



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of June 12, 2010**

DATE: May 26, 2010

SUBJECT: U-2152-78-5 USE PERMIT RENEWAL for a preschool at Westover Baptist Church located at 1125 N. Patrick Henry Drive (RPC# 09-067-001).

Applicant:

Sue Brigham
Westover Baptist Church
1125 Patrick Henry Drive
Arlington, Virginia 22205

C. M. RECOMMENDATION:

Renew the use permit for a preschool at 1125 N. Patrick Henry Drive subject to all previous conditions and with no further County Board review.

ISSUES: This is a review of a preschool at Westover Baptist Church and no issues have been identified.

SUMMARY: This is a review of a preschool at the Westover Baptist Church at 1125 N. Patrick Henry Drive. The preschool has been in operation for over 30 years and the current capacity is 76 children. The use permit is on its current review schedule as a result of an expansion to 85 children approved by the County Board in 2001. The preschool has operated in compliance with the approved conditions and the requirements of the Child Care Office, and without complaints to County agencies. The community supports renewal of the use permit. Therefore, staff recommends renewal of a use permit for a preschool at 1125 N. Patrick Henry Drive, subject to all previous conditions, and with no further scheduled County Board review.

BACKGROUND: The applicant has been providing nursery school services under the subject use permit approval for a number of years. In April 1978, the applicant was granted a use permit amendment to increase enrollment from 50 to 68 children. Subsequently, the applicant was granted an administrative approval to increase enrollment by adding eight (8) additional children bringing the capacity to 76 children. The use permit was reviewed in June 1978 and continued with no further review. In June 2001, the County Board approved an increase in enrollment from 76 to 85 children with a one (1) year review in June 2002. The use permit was last reviewed on June 18, 2005 with no issues.

County Manager: MB/GA

Staff: Melanie Jesick, DCPHD, Planning Division

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PLA-5615

DISCUSSION: This is a review of a preschool in the Westover Baptist Church. The use continues to operate without issue. In compliance with approved Condition #2, the applicant held a neighborhood advisory meeting on May 21, 2010. One (1) neighbor from Westover Village attended the meeting and the applicant reports that no issues were discussed.

There are other uses in the Westover Baptist Church that operate under approved use permits, including a pediatric occupational therapy clinic, Levine School of Music, Fitness Break exercise program, and a dance school. All operate in different spaces in the church. Parking is accommodated by the large church parking lot, which has approximately 150 parking spaces. All of the use permits have been reviewed by the County Board and have continued to operate successfully and in compliance with approved conditions.

Since the last use permit review (June 18, 2005):

Use Permit Conditions: The applicant is in compliance with all use permit conditions.

Community Code Enforcement: The Code Enforcement Office has not reported any issues with the use.

Police Department: The Police Department has not reported any issues with the use.

Fire Marshal's Office: The Fire Marshal's Office has not reported any issues with the use.

Child Care Office: The Child Care Office states there are no issues with the use and supports renewal of the use permit.

Civic Association: The site is located within the Westover Village Civic Association. The Westover Village Civic Association has been notified of the use permit renewal and responds there are no issues and the civic association has no objections to renewing the use permit (letter attached). In addition, a citizen of the Westover neighborhood attended the applicant's neighborhood meeting on May 21, 2010 and reported no issues.

CONCLUSION: The preschool has operated in compliance with the approved conditions and the requirements of the Child Care Office, and without complaints to County agencies. No further scheduled County Board review is recommended. The use permit can be brought back to the County Board at any time, should issues arise. Therefore, staff recommends renewal of a use permit for a preschool at 1125 N. Patrick Henry Drive, subject to all previous conditions, and with no further scheduled County Board review.

PREVIOUS COUNTY BOARD ACTIONS:

- July 13, 1948 Approved use permit (U-95-48-1) for the purpose of operating nursery school for 30 children from four (4) to six (6) years of age from September to May inclusive, five (5) days a week, for two (2) three hour sessions a day.
- June 16, 1951 Continued use permit (U-95-48-1) with a review in one (1) year.
- June 28, 1952 Continued use permit (U-95-48-1) with a review in one (1) year.
- October 10, 1967 Accepted withdrawal of a use permit request (U-1772-67-2) to operate a private school for 100 children 3 to 9 years of age.
- September 12, 1970 Approved use permit (U-1846-70-3) for the purpose of operating a day care center for a maximum of 40 preschool children, ages three (3) months to four (4) years, from 9:30 a.m. to 2:30 p.m. one day a week (Thursday).
- June 5, 1971 -
June 17, 1975 Annually continued use permit (U-1846-70-3).
- August 2, 1972 Approved use permit (U-2030-75-4) to increase enrollment from 40 to 50 children for the preschool and mother's day out programs with a review in one (1) year
- June 12, 1976 Continued use permit (U-2030-75-4) with a review in one (1) year.
- June 4, 1977 Continued use permit (U-2030-75-4) with a review in one (1) year.
- April 8, 1978 Approved use permit amendment (U-2152-78-5) for a nursery school (preschool Mother's Day Out Program) for 68 children, ages infants through 4 year olds; during daytime hours, Monday through Friday.
- June 3, 1978 Continued use permit (U-2152-78-5) with no further review.
- March 5, 1983 Approved use permit request (U-2360-83-6) to operate an institution of an educational or philanthropic nature (services and office) with a review in one (1) year.

