



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of April 21, 2012

DATE: April 10, 2012

SUBJECT: U-2500-86-6 USE PERMIT AMENDMENT allowing expanded enrollment (to a maximum of 86 children) to an existing preschool for Etz Hayim Arlington-Fairfax Jewish Congregation; located at 2920 Arlington Boulevard (RPC# 24-007-015).

Applicant:

Scott Burka, President and Trustee
Congregation Etz Hayim
2920 Arlington Boulevard
Arlington, Virginia 22204

C.M. RECOMMENDATION:

Approve the use permit amendment, subject to the conditions of the staff report, and revised conditions #1 and #3 and with a County Board review in one (1) year (April 2013).

ISSUES: This is a use permit amendment request allowing expanded enrollment to an existing preschool for Etz Hayim Arlington-Jewish Congregation, and no issues have been identified.

SUMMARY: Etz Hayim requested a use permit amendment to expand the enrollment capacity for their weekday preschool from 50 to 86 students for the school year beginning in September 2012. The preschool will use existing congregation building space to expand the preschool and incorporate more classrooms. Parking and pick-up and drop-off for the site will not be adversely affected by the increase in students and staff at the preschool. Revised condition language for conditions #1 and #3 will ensure compliance with all requirements set forth in all applicable ordinance and regulations prior to the issuance of a certificate of occupancy. Therefore, staff recommends approval of the use permit amendment, subject to the conditions of the staff report, and revised conditions #1 and #3 and with a County Board review in one (1) year (April 2013).

County Manager:

BMD/GA

County Attorney:

[Handwritten signatures]

Staff: Marco Antonio Rivero, DCPHD, Planning Division
Dolores Kinney, DES, Transportation Division

8.

PLA-6150

BACKGROUND: The County Board originally approved a use permit for a preschool program at this location in 1948. Since the original approval, several preschool programs have been approved to operate at this site. The current preschool program has operated at Etz Hayim since September 2002. In September 2006, the County Board approved a request to increase the program's enrollment from 42 to up to 50 children with a one-year review. The County Board last reviewed this use permit in September 2007 and renewed it for five years.

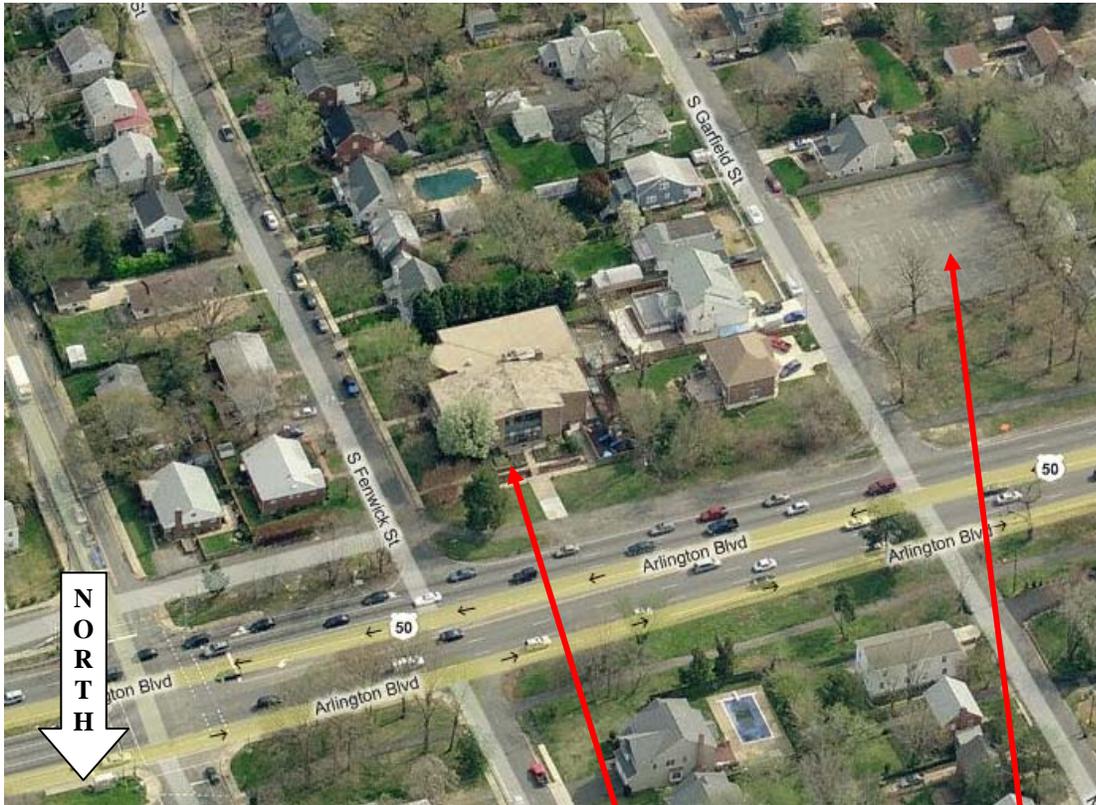
The following provides additional information about the site and location:

Site: The approximately 19,513 sq. ft. site is bounded by Arlington Boulevard to the north, 2nd Street South to the south, South Fenwick Street to the east, and South Garfield Street to the west. The surrounding properties mainly consist of single family dwellings.

Zoning: The site is zoned "R-6" One-Family Dwelling Districts

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

Neighborhood: The site is located within the Arlington Heights Civic Association area. The civic association submitted an e-mail to the applicant stating their support for the use permit amendment (e-mail is attached to this report).



Source: Bing™ Maps

Location of Etz Hayim Arlington-Fairfax Jewish Congregation: 2920 Arlington Blvd

Location of Etz Hayim Arlington-Fairfax Jewish Congregation Parking Lot off of S Garfield St

DISCUSSION:

Congregation Building Upgrades and Preschool Composition

The applicant is proposing to expand the daily enrollment capacity for their weekday preschool from 50 to 86 students for the school year beginning in September 2012. In 2011, Etz Hayim completed a comprehensive renovation and modernization of the building which included building out new classrooms (within the existing building), upgrading lighting, and installing new bathroom facilities. The congregation also installed new fire alarm/sprinkler systems throughout the building. The preschool currently has a waitlist for enrollment and would like to expand its enrollment to meet this demand by using the available classroom spaces and facilities located on the second floor of the building. The preschool currently uses 5,086 sq. ft. of the congregation building (the congregation building is 11,972 sq. ft. which includes a lobby, sanctuary, office space, and preschool).

U-2500-86-6 Use Permit Amendment
Etz Hayim Arlington-Jewish Congregation
(Expanded enrollment at preschool)
PLA-6150

The applicant is proposing to add an additional 1,178 sq. ft. of space to the preschool (for a new preschool use total of 6,264 sq. ft.), which is all unused classroom space on the second floor of the building. The current preschool hours of operation (9:30 a.m. to 12:30 p.m., Monday through Friday), early student drop-off (at 8:00 a.m.), and age range of students (18 month to 5 years) will remain the same.

