



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of May 19, 2012

DATE: April 30, 2012

SUBJECT: U-3335-12-2 USE PERMIT for a school for the Shire School, located at 5700 Lee Highway, (RPC# 10-002-001, -007, -010).

Applicant:

Brooke Potthast, Chairman of the Shire School Board of Trustees
3400 N. Edison St.
Arlington, Virginia 22207

C.M. RECOMMENDATION:

Approve the subject use permit, subject to the conditions of the staff report and with a County Board review in January 2014.

ISSUES: This is a request for a use permit for a private school for 10 children and no issues have been identified.

SUMMARY: The applicant proposes a private day school for children ages 6-12 with special needs, located on the same property as the Rivendell School at 5700 Lee Highway. The enrollment will be a maximum of 10 students, and a maximum of four (4) staff persons. The traffic impact of the proposed school on the adjacent neighborhood should be minimal due to the small number of students and staff, and the applicant agrees to similar conditions of approval that have addressed issues at Rivendell School. Since the proposed school is small and shares space with Rivendell School, staff recommends a County Board review on the same schedule as Rivendell. Therefore, staff recommends approval of the subject use permit, subject to the conditions of the staff report with a County Board review in January 2014.

BACKGROUND: The subject property is the former Christ Methodist Church, a defunct congregation which has housed the Rivendell School, a full-time private K-8 school, since 1997 (U-2914-97-5). The Rivendell School's use permit is scheduled for a County Board review in January 2014.

County Manager:

BMD/GA

County Attorney:

[Handwritten signatures]

Staff: Peter Schulz, DCPHD, Planning Division

PLA-6195

12.



Proposed School Site

The following provides additional information about the site and location:

Site: The site consists of a church, formerly Christ Methodist Church, and school complex, constructed between the 1940s and the 1960s, located on 1.2 acres in the 5700 block of Lee Highway. The site is bounded by Lee Highway on the North, North Kensington Street on the East, North Kentucky Street on the West, and single-family houses to the South.

- To the north: Across Lee Highway, Lee-Lexington Shopping Center zoned “C-1”.
- To the south: Single family residences, zoned “R-6”.
- To the east: Across Kensington Street, a gas station zoned “C-1”.
- To the west: The County’s Lee Recreation center and Park, zoned “S-3A”.

Zoning: The site is zoned “C-1” Local Commercial Districts.

General Land Use Plan: The subject site is designated “Low Residential” (1-10 du/acre) on the General Land Use Plan (GLUP).

Neighborhood: The site is located within the Leeway Overlee Civic Association boundary. The Civic Association has been informed of the request, and to date has not provided any comments.

DISCUSSION: The Shire School was founded in Falls Church in 2008 as a full-time day school for children ages 6-12 with speech and language disabilities and/or autism spectrum disorder. While the two (2) schools, The Shire School and Rivendell School, share educational philosophies, they are separate institutions with separate boards of directors. The Shire School proposes to relocate and share space with the Rivendell School at 5700 Lee Highway to open at the subject location in the fall of 2012. Currently, the Shire School has an enrollment of five (5) students and a staff of three (3). Shire School requests a use permit for a school with a maximum of 10 students and four (4) staff. The proposed hours of operation are Mondays 9 a.m. to 1 p.m., and Tuesdays through Fridays 9 a.m. to 3:15 p.m., from late August to approximately the middle of June. There are no summer programs proposed.

The applicant proposes to share facilities with the Rivendell School, which has an authorized maximum enrollment of 150 students. Play facilities will be on-site for children in K-2, and older children will use Lee Center Park from Noon-12:30 p.m. daily. The applicant will provide a play supervision ratio of never less than one (1) teacher for every two (2) students. As part of the conditions of approval, the applicant agrees to cooperate with all requirements of the Department of Parks and Recreation (DPR) for the use of the County-owned park (including purchasing liability insurance), and if considered necessary by DPR, is willing to enter as a party to the January 2009 Memorandum of Understanding between the Rivendell School and DPR.

Student pick-up and drop-off for the Shire School will occur on the North Kentucky Street side of the property, closest to the part of the property the Shire School will occupy. With no more than 10 students as a long range goal, the impacts of the Shire School's drop-off and pick up should have minimal disruption to the surrounding community. The Shire School's start and end times are generally the same as Rivendell's; except for Monday afternoons when the Shire School closes at 1 p.m. (Rivendell closes early on Wednesdays). There is an onsite parking lot that meets the minimum Zoning Ordinance requirements for staff parking for both schools.

