



## 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 Haym 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.
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).

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.