Parking Analysis

Parking for this facility is provided by a 38 space parking lot at the corner of Arlington Boulevard and South Garfield Street. Parking for the preschool was determined by the original use permit which requires one (1) space for every staff member of a “nursery school” (as defined in the Arlington County Zoning Ordinance (ACZO) Section 33.C.4.a.(1)). For the intents of this use permit with regards to parking, a “nursery school” is defined in the ACZO as: *“Any place, however designated, operated for the purpose of providing training, guidance, education, or care for six (6) or more children under six (6) years of age, during any part of the day other than from 6:00 p.m. to 6:00 a.m., including kindergartens, but not including family day care homes”*. Etz Hayim’s current preschool composition fits this definition. Staff is proposed to increase by 7 teachers (currently, 1 director and 12 teachers (or 13 total parking spaces) to a proposed 1 director and 19 teachers or 20 total parking spaces). The 38 space lot will easily provide these spaces during the week when the congregation is not generally meeting. The increase in staff is based on a maximum of 86 students at the school on any given day and the requirements set forth in the Arlington County Code Chapter 52.H.1 “Group and Staff Requirements, Preschool”. Furthermore, the preschool currently uses an unofficial, staggered pick-up/drop-off strategy which has been working effectively for the preschool. This includes an early drop-off option at 8:00 a.m. (which incurs an extra cost for parents who choose to participate) and between the hours of 9:15 a.m. and 9:45 a.m. drop-off continues. Pick-up occurs after the school day is over at 12:30 p.m. and continues until 2:00 p.m. (the school offers afterschool enrichment classes after 12:30 p.m.). Condition #2 of the use permit requires all children to be escorted to and from the preschool from the South Garfield Street parking lot where pick-up and drop-off occurs. Department of Environmental Services (DES) transportation staff has reviewed the current, parking situation on-site and reports no issues with parking and does not foresee any issues with parking for new staff members. During a site visit, DES staff identified that there was less than one fifth of the parking lot being used under the current conditions. An additional seven (7) staff parking spaces needed (20 parking spaces total) to fulfill the parking requirement for the preschool would not adversely impact the parking or increased drop-off and pick-up activity that would occur under this proposed expansion. Therefore, DES staff believes this strategy will continue to be effective for the preschool’s proposed expansion.

Child Care Office and Community Support

The Child Care Office supports the proposed expansion of the preschool from 50 to 86 children, as dated in their letter of support included within the application dated February 13, 2012. Condition #3 of the use permit will be revised to change the current daily enrollment of 50 children to 86 children as requested by the applicant. The Arlington Heights Civic Association

was contacted about the proposed use permit amendment and has expressed their unanimous support for the request (an e-mail from the civic association president which expresses their support is attached as part of the report's supplemental materials).

The use does not conflict with the County's General Land Use Plan or Zoning Ordinance. The property is zoned "R-6" which allows nursery schools under special exception. The expanded preschool will provide an expanded community amenity to this area of the County. The applicant agrees to the revised condition #3 of the use permit. Furthermore, the applicant agrees to revise condition #1 of the use permit to include updated language regarding compliance with all requirements set forth in all applicable ordinance and regulations prior to the issuance of a certificate of occupancy.

CONCLUSION: The application to expand the enrollment capacity for the preschool Etz Hayim preschool, from 50 to 86 students should not have an undue negative impact on adjacent properties. The parking for this site will not be adversely affected and is satisfactory for the proposed increase in preschool staff. The president of the Arlington Heights Civic Association has expressed the Association's unanimous support for the use permit amendment request. Therefore, staff recommends approval of the use permit amendment, subject to all previous conditions, with conditions #1 and #3 revised as set forth below, and with a County Board review in one (1) year (April 2013).

Revised 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 detectors.~~ agrees to demonstrate compliance with all requirements set forth in all applicable ordinances and regulations, including, by way of illustration and not limitation, those administered by the Child Care Office, Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate building permit (if required by the Inspection Services Division Office) prior to the issuance of a certificate of occupancy (for the expanded space), and to remain in compliance throughout the life of the use permit.
3. The applicant agrees to abide at all times with limits of enrollment for the program as determined by the Arlington County Child Care Office, which shall make a final determination of the final occupancy of the program following final build out of the proposed space, but the applicant agrees that the enrollment shall not exceed ~~50~~ 86 children, even if the Child Care Office were to permit more. ~~The applicant agrees to work closely with the Child Care Office, sharing designs and renovation plans of the proposed space.~~ The applicant agrees to obtain review and approval of all design and renovation plans for the proposed space from the County Manager or his designee and the Child Care Office prior to issuance of ~~an occupancy permit.~~ a certificate of occupancy for the child care use in such space.

PREVIOUS COUNTY BOARD ACTIONS:

February 10, 1948	Approved use permit (U-84-48-1) for a kindergarten-nursery school for 30 children from 9:00 a.m. to 1:00 p.m. and for 30 children from 12:00 p.m. (noon) to 3:00 p.m.
February 8, 1949 to June 26, 1954	Reviewed and continued use permit (U-84-48-1) annually.
July 6, 1957	Approved use permit (U-1277-57-3) for operation of a nursery school and kindergarten for 30 children, 15 in each class, from 3 ½ years to 6 years, hours 9 a.m. to 12 p.m. (noon), Monday through Friday.
June 7, 1958 to June 4, 1977	Reviewed and continued use permit (U-1277-57-3) annually.
August 13, 1966	Denied use permit (U-1723-66-4) for purpose of operating a school (University of Virginia) for day classes from 9:00 a.m. to 4:00 p.m., Monday through Friday.
June 3, 1978	Continued use permit (U-1277-57-3) with no further review.
December 14, 1982	Accepted withdrawal of use permit (U-2356-82-4) to operate a day care center from 6:30 a.m. to 6:30 p.m., Monday through Friday.
April 15, 1986	Deferred use permit (U-2500-86-5) to operate a day care center.
May 21, 1986	Approved use permit (U-2500-86-5) to operate a day care center subject to conditions and with a review in one (1) year.
May 2, 1987 to May 7, 1988	Reviewed and continued use permit (U-2500-86-5) subject to conditions.
May 13, 1989	Continued use permit (U-2500 86-5) with a review in three (3) years.

May 16, 1992	Carried over review of use permit (U-2500 86-5) to May 26, 1992.
May 26, 1992	Deferred review of use permit (U-2500 86-5) to June 16, 1992.
June 16, 1992	Continued use permit (U-2500 86-5) with a review in five (5) years (June 1997).
June 7, 1997	Continued use permit (U-2500 86-5) with no further review.
June 10, 2000	Approved use permit request (U-2500-86-6) for operation of a school for up to 37 children, ages 0 through 12 years, weekdays, 7:30 a.m. to 6 p.m. subject to conditions and a review one (1) year following issuance of a Certificate of Occupancy.
September 16, 2006	Approved use permit amendment (U-2500-86-6) to increase enrollment to 50 children, subject to all previous conditions and revised Condition #3, and a review by the County Board in one (1) year (September 2007).
September 8, 2007	Renewed use permit amendment (U-2500-86-6) to increase enrollment to 50 children, subject to all previous conditions, with a review by the County Board in five (5) years (September 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 detectors.
2. 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 synagogues' South Garfield Street parking lot at all times during the hours of operation of the school and that the children are to be escorted to and from 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. The Child Care Office shall make a final determination of the final occupancy of the program following final build out of the proposed space, but shall not exceed 50 children. 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.
4. The applicant shall 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 Heights Civic Association, the adjoining, adjacent and abutting neighbors, and the Arlington County Zoning Office prior to issuance of a certificate of occupancy.

****The number of staff will be determined based on enrollment. It will be based on Arlington County Code Chapter 52-19.**

Age	Maximum Size of Group	Child-Adult Ratio
2	15	5--1
3	16	8--1
4-5	20	10--1

*****Our current number of children enrolled is 72, many of which are part time. As a result, no more than 50 children attend school on any weekday.**

Parcel Address	Name	Address	Nature of Interest
2920 Arlington Boulevard	Daniel Rosman	874 N. Greenbrier Street Arlington, VA 22205	Treasurer and Trustee, Congregation Etz Hayim

CONSTITUTION OF CONGREGATION ETZ HAYIM
As Amended May 15, 2011

Article I – Name

The name of the organization shall be Congregation Etz Hayim (formerly Arlington-Fairfax Jewish Congregation), hereinafter called the “Congregation”.

Article II – Purpose

The purposes of the Congregation shall be:

1. To establish and maintain a synagogue in the Conservative religious movement and a center of community activities and learning, consistent with the ideals and standards of the United Synagogue of Conservative Judaism or any successor organization of similar or related nature.

2. To participate in and foster religious, educational, cultural, civic, social and recreational activities.

Article III – Membership

Any person of the Jewish faith who supports the purposes of the Congregation as set forth in Article II shall be eligible for membership. Such membership may include the person’s eligible spouse, domestic partner or life partner, and/or the person’s unmarried eligible dependent children.

