



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of November 13, 2010**

DATE: November 3, 2010

SUBJECT: U-3009-01-1 USE PERMIT RENEWAL for a family day care located at 300 N. Nottingham St. (RPC: 12-040-140)

Applicant:

Bennie Cole
300 N. Nottingham St.
Arlington, Virginia 22207

C. M. RECOMMENDATION:

Renew the use permit for a family day care, subject to all previous conditions, with an administrative review in three (3) months (February 2011) and a County Board review in six (6) months (May 2011).

ISSUE: The Child Care Office reports concerns with the applicant meeting all of the requirements of their office. There are no land use or planning concerns with the use permit renewal.

SUMMARY: This is a scheduled five (5) year review of a family day care use permit in the Boulevard Manor neighborhood approved on November 17, 2001. The use remains in compliance with the approved conditions, with the exception that the Child Care Office is working with the applicant on certain child care requirements. There are no known land use or planning issues with the use permit. Typically after a five (5) year review of a use permit is completed, no further review is recommended if there are no issues with the use. However, given that the applicant is working with the Child Care Office to address some concerns, a short administrative review and another County Board review is recommended. Therefore, staff recommends renewal of the use permit for a family day care, subject to all previous conditions, with an administrative review in three (3) months (February 2011) and a County Board review in six (6) months (May 2011).

County Manager:

BMD/GA

Staff: Melanie Jesick, DCPHD, Planning Division
Debra Sheppard-Ross, DHS, Child Care Office

10.

PLA-5740

BACKGROUND: The subject use permit was approved on November 17, 2001. It was renewed again on November 16, 2002 and November 15, 2005 with no issues.

DISCUSSION: The day care operates between 7:30 a.m. and 6:00 p.m. Children receiving care range from infants to six (6) years of age.

Since the last use permit review (November 15, 2005):

Use Permit Conditions: The applicant has been in compliance with the use permit conditions (with the exception of requirements of the Child Care Office).

Child Care Office: The Child Care Office reports some concerns related to not having required paperwork for children in care, diapering procedures, and staff and provider training, among other things. The Child Care Office continues to work with the applicant to resolve these issues.

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.

Civic Association: The site is located within the Boulevard Manor Civic Association. The Boulevard Manor Civic Association has responded and they have no objections to the use permit renewal.

