



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of May 22, 2010**

DATE: May 13, 2010

SUBJECT: U-1818-69-1 USE PERMIT AMENDMENT to amend the permitted ages for a child care center for Trinity School of Early Learning located at 2217 Columbia Pike (RPC # 25-018-022, -028).

Applicant:

Deborah Ellis, Executive Director
Trinity School of Early Learning
2217 Columbia Pike
Arlington, Virginia 22204

C.M. RECOMMENDATION:

Approve the use permit amendment to eliminate the upper limit on the ages of the children served, subject to all previous conditions, and amended Conditions #3 through 5 with an administrative review in one (1) year (May 2011) and no further scheduled County Board review.

ISSUES: The applicant is requesting a use permit amendment to eliminate the upper limit on the ages of the children served (currently age 5), while keeping the current limit on the total number of children served to 76. No issues have been identified.

SUMMARY: The applicant, Trinity School of Early Learning, is a child care center located in Trinity Episcopal Church located at 2217 Columbia Pike. The applicant is requesting removal of the upper age limit (currently age 5) of the children they can serve, while maintaining enrollment at the current limit of 76. Current planning staff policy is to not limit the age ranges of children that a child care center may serve, unless there are land use issues that necessitate a limit. The Child Care Office of the Department of Human Services will continue to license and monitor activities at this site, and work with the applicant to ensure proper staffing and operation. Staff also recommends amending Condition #3, which requires parents and teachers to park in the adjacent Safeway parking lot. Since then, the Safeway has been demolished for the Siena Park redevelopment. Trinity Church has on-site parking available and no parking issues seem to have arisen since the Safeway became unavailable. Furthermore, the applicant's request is to have older children in their program (who require fewer teachers/staffers than younger children), staff

County Manager: BMD/GA

Staff: Peter Schulz, DCPHD, Planning Division

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recommends eliminating the requirement for off-site parking. Finally, because the applicant's most recent review was a five-year review, and the applicant is not adding children, staff recommends a longer review period than the one year that is typical for use permit amendments. Therefore, staff recommends that the use permit amendment be approved to eliminate the upper limit on the ages of the children served, subject to all previous conditions, and amended Conditions #3 through 5, with an administrative review in one (1) year (May 2011) and no further scheduled County Board review.

BACKGROUND: The subject property is Trinity Episcopal Church, located at 2217 Columbia Pike. The Trinity School of Early Learning has been in operation at this site since 1969. The use permit has been amended over the years, and the most recent review was in September 2005, when the use was found in compliance with all conditions and renewed for five (5) years.

Site: The church and school property is approximately 28,000 square feet. There is also a playground for the school on an adjacent parcel of 8,500 square feet.

Zoning: The site is zoned "RA8-18" Apartment Dwelling Districts, and "R-6" One-Family Dwelling Districts.

Land Use: The site is designated on the General Land Use Plan (GLUP) as "Medium" Residential (36-72 units/acre).

Neighborhood: The site is located within the Penrose Civic Association, and across Columbia Pike from the Columbia Heights Civic Association. The civic associations have been contacted. At the date of this report, staff has not received any comments about the use permit request.

DISCUSSION: The applicant, Trinity School of Early Learning, is requesting a use permit amendment to remove the upper age limit of the children they are able to serve, while keeping the numerical limit of children served to 76. Staff supports the applicant's request, as staff policy in recent years has been to not limit the age range of potential students to be served by a child care center or family day care home unless there are land use issues that can only be mitigated through limiting child care to particular ages. In this case, there are no obvious land use issues that would arise from removing the upper limit on the ages of children. State and local child care regulations, for example, require fewer teachers and staff persons for older children, so there should not be an increase in parking requirements (as stated before, the total number of children Trinity School will serve will not change). The Child Care Office of the Department of Human Services will continue, as always, to license and inspect child care operations and nursery schools and ensure the proper ratios of staff to children.

Currently, there is a condition of approval that school staff and parents park in the Safeway parking lot across South Wayne Street. This Safeway was demolished in 2008 as part of the Siena Park redevelopment. Since the closure and demolition of the Safeway and the resultant unavailability of the Safeway's parking lot, staff is not aware of any parking problems resulting from the loss of space. The Church also owns adjacent properties that have off street parking available. Staff recommends amending this condition to remove the requirement for off-site

parking. Staff also recommends an administrative review in one (1) year to monitor the situation.