Article IV – Officers

The Officers of the Congregation shall be:

1. President
2. First Vice President
3. Vice President for Religious Affairs
4. Vice President for Education and Youth
5. Vice President for Membership
6. Vice President for Fundraising
7. Vice President for Operations
8. Treasurer
9. Recording Secretary

Article V – Trustees

1. The Trustees shall consist of the President, the First Vice President, the Vice President for Operations, and the Treasurer.
2. The Trustees shall constitute the legal representatives of the Congregation.
3. The Congregation shall sue and be sued in the name of the Trustees.

4. All property, real, personal and mixed, shall be deemed to be vested in the Trustees, in trust for the Congregation.

Article VI -- Board of Directors

1. The Board of Directors shall consist of the elected Officers of the Congregation enumerated in Article IV above, the elected President of the Congregation's Sisterhood, the elected President of the Congregation's Men's Club, ten (10) additional Directors elected by the membership at a membership meeting held for the election of Officers, and a Parliamentarian who is appointed by the President. The Immediate Past President of the Congregation who has completed his/her term will be a member of the Board for the subsequent two years, with all the rights, duties, and privileges of a duly elected member of the Board, so long as such Past President maintains membership in the Congregation.
2. The Board of Directors shall manage the affairs of the Congregation. The Board of Directors may delegate responsibility for carrying out its policies to an Executive Committee. Such Executive Committee shall consist of all of the Officers and the Immediate Past President. The Executive Committee shall meet upon the call of the President. The Executive Committee shall maintain minutes of its proceedings, and the President shall report to the Board of Directors concerning each meeting thereof. The President shall be Chair of the Executive Committee and of the Board of Directors.
3. The Board of Directors shall meet at least eight (8) times during a calendar year at a date and time to be fixed by the President. The Board of Directors may also meet at such other times as the President may specially call. The Board of Directors may also meet upon written request of five members of the Board addressed to the President who thereupon shall call a special meeting of the Board. "Written request" may include request by email or similar electronic means. No absentee ballots and no proxy votes shall be permitted at Board of Directors meetings.

Article VII – Elections

1. All Officers and Directors of the Congregation, except the President of the Congregation's Sisterhood and the President of the Congregation's Men's Club and the Immediate Past President, shall be elected by the Congregation's membership by a majority vote at the membership meeting called for the election of Officers and Directors.
2. No person shall hold office in the Congregation or qualify as a member of the Board of Directors unless such person is a member in good standing of the Congregation as defined in Article XIII.
3. Officers and Directors shall serve for a term of one year beginning July 1st, or until their successors are duly elected and installed, but no member shall hold more than one elective office simultaneously.

Article VIII – Vacancies of Office

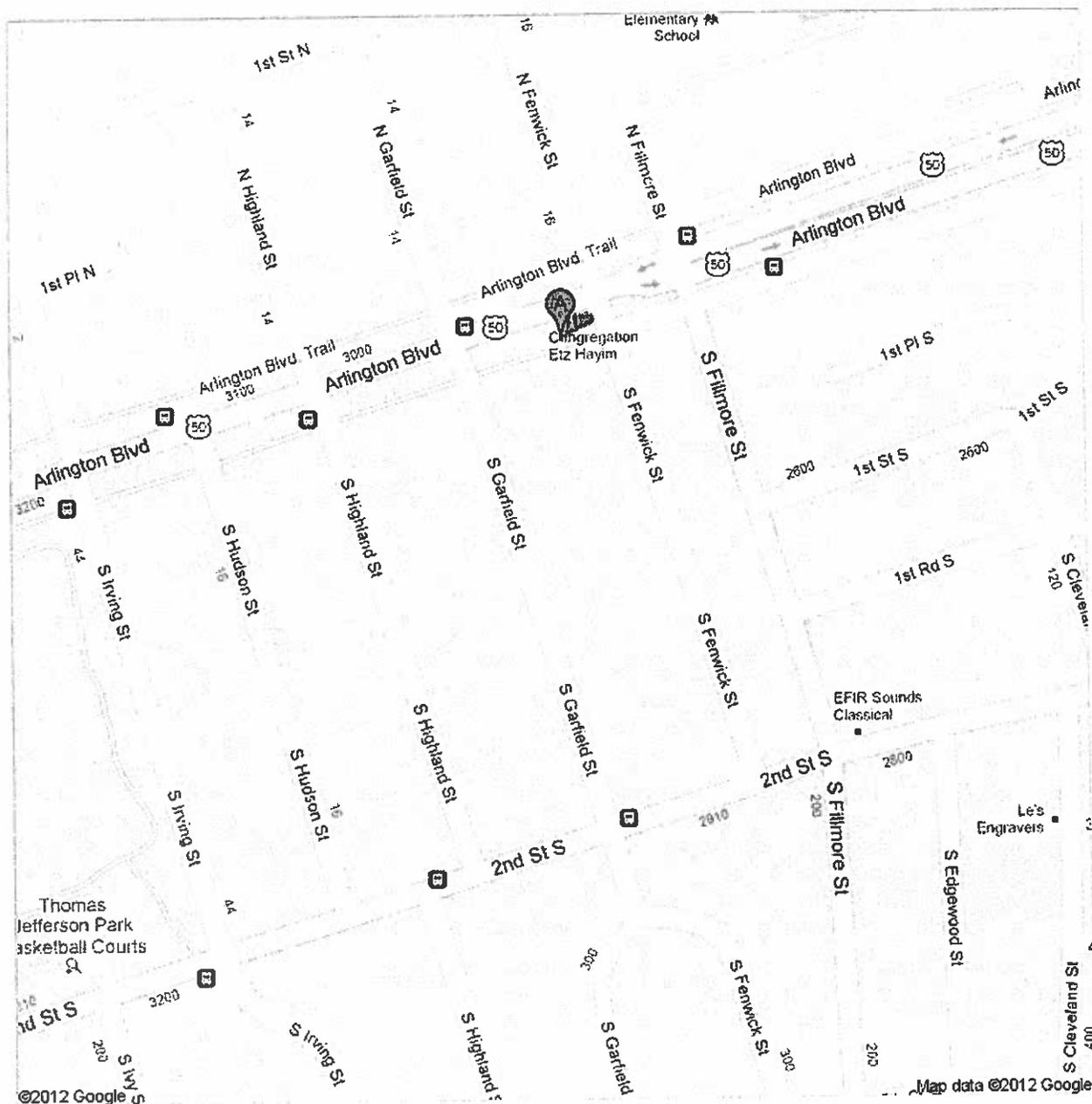
1. A vacancy occurring in the office of President because of death, resignation, removal, disability or inability of the President to perform his/her duties shall be filled by the First Vice President.



Address 2920 Arlington Blvd
Arlington, VA 22204

Get Google Maps on your phone

Text the word "GMAPS" to 466453





phone 703.979.4466
fax 703.979.4468

2920 Arlington Boulevard
Arlington, Virginia 22204

office@etzhayim.net
www.etzhayim.net

February 13, 2012
Arlington County Board
c/o Zoning Section
2100 Clarendon Boulevard, Suite 1000
Arlington, VA 22201

Subject: Amendment to Use Permit U-2500-86-6 to Increase Daily Preschool Enrollment Capacity

Dear Arlington County Board Chairman and Members:

On behalf of Congregation Etz Hayim, a not for profit Jewish synagogue located at 2920 Arlington Boulevard, I am writing to request an amendment to the above referenced use permit for the purpose of increasing the daily enrollment capacity of our weekday preschool from 50 to 86 students for the school year beginning in September 2012. Our planned increase in capacity involves using existing (but currently unused) classrooms and does not involve any construction or expansion of our facility.

No expansion

Background

In 2011, we completed a comprehensive renovation and modernization of our building, including new classrooms, lighting, and restroom facilities. We also updated safety features such as fire alarms and sprinkler systems and generally created a brighter and more cheerful environment for the children.