CONCLUSION: The proposed school will have a minimal impact on adjacent properties with respect to any increased traffic or use of the public park. The applicant agrees to similar conditions of approval that are applied to Rivendell School. Since the two (2) schools will share facilities, and because of the small size of the proposed new school, staff recommends a County Board review concurrent with Rivendell School's next scheduled County Board review in January 2014. Therefore, staff recommends approval of the subject use permit, subject to the conditions of the staff report, and with a County Board review in January 2014:

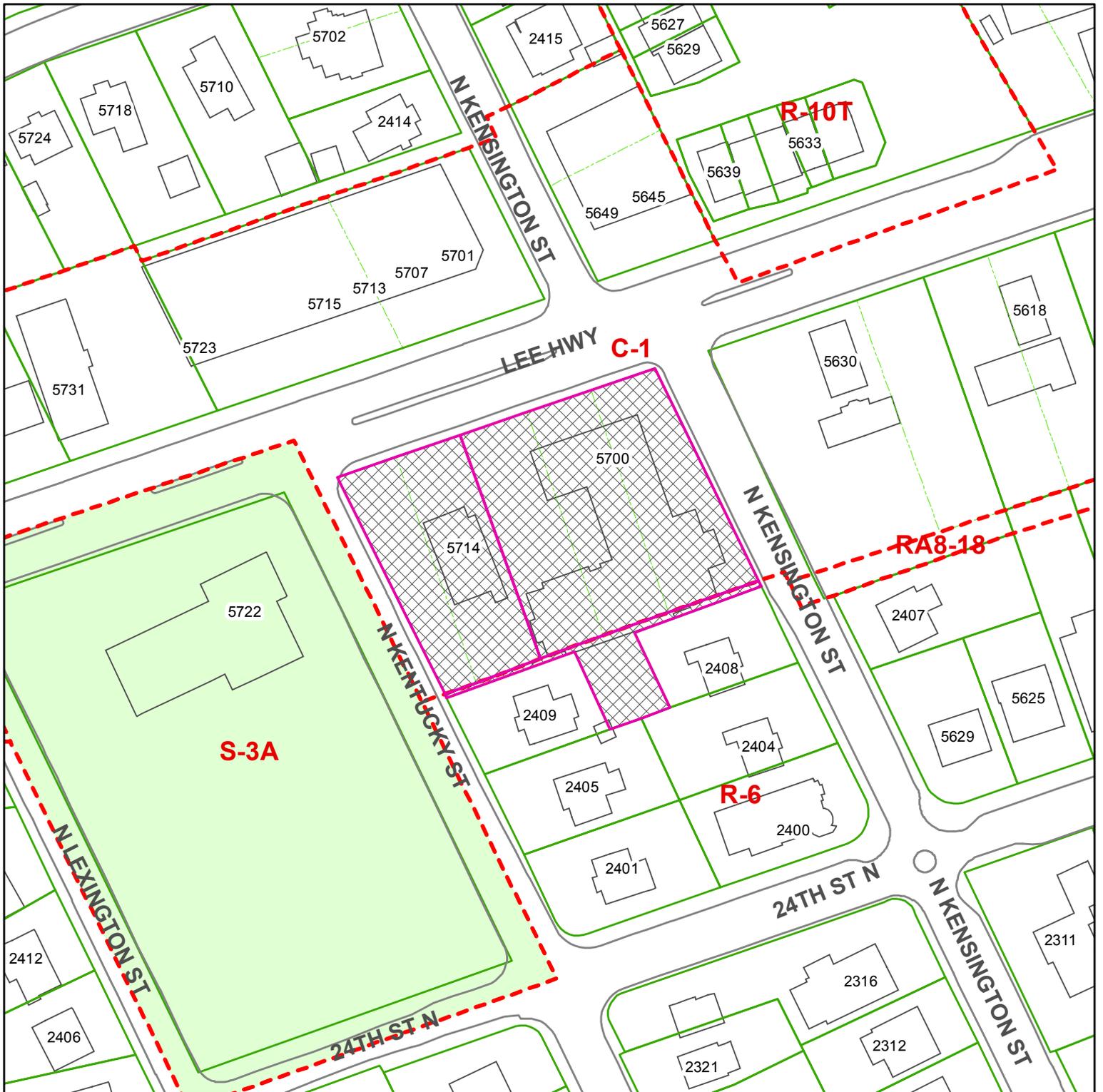
Proposed Conditions:

