaints since approval in 2001. The Child Care Office has conducted an inspection, and supports the request. Therefore, staff recommends approval of the use permit amendment, subject to all previous conditions, one (1) revised condition, and one (1) new condition, with an administrative review in one (1) year (June 2010), and a County Board review in three (3) years (June 2012).

Revised Condition # 5:

5. The applicant agrees that the hours of operation are Monday through Friday between 7 a.m. and 6 p.m. and that the number of children enrolled in the school ~~is 67~~ shall not exceed 77 for the grade classes, including kindergarten, and shall not exceed 20 for the parent-child program.

New Condition # 6:

6. The applicant shall obtain the appropriate inspections and a new Certificate of Occupancy for space in the Mount Vernon Baptist Church not previously used as a classroom, prior to classroom use by the Potomac Crescent Waldorf School.

PREVIOUS COUNTY BOARD ACTIONS:

- December 8, 2001 Approved use permit (U-3019-01-1) for a parent/child activity, kindergarten and first grade class, subject to conditions, and County Board review in one (1) year (December 2002).
- December 7, 2002 Renewed use permit (U-3019-01-1) for a parent/child activity, kindergarten and first grade class, subject to all previous conditions, and County Board review in three (3) years (December 2005).
- December 10, 2005 Renewed use permit (U-3019-01-1) for a parent/child activity, kindergarten and first grade class, subject to all previous conditions and one (1) revised condition, and County Board review in five (5) years (December 2010).
- January 26, 2008 Approved use permit amendment (U-3019-01-1) for the addition of an eight (8) student third grade class to existing school of kindergarten and first grade, subject to all previous conditions and one (1) new condition, with a County Board review in one (1) year (January 2009).
- January 24, 2009 Renewed the subject use permit and added five (5) students to the school, subject to all previously approved conditions and one (1) revised condition, with an administrative review in one (1) year (January 2010), and a County Board review in three (3) years (January 2012).

Approved Conditions:

1. The applicant shall meet the requirements of the Child Care Office, the Community Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office, including the installation of smoke detection devices.
2. The applicant agrees to provide a written document to each parent stating that children are to be escorted to and from the program at all times. The applicant agrees to provide a copy of the document to the Aurora Highlands Civic Association, the Arlington Ridge Civic Association, the Child Care Office and to the Arlington County Zoning Office prior to the issuance of a certificate of occupancy.
3. The applicant agrees to identify a contact person who shall have the authority to respond in the event that issues arise around the subject use. The name of the contact person is to be shared with the Arlington Ridge and Aurora Highlands and the Arlington County Zoning Office prior to issuance of a certificate of occupancy.
4. The applicant agrees to work closely with the Child Care staff in the development of the outdoor play space and of the indoor classroom spaces. The Child Care staff shall make the final determination on the numbers of children to be included in the child care programs at any given time.
5. The applicant agrees that the hours of operation are Monday through Friday between 7 a.m. and 6 p.m. and that the number of children enrolled in the school is 67 for the grade classes, including kindergarten, and 20 for the parent-child program.