We currently have a wait list for the preschool and, due to growth in the number of young families in Arlington, we expect our wait list to increase in size compared to our current student capacity. Because we have unused classroom space that can serve this growing demand for preschool education, we are seeking permission to expand enrollment by using the available classroom space and facilities located on the second floor of our facility.

About the Etz Hayim Preschool:

- Hours: 9:30 am to 12:30 pm, Monday through Friday.
- Early drop off: Available as needed by parents beginning at 8:00 am.
- Lunch: Available daily from 12:30 to 1:15

*Rabbi Lia Bass,
Spiritual Leader*

*Dr. Marvin I. Bash,
Rabbi Emeritus*

*Michelle Hilburn,
Religious Education Director*

*Janice Kimmelman,
Preschool Director*

Officers

Scott Burka, President

Ann Unitas, First Vice President

John Faith, VP Operations

Michael Stein, VP Religious Affairs

Eve Rutzen,

VP Youth and Education

Jared Hendler, VP Membership

Stacy Rosenthal, VP Fundraising

Daniel Rosman, Treasurer

Nathan Ainspan, Recording Secretary

Jerold Jacobs, Parliamentarian

Directors

Nancy Bondy

Josh Edelstein

Naomi Halpern

Leonard Koenick

Dina Land

Paula Levin-Alcorn

Andrew Lovinger

Alan Savada

Jill Shenk

Merle Wexler

Honorary Directors

Isaac Fleischmann ז"ל

Louis Greenberg

Bernard Levy ז"ל

Jack Neumann ז"ל

Immediate Past President

Michael Rafky

Enrichment: Classes are occasionally offered after school until 2 pm. Examples include yoga and soccer.

Current enrollment: 72 children in total, many of which are part time. As a result, no more than 50 children attend school on any weekday.

Staffing: Currently 1 preschool director and 12 teachers. Etz Hayim also has 5 full- time employees.

Parking: Etz Hayim owns a 38 space parking lot at the corner of Arlington Boulevard and South Garfield Street. Additional street parking for 10 cars is available on Arlington Boulevard immediately in front of the building.

Preschool size: 5086 square feet is currently used by the preschool.

Total building size: 11,972 square feet, which includes lobby, sanctuary, and office space.

Proposed changes:

Hours: No change.

Early drop off: No change.

Lunch: No change.

Enrichment: No change.

Proposed enrollment: No more than 86 children attend school on any weekday.

Staffing: Depending on enrollment and the child care regulations (child/adult ratio) as sited in Chapter 52 of the Arlington County Code

Parking: No change.

Preschool size: 6264 square feet, an increase of 1178 square feet (all of which is existing but unused classroom space on the second floor).

Total building size: No change.

Other:

Along with this letter, I have enclosed copies of the following documents:

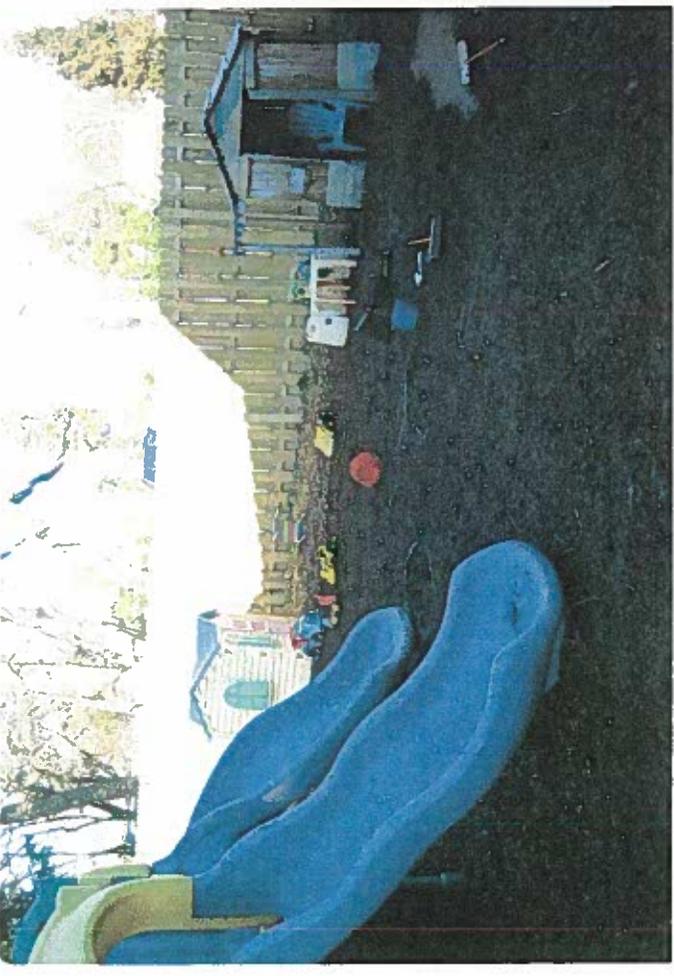
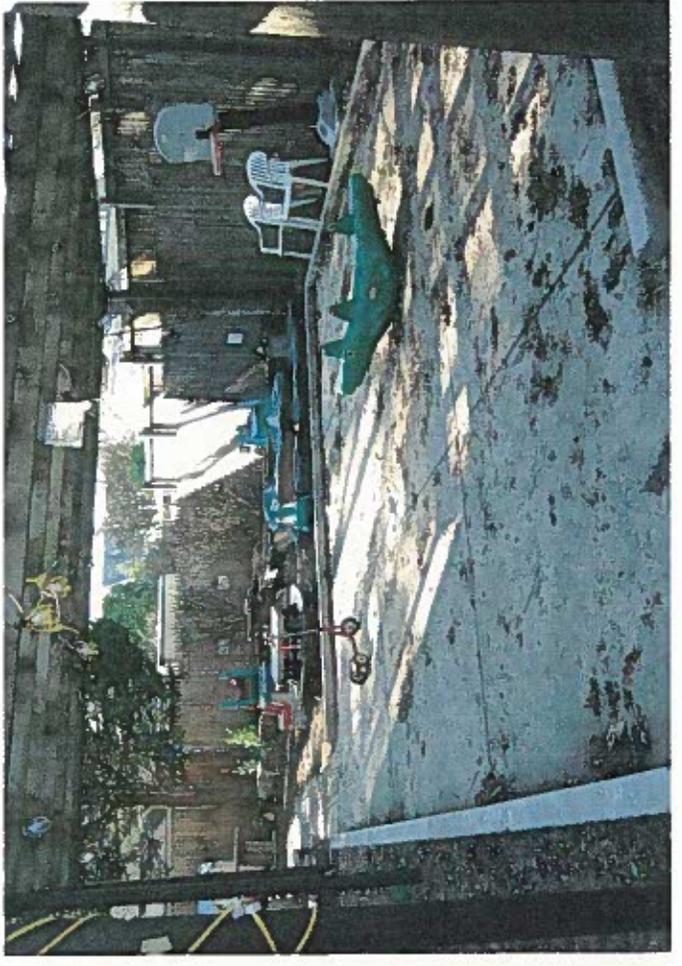
1. Use Permit Application
2. Disclosure statement
3. Statement of Consent from Property Owner – Copy of Congregation Etz Hayim Constitution
4. Vicinity Map
5. Certified plat of property
6. Plat of parking area
7. Floor plans indicating existing used and unused preschool space
8. County Board meeting notes/prior approval
9. Current Certificate of Occupancy
10. Child Care Use Permit
11. Copy of current Child Development Program License
12. Memorandum from Child Care Office re: Ch. 52 Arlington County Code
13. Photographs of outdoor play equipment
14. Zoning tabulations (parking, setbacks, height, lot coverage)

I look forward to working with the County Board and Staff to answer any questions you may have. Please feel free to contact either Janice Kimmelman, Preschool Director, at 703-979-4466 or me at 571-332-8471, or via email at preschool@etzhayim.net. Thank you for your attention to this matter.