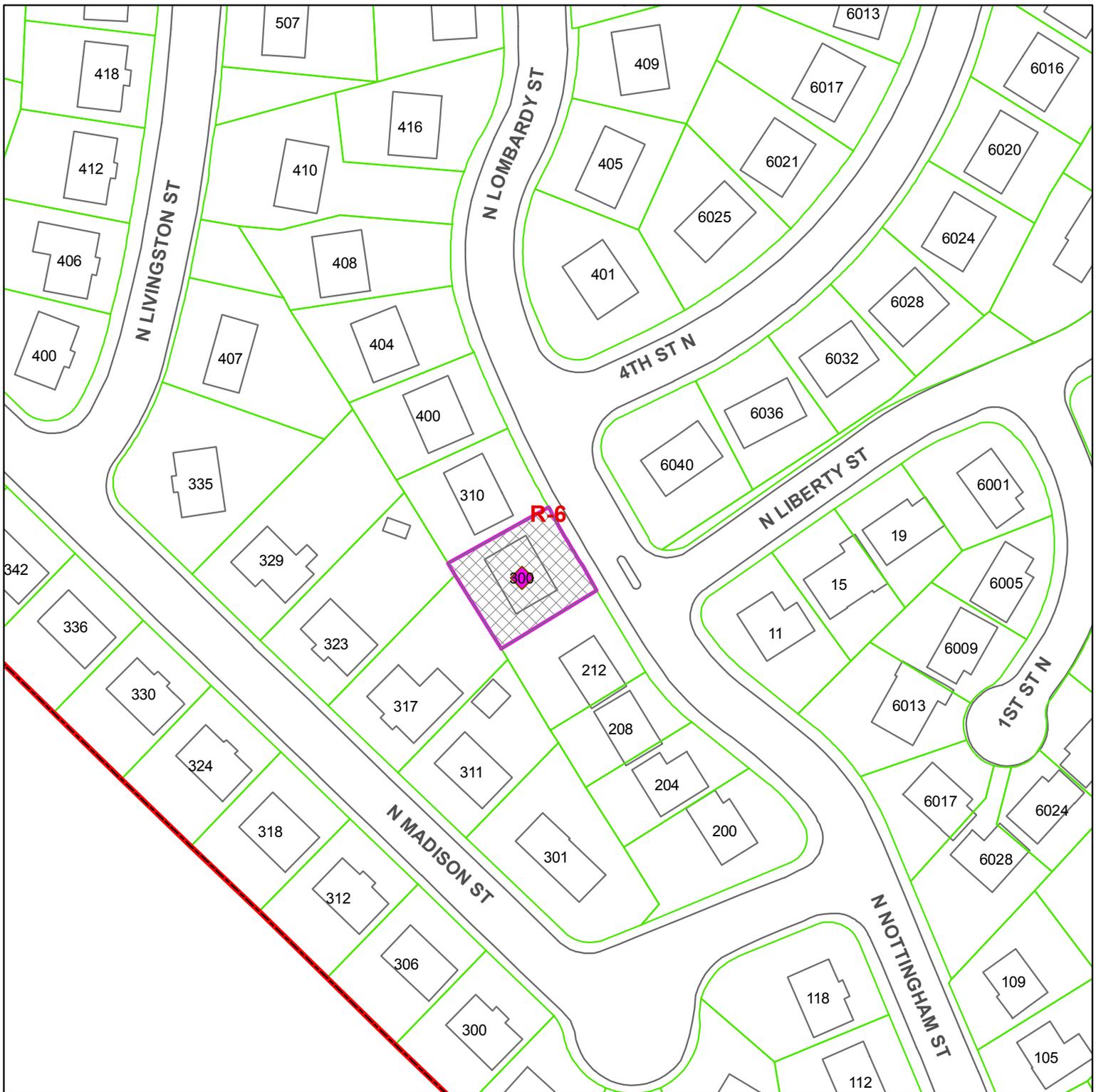
CONCLUSION: There are no land use or planning issues with the use permit renewal. However a short renewal period is recommended to allow the applicant additional time to work with the Child Care Office. Therefore, staff recommends renewal of the use permit for a family day care, subject to all previous conditions, with an administrative review in three (3) months (February 2011) and a County Board review in six (6) months (May 2011).

PREVIOUS COUNTY BOARD ACTIONS:

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| September 22, 2001 | Deferred to allow the applicant adequate time to work with the neighbors who had expressed concerns about the proposed day care program. |
| October 13, 2001 | Deferred to allow the applicant adequate time to work with the neighbors who had expressed concerns about the proposed day care program. |
| November 17, 2001 | Approved U-3009-01-1 Use Permit Review for a family day care home for nine (9) children, subject to all conditions with a review in one (1) year. (November 2002). |
| November 16, 2002 | Renewed use permit (U-3009-01-1) for a family day care home for nine (9) children, subject to all conditions with a review in three (3) years. (November 2005). |
| November 15, 2005 | Renewed use permit (U-3009-01-1) for a family day care home for nine (9) children, subject to all conditions with a review in five (5) years (November 2010). |

Approved Conditions:

1. The applicant agrees to comply with all 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 work closely with the Child Care staff during any future expansion of the outdoor play space. The applicant agrees to identify the expanded space and the fencing to be provided prior to the issuance of a Certificate of Occupancy. The applicant agrees that any fencing identified to secure the future play space shall be in blend with existing fences in the neighborhood.
3. The applicant agrees to limit the number of children in care to nine (9) children.
4. The applicant agrees that the ages of children in care shall be from infants to six (6) years of age.
5. The applicant agrees to not install signs or to use the front area of the house as a play area.
6. The applicant agrees that the hours of operation of the family day care home shall occur from 7:30 a.m. to 6:00 p.m., Monday through Friday.
7. The applicant agrees to inform patrons to avoid unsafe entrances or exits from the driveway. In particular to avoid backing out into the lane of traffic in the direction of Route 50 toward Wilson Boulevard.



U-3009-01-1

300 N. Nottingham St.

RPC: 12-040-140



 Case Location(s)
 Scale: 1:1,200

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