March 3, 1984	Continued use permit (U-2360-83-6) with no further review.
July 11, 1989	Accept withdrawal of use permit (U-2646-89-7) for a preschool and child care center.
November 21, 1995	Approved use permit (U-2867-95-8) for a private school including exercise classes at various times between 8:00 a.m. and 8:00 p.m. Mondays through Fridays. (The Fitness Break)
November 16, 1996	Continued use permit (U-2867-95-8) for a private school including exercise classes with a review in three (3). years. (The Fitness Break)
April 10, 1999	Approved use permit (U-2960-99-1) for a non-profit community school of music (The Levine School of Music), Mondays through Fridays, for up to 450 students, ages infants to the elderly, with a review in one (1) year. (April 2000).
April 8, 2000	Continued use permit (U-2960-99-1) for the community school of music with a review in three (3) years. (April 2003).
August 5, 2000	Approved use permit (U-2988-00-1) for a pediatric occupational therapy clinic subject to conditions and with a review in one (1) year. (August 2001)
September 9, 2000	Approved use permit (U-2990-00-1) for a dance school (ballet) for 40 to 65 students subject to conditions and with a review in one (1) year. (September 2001)
November 18, 2000	Accepted withdrawal of a use permit (U-2995-00-1) for a developmental, educational, cognitive therapy clinic.
June 9, 2001	Approved use permit amendment (U-2152-78-5) to increase enrollment in a preschool from 76 to 85 children with a review in one (1) year. (June 2002)
September 9, 2001	Amended use permit (U-2990-00-1) to permit modification of the hours for a dance school for ballet for 40-65 students with a maximum class size of 15 students with a review in one (1) year. (September 2002)

September 9, 2001	Continued use permit (U-2988-00-1) subject to all previous conditions and with a review in three (3) years. (September 2004)
June 8, 2002	Continue use permit (U-2152-78-5) subject to all previous conditions and with a review in three (3) years. (June 2005)
January 17, 2003	Approved a use permit (U-3051-02-10) for a literacy school subject to conditions and review in one (1) year (January 2004).
January 10, 2004	Discontinued a use permit (U-3051-02-10) for a literacy school.
September 18, 2004	Renewed a use permit (U-2988-00-1) for a pediatric occupational therapy clinic, subject to all previous conditions and County Board review in five (5) years (September 2009).
June 18, 2005	Renewed a use permit amendment for a preschool for 85 children (U-2152-78-5), subject to all previous conditions and County Board review in five (5) years (June 2010).
September 17, 2005	Renewed a use permit for a dance school (U-2990-00-1) subject to all previous conditions and County Board review in five (5) years (September 2010).
April 21, 2007	Renewed use permit (U-2960-99-1) for a music school, subject to all previous conditions, one (1) new condition, and administrative review in one (1) year (April 2008) and no further scheduled County Board review.
September 26, 2009	Renewed use permit (U-2988-00-1) for a pediatric occupational therapy clinic subject to all previous conditions and will no further County Board review.

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 participate with the existing neighborhood advisory committee, which shall be made up of representatives of the Westover Civic Association, the nearest neighbors, this applicant and other use permit-controlled users on the site and the Westover Baptist Church. The purpose of the Committee shall be to provide a forum to discuss and resolve community concerns regarding the subject use and the other use permit-controlled uses in terms of their impacts on the surrounding neighborhood. The applicant shall provide the name and telephone number of the liaison of the subject program to the Zoning Administrator and the president of the Westover Civic Association prior to issuance of a Certificate of Occupancy.

Melanie Jesick

From: WVCA President [wvcapres@yahoo.com]
Sent: Monday, May 24, 2010 1:14 PM
To: Melanie Jesick
Subject: Re: Westover Baptist Church preschool use permit review

Hi Melanie,

Thanks for your message and sorry for my slow reply. The civic association does not have any issues with the school and we have no objections to renewing its permit.

Robert Orttung
WVCA President