Sincerely,



Scott Burka
President and Trustee
Congregation Etz Hayim



Zoning Tabulations

Congregation Etz Hayim
2920 Arlington Boulevard
Arlington, VA 22204

Zone: R-6

Legal Description:

Lots 26, 27, PT 25 Offutt's Addn to Lyon Park

Lot Size: 19, 513 Sq. ft.

Building Footprint: 8066 sq. ft.

Parking: 38 spaces in adjacent lot on Garfield Street

<u>Lot Coverage:</u>	<u>Allowed:</u> 56%	<u>Existing:</u> 41.33%
<u>Setbacks:</u>	<u>Allowed:</u>	<u>Existing:</u>
Front	25'	25.0'
Back	10'	24.8'
Left Side	25'	25'
Right Side	10'	16.23'
<u>Building Height:</u>	<u>Allowed:</u> 35'	<u>Existing:</u> 29'4"
Floors:	2 Floors/Basement	2 Floors/Basement

Jessica Alexander

From: Scott Burka <sburka@delbe.com>
Sent: Tuesday, February 14, 2012 9:20 AM
To: 'Keith & Stacey Whyte'; Jessica Alexander
Cc: jlshenk5@gmail.com
Subject: RE: Congregation Etz Hayim

Stacey,

I echo Jill thanks. As a business owner and president of a non-profit I was extremely amazed and impressed by your enthusiasm, support and dedication to the civic association and not just Etz Hayim's issue but all the others you guys are handling. Thank you for all of your support.

PS. Let me know if you didn't find the light saber. I think we have one :)

Scott R. Burka, CMCA, AMS
Vice President
Delbe Real Estate
5125 MacArthur Blvd., NW
Suite 430
Washington, DC 20016
202-237-0187, ext 104
202-237-0348 (Fax)
<http://www.delbe.com>

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-----Original Message-----

From: Keith & Stacey Whyte [<mailto:kandswhyte@gmail.com>]
Sent: Monday, February 13, 2012 9:37 PM
To: jealexander@arlingtonva.us
Cc: Scott Burka; jlshenk5@gmail.com
Subject: Congregation Etz Hayim

Dear Ms. Alexander,

I am writing to inform you that this evening the Arlington Heights Civic Association voted unanimously to support our neighbor Congregation Etz Hayim regarding their permit request before the County for their preschool.

In addition I would like to state on behalf of our neighborhood how much we value Congregation Etz Hayim as a part of Arlington Heights and we commend them on their quality early childhood program.

Please feel free to contact me should you have any further questions.

Sincerely,

Stacey Whyte
President
Arlington Heights Civic Association
703-271-2681

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ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of September 8, 2007

DATE: August 21, 2007

SUBJECT: U-2500-86-6 USE PERMIT REVIEW for a childcare center at 2920 Arlington Blvd. (Etz Hayim Arlington-Fairfax Jewish Congregation) (RPC #24-007-015)

Applicant:

Janice Kimmleman,
Preschool Program Director
Congregation Etz Hayim
2920 Arlington Boulevard
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Renew, subject to all previous conditions, with a review by the County Board in five (5) years (September 2012).

ISSUES: None.

SUMMARY: The subject use permit is for a preschool program for up to 50 children at the Etz Hayim Congregation. The program continues to operate in compliance with approved use permit conditions. Therefore, staff recommends renewal of the use permit, subject to all previous conditions, with a review by the County Board in five (5) years (September 2012).

BACKGROUND: The County Board originally approved a use permit for a preschool program at this location in 1948. Since the original approval, several preschool programs have been approved to operate at this site. The current preschool program has operated at Etz Hayim since September 2002. The most recent County Board review in September 2006 approved a request to increase the program's enrollment from 42 to up to 50 children with a one-year review.

DISCUSSION: The preschool program provides primary child care from 9:30 a.m. to 12:30 p.m. Mondays through Fridays. The program provides options, as requested by parents, for early drop-off from 8-9:30 a.m, lunch from 12:30-1:15pm, and special enrichment opportunities from 1:15 p.m. to 2 p.m. The children in care range in age from 18 months to 5 years. The program is administered by a total of 12 staff. Parking for the child care center staff and parents is provided

County Manager: _____

Staff: Rasheda DuPree McKinney, DCPHD, Planning Division

PLA-4763

in the congregation's 40-space surface parking lot located on South Garfield Street one block west of the site. The County Child Care Office reports the program has operated successfully throughout the review period and that they continue to work closely with the preschool program to ensure continued compliance with County child care regulations.

Since the Last County Board Review (September 16, 2006):

Use Permit Conditions: The subject use has continued to operate in compliance with all use permit conditions.

Community Code Enforcement, Fire Marshal's Office, and Police Department: These County agencies have not expressed any concerns regarding the subject use.

Civic Associations: The subject property is located in the Arlington Heights Civic Association boundary. As of the date of this report, the association has not responded to staff's request for comments regarding this use permit review.

CONCLUSION: The child care center operates in compliance with County Child Care regulations, and use permit conditions. The Etz Hayim parking lot provides adequate parking for pick-up and drop-off as well as staff parking which preserves street parking for resident use. Therefore, staff recommends that the use permit be renewed, subject to all previous conditions, with a review by the County Board in five (5) years (September 2012).

PREVIOUS COUNTY BOARD ACTIONS:

- February 10, 1948 Approved use permit (U-84-48-1) for a kindergarten-nursery school for 30 children from 9:00 a.m. to 1:00 p.m. and for 30 children from 12:00 p.m. (noon) to 3:00 p.m.
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- August 13, 1966 Denied use permit (U-1723-66-4) for purpose of operating a school (University of Virginia) for day classes from 9:00 a.m. to 4:00 p.m., Monday through Friday.
- June 3, 1978 Continued use permit (U-1277-57-3) with no further review.
- December 14, 1982 Accepted withdrawal of use permit (U-2356-82-4) to operate a day care center from 6:30 a.m. to 6:30 p.m., Monday through Friday.
- April 15, 1986 Deferred use permit (U-2500-86-5) to operate a day care center.
- May 21, 1986 Approved use permit (U-2500-86-5) to operate a day care center subject to conditions and with a review in one (1) year.
- May 2, 1987
to
May 7, 1988 Reviewed and continued use permit (U-2500-86-5) subject to conditions.
- May 13, 1989 Continued use permit (U-2500 86-5) with a review in three (3) years.

May 16, 1992	Carried over review of use permit (U-2500 86-5) to May 26, 1992.
May 26, 1992	Deferred review of use permit (U-2500 86-5) to June 16, 1992.
June 16, 1992	Continued use permit (U-2500 86-5) with a review in five (5) years (June 1997).
June 7, 1997	Continued use permit (U-2500 86-5) with no further review.
June 10, 2000	Approved use permit request (U-2500-86-6) for operation of a school for up to 37 children, ages 0 through 12 years, weekdays, 7:30 a.m. to 6 p.m. subject to conditions and a review one (1) year following issuance of a Certificate of Occupancy.
September 16, 2006	Approved use permit amendment (U-2500-86-6) to increase enrollment to 50 children, subject to all previous conditions and revised Condition #3, and a review by the County Board in one (1) year (September 2007).

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 detectors.
2. 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 synagogues' South Garfield Street parking lot at all times during the hours of operation of the school and that the children are to be escorted to and from 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. The Child Care Office shall make a final determination of the final occupancy of the program following final build out of the proposed space, but shall not exceed 50 children. 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.
4. The applicant shall 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 Heights Civic Association, the adjoining, adjacent and abutting neighbors, and the Arlington County Zoning Office prior to issuance of a certificate of occupancy.



