



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of January 21, 2012

DATE: December 29, 2011

SUBJECT: U-2479-85-5 USE PERMIT REVIEW for a child care use located at 2706 24th Road South. (School of Children) (RPC# 31-034-023)

Applicant:

Rosalee Lightner, Owner
School of Children
2706 24th Road South
Arlington, Virginia 22206

C. M. RECOMMENDATION:

Renew, subject to all previous conditions, with an administrative review in six (6) months (July 2012) and a County Board review in five (5) years (January 2017).

ISSUES: This is a use permit review for a child care use at the School of Children. The Child Care Office would like to continue to monitor the applicant's compliance efforts with Chapter 52 of the Arlington County Code because the school is continuing to improve the physical plant of the program.

SUMMARY: This is a three (3) year review for the School of Children located at 2706 24th Road South operating in conjunction with the A.M.E. Zion Methodist Church. In January 2009, a use permit amendment was granted to change the ages of the children in care from two (2) to twelve (12) years of age to infants to twelve (12) years of age. The school has generally operated in compliance with the use permit conditions. The Child Care Office would like to monitor this site more carefully regarding their compliance with Chapter 52 of the Arlington County Code which regulates child care establishments. The Child Care Office asked the applicant to continue to improve the physical plant of the program. Staff believes that further monitoring of this school is required so these matters can be improved. Therefore, staff recommends renewal of the use permit, subject to all previous conditions, with an administrative review in six (6) months (July 2012) and a County Board review in five (5) years (January 2017).

County Manager:

BMD/GA

County Attorney:

MNC

Staff: Marco Antonio Rivero, CPHD, Planning Division
Debra Sheppard-Ross, DHS, Child Care Office

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BACKGROUND: The subject use permit was granted in 1985. The use permit was amended in January 2004 to increase enrollment in the center from 55 to 125 children, and in March 2004 to expand the ages of the children in care from two (2) to eight (8) years to two (2) to 12 years. When the use permit was reviewed in 2004, it was renewed with no further County Board review. In January 2009 the applicant requested to amend the ages of the children from two (2) to twelve (12) years of age to infants to twelve (12) years of age. The use permit amendment to change the ages of the children was approved by the County Board in January 2009 and reviewed administratively in January 2010.

DISCUSSION: The use has generally operated in compliance with the use permit conditions and the requirements of the Child Care Office, although the applicant is currently working with the Child Care Office to maintain compliance with Chapter 52 of the Arlington County Code which regulates child care centers. Specifically, the Child Care Office asked the applicant to continue to improve the physical plant of the program.

Since Use Permit Amendment Approval (January 24, 2009):

Use Permit Conditions: The existing school operates in compliance with all use permit conditions.

Community Code Enforcement: The Community Code Enforcement office has reported no issues regarding the continuation of this use.

Child Care Office: The Child Care Office has been monitoring the school and reports that it would like to continue to monitor the site closely for compliance with Chapter 52 of the Arlington County Code which regulates child care centers.

Civic Association: The property is located in the Aurora Highlands Civic Association and is adjacent to the Arlington Ridge Civic Association. As of the date of this report, the civic associations have not commented on this use permit review.

CONCLUSION: The use has generally operated in compliance with the use permit conditions and the requirements of the Child Care Office, although the applicant is currently working with the Child Care Office to maintain compliance with Chapter 52 of the Arlington County Code which regulates child care centers. Staff believes that further monitoring of this school is required so these matters can be improved. Therefore, staff recommends renewal of the use permit, subject to all previous conditions, with an administrative review in six (6) months (July 2012) and a County Board review in five (5) years (January 2017).

PREVIOUS COUNTY BOARD ACTIONS:

September 10, 1966	Approved use permit (U-1728-66-1) for a child care center for 50 children. Renewed annually through 1974.
March 7, 1970	Deferred use permit (U-1831-70-2) for a child care center - Harvey's Nursery.
March 25, 1970	Accepted withdrawal of use permit (U-1831-70-2) for a child care center.
June 1, 1974	Approved use permit (U-1976-74-3) to increase the maximum enrollment authorized under the previous use permit (U-1728-66-1) from 50 to 75 children - Lomax Child Care Center. Renewed annually through 1977 at which time renewal was not requested.
September 11, 1982	Accepted withdrawal of a use permit request (U-2344-82-4) for a child care center.
August 18, 1984	Authorized advertising an October 13, 1984 public hearing on Historic District designations for the Arlington Post Office at 3118 Washington Boulevard and the Lomax African Methodist Episcopal Zion Church at 2706 - 24th Road South.
October 13, 1984	Approved Historic District designation for the Lomax AME Zion Church and .86 acre of the site zoned "R2-7", Two-Family Dwelling District, at 2706 - 24th Road South.
November 15, 1985	Approved use permit (U-2479-85-5) for a day care center for up to 55 children, ages 2 to 8 years, from 7:00 a.m. to 6:00 p.m., weekdays with a review in one (1) year.
December 2, 1986	Continued use permit (U-2479-85-5) for a day care center for up to 55 children with a review in one (1) year.
December 12, 1987	Continued use permit (U-2479-85-5) for a day care center for up to 55 children with a review in three (3) years.

December 8, 1990	Continued use permit (U-2479-85-5) for a day care center for up to 55 children with a review in five (5) years.
April 6, 1991	Approved General Land Use Plan Amendment GP-226-91-1 from " Service Commercial;" personal and business services, generally one to four stories, and maximum 1.5 floor area ratio; and "Service Industry;" wholesale, storage, and light manufacturing uses including those related to building construction activity; to "Medium" Residential, 37 to 72 units per acre, at 2704 South 24th Road.
	Took no action on Rezoning Z-2399-91-1 from "R2-7," Two-Family and Town House Dwelling District, and "M-1," Light Industrial District, to "RA6-15," Apartment Dwelling District,
	Rezoned 2704 South 24th Road from "R2-7," Two-Family and Town House Dwelling District, and "M-1," Light Industrial District, to "RA7-16," Apartment Dwelling District, pursuant to application Z-2399-91-1.
	Approved site plan #294 for construction of a nine-story apartment building with 111, revised to 101, units and associated surface and underground parking for the parcel of real property known as 2704 South 24th Road.
March 5, 1994	Approved a site plan amendment to extend the site plan term for three years from April 6, 1994 to April 6, 1997, for the parcel of real property known as 2704 South 24th Road.
December 9, 1995	Continued use permit for a day care center for up to 55 children with no further review.
January 10, 2004	Approved use permit amendment (U-2479-85-5) for a day care center for up to 125 children with a review in one (1) year. (January 2005)
March 13, 2004	Approved use permit amendment (U-2479-85-5) to change the ages to 2 to 12 years and to change the hours to 6:00 am to 7:00 pm, Monday through

Friday with an administrative review in ten (10) months (January 2005) and no further review by the County Board.

January 24, 2009

Approve the use permit amendment to expand the ages of the children to infants to twelve (12) years of age, subject to all previous conditions, 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 agrees that maximum enrollment shall not exceed 125 children.
2. The applicant shall encourage all parents to use the church parking lots when dropping off and picking up children and to escort their children from the parking lots to the center.
3. Meet the requirements of the Child Care Ordinance, Community Inspections Office, and Fire Marshal, including the installation of smoke/alarm detectors.
4. The applicant agrees that the ages of the children in care shall not exceed 12 years of age and that the hours of operation shall be limited to 6 a.m. to 7 p.m., Monday through Friday.