CONCLUSION: The applicant's proposed use permit amendment to remove the upper age limit for children, but maintain the current limit of 76 children total, will have no land use impact. Staff also recommends eliminating the condition requiring off-site parking as off-site parking is currently unavailable, and may not be necessary. Therefore, staff recommends approval of a use permit amendment to eliminate the upper limit on the ages of the children served, subject to all previous conditions, and amended Conditions #3 through 5 with an administrative review in one (1) year (May 2011) and no further scheduled County Board review.

Revised Conditions:

- ~~3.~~ The applicant agrees to provide a written document to each parent with children in the program, patrons and teachers of the requirement to park in the adjacent Safeway parking lot at all times during the hours of operation of the school. The applicant further agrees that a copy of the document shall be provided to the civic association, the adjoining, adjacent and abutting neighbors and shall be made part of the official record in the Arlington County Zoning Office prior to the issuance of a certificate of occupancy.
- ~~3.~~ 4. The Child Care Office shall make a final determination of the final occupancy of the program following final renovation of the proposed space. The applicant agrees to work closely with the Child Care Office, sharing designs and renovation plans of the proposed space. The County Manager or his designee and the Child Care Office shall review the plans prior to issuance of an occupancy permit. Maximum enrollment shall not exceed 76.
- ~~4.~~ 5. The applicant shall identify a contact person who shall have the authority to respond in the event that issues arise regarding the subject use. The name of the contact person is to be provided to the Columbia Heights Civic Association, the Penrose Civic Association, the Columbia Pike Revitalization Organization (CPRO), the adjoining, adjacent and abutting neighbors, and the Arlington County Zoning Office prior to issuance of a certificate of occupancy.

PREVIOUS COUNTY BOARD ACTIONS:

- July 9, 1969 Approved use permit (U-1818-69-1) for a weekday preschool subject to annual reviews by the County Board and subject to the condition that no more than 15 children be permitted on the outside play area at any given time.
- June 3, 1970-
June 4, 1977 Renewed use permit (U-1818-69-1) annually.
- June 3, 1978 Renewed use permit (U-1818-69-1) with no further review.
- January 9, 1988 Approved use permit amendment (U-1818-69-1) for a preschool/child care center to expand enrollment from 50 to 60 children, ages two (2) to five (5) years with a review in one year and subject to the condition that no more than 30 children are scheduled on the playground at any given time.
- January 10, 1989 Renewed use permit (U-1818-69-1) for a preschool for 60 children with a review in five (5) years.
- January 8, 1994 Renewed use permit (U-1818-69-1) for a preschool or 60 children with no further review.
- September 8, 2001 Approved use permit amendment (U-1818-69-1) to increase enrollment in a preschool from 60 to 76 children subject to conditions and with a review in one (1) year.
- September 14, 2002 Renewed use permit (U-1818-69-1) for a day care center for 76 children, ages two to five years, with a review in three (3) years.
- September 17, 2005 Renewed use permit (U-1818-69-1) for a day care center for 76 children, ages two to five years, with a review in five (5) years (September 2010).

Approved Conditions:

1. The applicant shall schedule no more than 30 children on the playground at any given time.
2. 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 detectors.
3. The applicant agrees to provide a written document to each parent with children in the program, patrons and teachers of the requirement to park in the adjacent Safeway parking lot at all times during the hours of operation of the school. The applicant further agrees that a copy of the document shall be provided to the civic association, the adjoining, adjacent and abutting neighbors and shall be made part of the official record in the Arlington County Zoning Office prior to the issuance of a certificate of occupancy.
4. The Child Care Office shall make a final determination of the final occupancy of the program following final renovation of the proposed space. The applicant agrees to work closely with the Child Care Office, sharing designs and renovation plans of the proposed space. The County Manager or his designee and the Child Care Office shall review the plans prior to issuance of an occupancy permit.
5. The applicant shall identify a contact person who shall have the authority to respond in the event that issues arise regarding the subject use. The name of the contact person is to be provided to the Columbia Heights Civic Association, the Penrose Civic Association, the Columbia Pike Revitalization Organization (CPRO), the adjoining, adjacent and abutting neighbors, and the Arlington County Zoning Office prior to issuance of a certificate of occupancy.



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U-1818-69-1
2217 Columbia Pike
RPC: 25-018-022, -028

Note: These maps are for property location assistance only.
 They may not represent the latest survey and other information.



Not To Scale