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT
PLANNING DIVISION, ZONING ADMINISTRATION

2100 CLARENDON BLVD., SUITE 810 ARLINGTON, VA 22201
TEL 703-228-3883 FAX 703.228-3896 WWW.ARLINGTONVA.US

L. MICHAEL ROFKY
2920 ARLINGTON BLVD.
ARLINGTON, VIRGINIA
22204

CERTIFICATE OF OCCUPANCY

Permit Number:CO0700079

02-15-2007

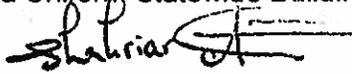
Permission is hereby granted to: ; **CONGREGATION ETZ HAYIM PRESCHO** to use floor:N/A and/or suite: 11,13,33-34 Hal of the building located at: **2920 ARLINGTON BLVD** for the following purposes: **PRESCHOOL FOR 50 CHILDREN, U-2500-86-6.**

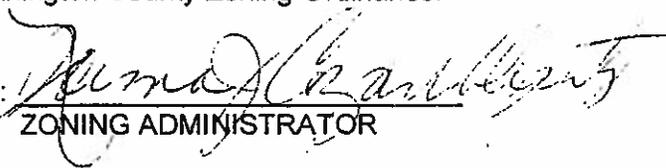
SEATING CAPACITY: 0
NUMBER OF CHILDREN: 50
USE GROUP: E
VARIANCE #:
SITE PLAN #: 0

OCCUPANT LOAD: 0
ZONING: R-6
CONSTRUCTION TYPE: 1B
USE PERMIT #: U-2500-86-6
VUSBC: 2000

This certificate does not take the place of any license required by law. Any change in the use ownership, or occupancy of this building or land shall require a new certificate.

This Building or the proposed use of the building or land complies with all provisions of the Virginia Uniform Statewide Building Code and the Arlington County Zoning Ordinance.

BY: 
BUILDING OFFICIAL

BY: 
ZONING ADMINISTRATOR

THIS CERTIFICATE SHALL BE CONSPICUOUSLY POSTED AT ALL TIMES

ARLINGTON COUNTY, VIRGINIA CHILD DEVELOPMENT PROGRAM LICENSE

This is to certify that Congregation Etz Hayim
is hereby granted a License to operate a Preschool School
at 2920 Arlington Boulevard Arlington, Virginia, to be known as

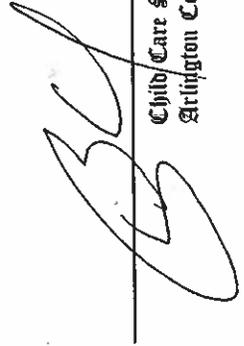
Congregation Etz Hayim Preschool
capacity 50 age 1 years -- 6 years
Hours of operation 9:00-am - 1:00 p.m.
Days of operation Monday - Friday

This License is issued pursuant to Chapter 52, County Code of Arlington County, Virginia and will be
April 31, 2012

in effect to _____ unless revoked for failure to
comply with all standards required by that ordinance. **April 11**
31st

Given under my hand this the _____ day of _____ 20_____.




Child Care Supervisor
Arlington County, Va.



DEPARTMENT OF HUMAN SERVICES
Child and Family Services Division

2100 Washington Boulevard, 3rd Floor Arlington, VA 22204-5073
TEL 703.228.1550 TTY 703.228.1598 FAX 703.228.1171 www.arlingtonva.us

To: Norma Cozart, Zoning Administrator, Arlington County Zoning Office
From: Dianna Irving, Child Care Specialist, Arlington County Child Care Office
RE: Congregation Etz Hayim, Expansion

The Child Care Licensing Specialist has met with Janice Kimmelman, from Congregation Etz Hayim, Concerning their proposed expansion.

We have measured the 3rd floor classroom space for child care and have the following comments based on those measurements.

- The current space used permits the program to have 50 children. Based on the 3rd floor classrooms and measurements below the program can have an additional 36 children giving them a total license capacity of 86 children.

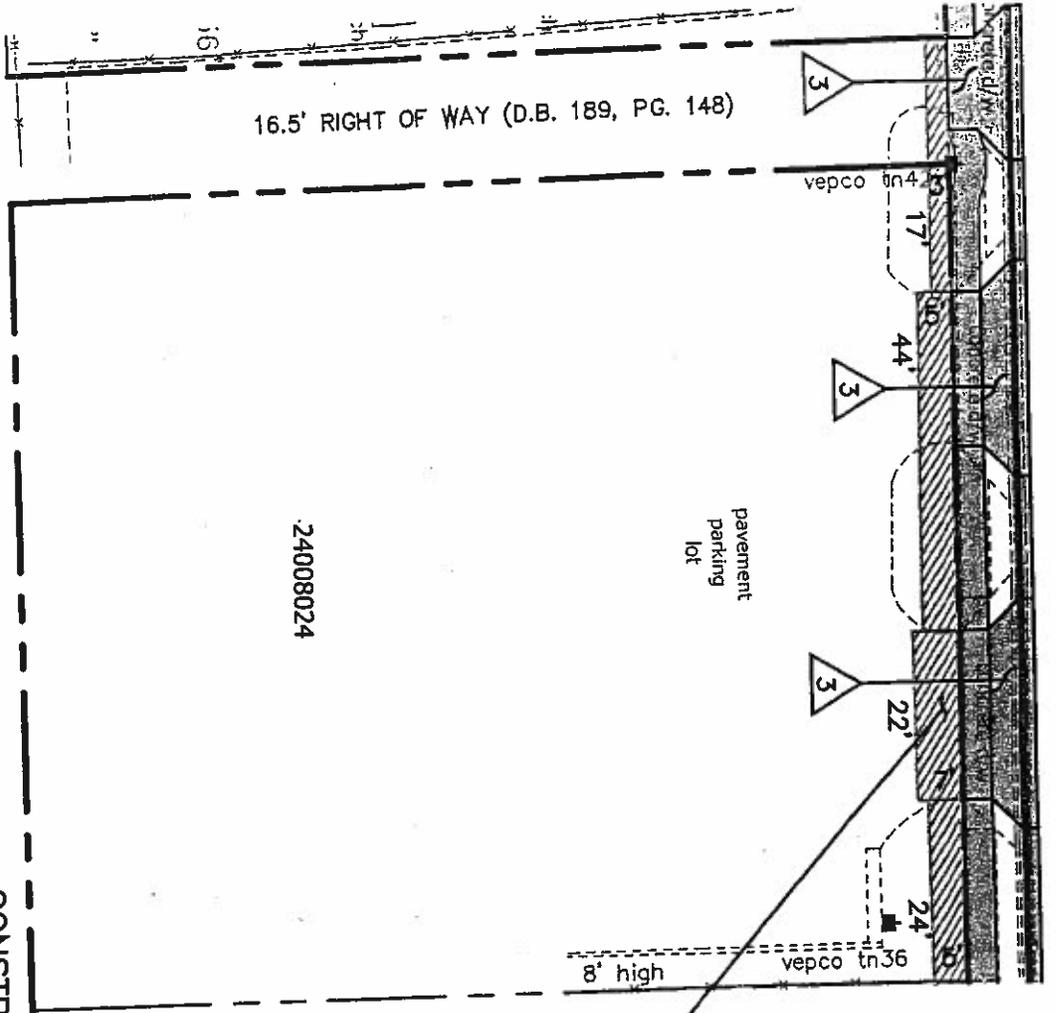
	Third Floor Classroom Measurements	Capacity
Room 2	18.9 x 13.0 x 10	8
Room 4	18.4 x 18 x 10	10
Room 5	20.1 x 17.4 x 10	10
Room 6	19.2 x 13.6 x 10	8

- It was explained to Ms. Kimmelman that these are the maximum numbers based on the square footage, but that staffing ratios and group size needed to be factored in as well according to Chapter 52.
- Licensing Staff explained to Ms. Kimmelman that she will need to ensure that she comply with the group size requirements for each age group. Each group will have to have a lead teacher who meets the requirements stated in Chapter 52. The program will need hire four additional teachers, and assistants as needed to maintain ratios. All children enrolled in the 3rd floor classrooms must be above the age of 21/2.
- In the Men's bathrooms there are two sinks, two toilets and two urinals and in the Women's bathroom there are two sinks and two toilets. The program meets the requirements of Chapter 52.