1. The applicant agrees to meet the requirements of the Child Care Ordinance, Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a Certificate of Occupancy.
2. The applicant agrees that the hours of operation shall be August through June, Mondays 9 a.m. to 1 p.m. and Tuesdays through Fridays 9 a.m. to 3:15 p.m., with a maximum enrollment of 10 children and four (4) staff persons.
3. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns that may be related to this school. The name and telephone number of the liaison shall be submitted by the applicant to the Zoning Administrator, as well as to the Leeway Overlee Civic Association, prior to issuance of a Certificate of Occupancy.
4. The applicant agrees to inform parents in writing, at the beginning of every school year and as often as deemed necessary, to obey all traffic laws when picking up and dropping off children or visiting the school. The applicant further agrees to coordinate with Rivendell School the daily pick-up and drop-off of students to minimize the impact on the neighborhood.
5. The applicant agrees to meet annually, in conjunction with Rivendell School, with the Leeway Overlee Civic Association before the new school year begins. The applicant will also inform the Civic Association at that time of upcoming school-year events. The applicant also agrees to continue to inform neighbors of the school in writing of school special events at least once per year.
6. The applicant agrees to cooperate with all requirements of the Department of Parks and Recreation (DPR) for the use of Lee Center Park (including purchasing liability insurance), and if considered necessary by DPR, agrees to enter as a party to the January 2009 Memorandum of Understanding between the Rivendell School and DPR.

PREVIOUS COUNTY BOARD ACTIONS:

December 11, 1954	Approved use permit (U-1157-54-1) for operating a school of dance for children from four to twelve years, maximum 12 in class, Thursdays, 2:30 PM to 4:30 PM, and Saturdays, 9:30 AM to 12:30 PM.
June 9, 1956 to June 15, 1964	Continued use permit (U-1157-54-1) with annual reviews.
July 1, 1964	Use permit (U-1157-54-1) expired.
August 6, 1955	Approved use permit (U-1183-55-1) for a preschool kindergarten, nursery and first grade for up to 50 children from three to six years from 9:15 AM to 12 noon, Monday through Friday.
June 9, 1956 to June 30, 1965	Continued use permit (U-1183-55-1) with annual reviews.
September 9, 1967	Approved use permit (U-1769-67-3) to operate a private school for 55 children.
June 22, 1968 to June 4, 1977	Continued use permit (U-1769-67-3) with annual reviews.
June 3, 1978	Continued use permit (U-1769-67-3) with no further review.
June 20, 1981	Approved use permit (U-2293-81-4) to increase enrollment for a private school from 60 to 75 children ages one through five from 9:00 AM to noon, subject to conditions with a review in three years.
June 2, 1984	Continued use permit (U-2293-81-4) with no further review

April 26, 1997	Authorized advertising "On the County Board's Own Motion", a use permit request for the Rivendell School to be heard at the Planning Commission meeting of May 27, 1997 and the County Board meeting of June 21, 1997.
June 21, 1997	Approved use permit (U-2914-97-5) for a private non- profit elementary school for up to 150 children, kindergarten through eighth grade, on weekdays from 9:00 AM to 3:00 PM with a review in one (1) year.
June 6, 1998	Continued use permit (U-2914-97-5) with a review in one (1) year.
June 12, 1999	Continued use permit (U-2914-97-5) with a review in one (1) year.
June 10, 2000	Continued use permit (U-2914-97-5) with a review in three (3) years.
June 14, 2003	Continued use permit (U-2914-97-5) with a review in five (5) years.
January 24, 2009	Renewed a use permit for a school (U-2914-97-5) with a County Board review in five (5) years (January 2014).
January 23, 2010	Approved a use permit amendment (U-2914-97-6) for the Rivendell School for a comprehensive sign plan, subject to new condition #7.



U-3335-12-2

5700 Lee Hwy.

RPC# 10-002-001, 007, 010

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

Department of Community Planning, Housing and Development



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

Planning Division