The Child Care Licensing Office approves of this expansion and is confident that Ms. Kimmelman has sufficient understanding of Chapter 52 to ensure compliance as she moves forward. She also understands that we will not approve her Certificate of Occupancy if there is not compliance with Chapter 52.

Please contact Dianna Irving at (703) 228-1681 if you have any questions.

SOUTH GARFIELD STREET



TEMPORARY CONSTRUCTION EASEMENT AREA = 545 SF



CONSTRUCTION NOTES & LEGEND

 NEW DRIVEWAY ENTRANCE (TYP)
ARLINGTON COUNTY STANDARD (R-2.3)

38 spaces

REVISION	DATE

ARLINGTON
VIRGINIA



DEPARTMENT OF ENVIRONMENTAL SERVICES

Engineering & Capital Projects Division
Engineering Bureau
2100 Clarendon Boulevard, Suite 813
Arlington, VA 22201
Phone: 703.228.3629
Fax: 703.228.3606

PARTIAL PLAN VIEW OF TEMPORARY CONSTRUCTION EASEMENT PLAN

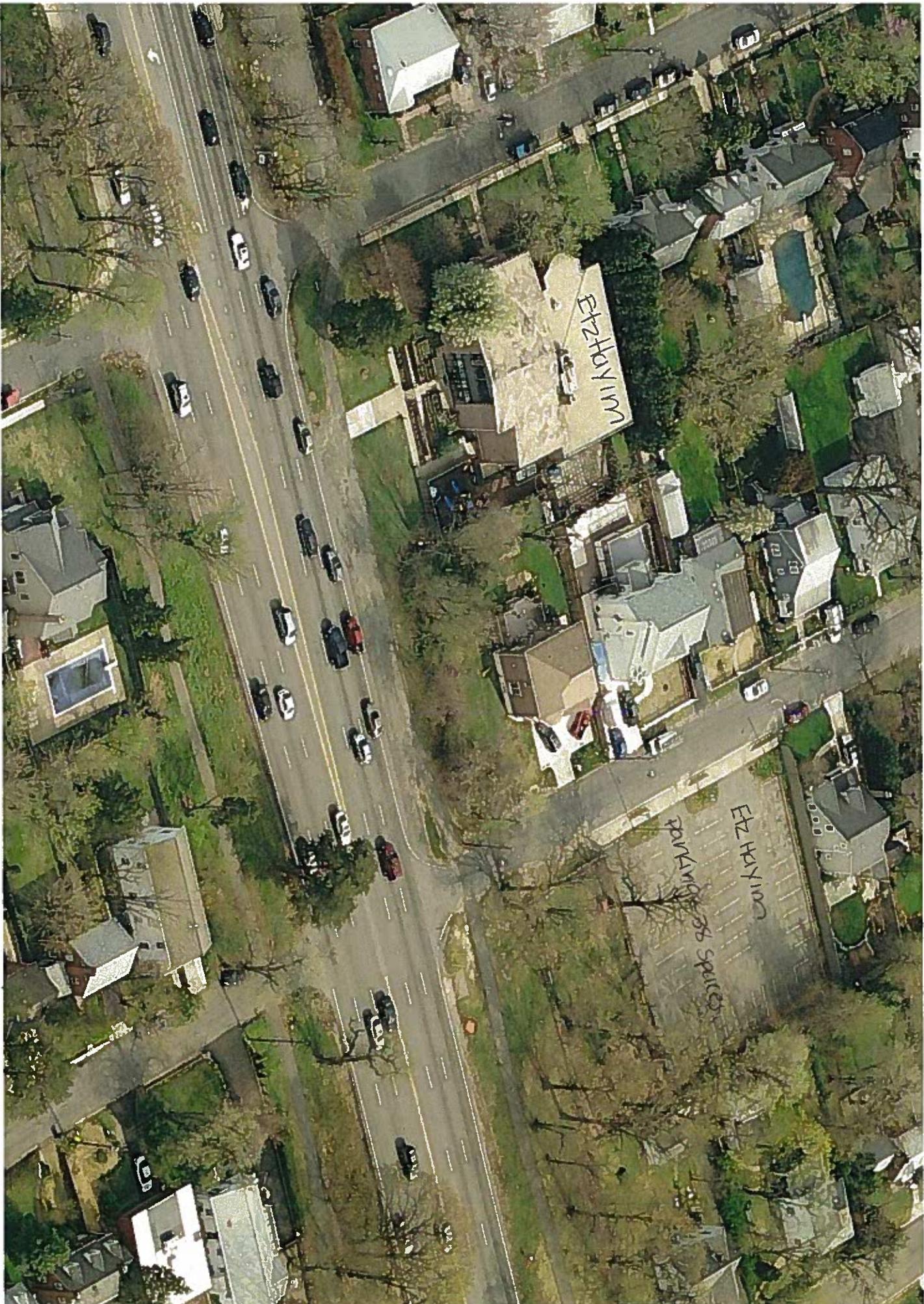
S. GARFIELD STREET

ARLINGTON BLVD TO 2ND STREET SOUTH

316.72301.N461.CJD.0000

Designed: M.E.
Drawn: M.E.
Scale: 1" = 25'
Date: 02.05.2009





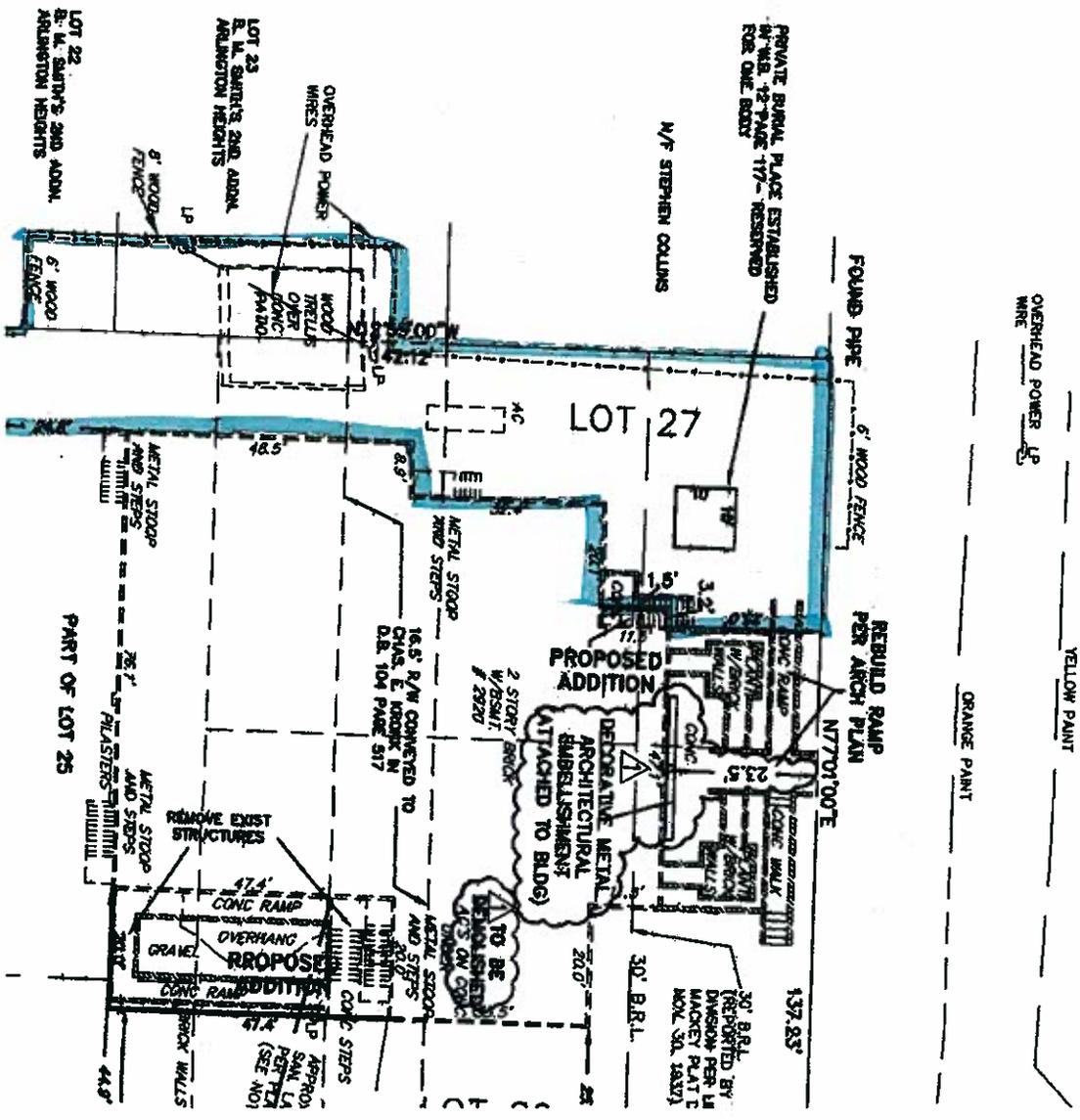
- L.V. --- CTV ---
- B. 2. --- CABLE TELEVISION
- ELC --- OVERHEAD CABLE TV LINE
- ELC --- DEAD END
- ELC --- DRIVEWAY
- ELC --- ELECTRICAL MANNHOLE
- ELC --- EDGE OF PAVEMENT
- ELC --- EXISTING
- ELC --- EXISTING
- ELC --- FACE OF CURB
- ELC --- FIRE HYDRANT
- ELC --- GAS METER
- ELC --- GAS VALVE
- ELC --- HANDICAP
- ELC --- LOCATION
- ELC --- LIGHT POLE
- ELC --- MANHOLE
- ELC --- POWER POLE
- ELC --- PINE
- ELC --- PLANTER
- ELC --- PARKING METER
- ELC --- PROPERTY CORNER
- ELC --- RADIUS
- ELC --- RIDDLED
- ELC --- SANITARY SEWER MANNHOLE
- ELC --- SANITARY SEWER
- ELC --- STORM SEWER MANNHOLE
- ELC --- STORM SEWER
- ELC --- OVERHEAD TELEPHONE WIRES
- ELC --- TELEPHONE
- ELC --- TELEPHONE
- ELC --- BELT MANNHOLE
- ELC --- TRAFFIC
- ELC --- TRANSFORMER
- ELC --- TREE SPACE
- ELC --- UTILITY
- ELC --- WHEELCHAIR RAMP
- ELC --- WATER METER
- ELC --- WATER METER
- ELC --- WATER MANNHOLE
- ELC --- WINDER WELL
- ELC --- W.W.

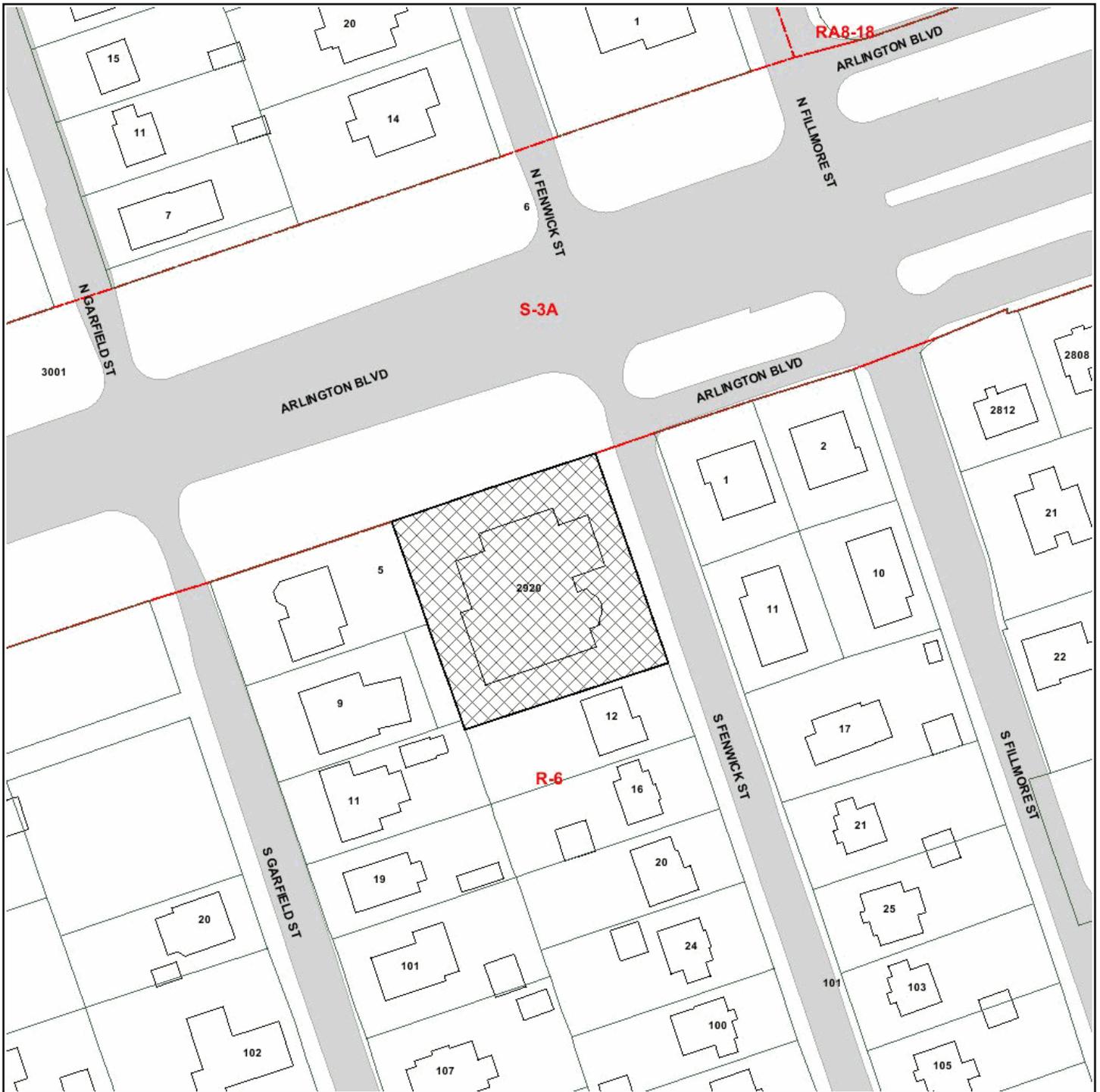
38 space
parking
area
of
Squawfield St

- NOTES:
- 1) THERE IS NO VEHICULAR ACCESS FROM THIS PARCEL TO THE RIGHTS OF WAY. PARKING APPEARS TO BE PROVIDED BY A NEARBY PARCEL NOT PART OF THIS SURVEY.
 - 2) THE PROPOSED IMPROVEMENTS DEPICTED HEREON ARE TAKEN FROM CAD FILES PROVIDED BY RITTER ARCHITECTS ENTITLED "CONSERVATION ETZ HAYM, RENOVATIONS AND EXPANSIONS" DATED 1/22/06.
 - 3) THE PROPERTY DEPICTED HEREON IS ZONED R-8 PER ARLINGTON COUNTY ONLINE REAL ESTATE RECORDS. COVERAGE DEPICTED HEREON IS 41.5% COVERAGE ALLOWED IS 58% FOR NON-SINGLE FAMILY RESIDENTIAL USE IN R-6.
 - 4) THE PROPERTY DEPICTED HEREON IS SUBJECT TO VARIANCE V-140288-09-UP-4 APPROVED ON APRIL 6, 2006.

ARLINGTON BOULEVARI

ROUTE # 50
200' WIDE





U-2500-86-6 USE PERMIT REVIEW
2920 Arlington Blvd. (Etz Haym Arlington-Fairfax Jewish
Congregation)
(RPC #24-007-015)



North

 Case
 Location(s)

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