



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 19, 2008**

DATE: July 2, 2008

SUBJECT: U-3165-06-1 USE PERMIT REVIEW for family day care for nine (9) children for property located at 6088 8th Place North. (RPC #12-009-037)

Applicant:

Rosalina Huaman
6088 8th Place North
Arlington, Virginia 22205

C.M. RECOMMENDATION:

Renew the subject use permit for a family day care home, subject to all previously approved conditions, with a County Board review in three (3) years (July 2011).

ISSUES: This is a review of a family day care home, and no issues have been identified.

SUMMARY: The family day care was approved by the County Board in June 2007 with a review in one (1) year. The review was deferred from June 2008 to permit additional time to receive feedback from the Dominion Hills Civic Association. The association has not responded to staff's request for comments and staff has not received any complaints or concerns from the community. The applicant operates the day care in compliance with approved use permit conditions. Therefore, staff recommends renewal of the use permit for a family day care, subject to all previously approved conditions, and with a County Board review in three (3) years (July 2011).

BACKGROUND: The family day care use has operated on this site for one year. The subject property is a two-story single-family dwelling located on a corner lot. The lot is located at the intersection of North Patrick Henry Drive and North 8th Place and is near the intersection of North Patrick Henry Drive and Wilson Boulevard. Previously, the applicant operated a home day care at this site for five children as a by-right use permitted by the Zoning Ordinance.

DISCUSSION: The family day care provides care for children who range in age from infancy to three (3) years. The day care's hours of operation are from 8 a.m. to 6 p.m. on Mondays through Fridays. The day care operates in the lower level of the existing dwelling which has

County Manager: _____

Staff: Rasheda DuPree McKinney, DCPHD, Planning Division

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direct access to the fenced rear yard and play equipment on-site for outdoor recreation. The applicant continues to employ one child care staff person on-site.

The applicant continues to provide space for at least one car on-site for short term parking to facilitate pick-up and drop-off and to help alleviate parking shortages previously identified by the community. The applicant also mitigates traffic volumes over the course of the peak morning and afternoon traffic periods by continuing her policy of staggered pick-up and drop-off times. The applicant states that her only employee, an on-site childcare provider, continues to walk to and from the site and does not impact traffic in this neighborhood. County staff has performed inspections of this site and has found the site to be in compliance with County regulations. The applicant continues to work with the County Childcare Office to maintain her child care licensing requirements.

Since the use permit approval (June 9, 2007):

Use Permit Conditions: The family day care use is in compliance with the approved use permit conditions.

Child Care Office: The Child Care Office supports the renewal of the family day care use.

Community Code Enforcement: The Code Enforcement office has not reported any concerns regarding the continuation of the family day care use.

Neighborhood: The site is located in the Dominion Hills Civic Association neighborhood. Staff has sent notices to the civic association and has followed up with an email requesting comments on this use. The civic association has not responded with any concerns or comments.

CONCLUSION: During the past year, the expanded family day care has not created an adverse impact on adjacent properties. The applicant has complied with conditions designed to mitigate parking and traffic in the community. The applicant continues to work with the Child Care Office to ensure continued compliance with child care regulations. Therefore, staff recommends renewal of the subject use permit for a family day care, subject to all previously approved conditions, and with a County Board review in three (3) years (July 2011).

PREVIOUS COUNTY BOARD ACTIONS:

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| November 14, 2006 | Deferred consideration of a use permit (U-3165-06-1) to permit a family day care home for up to nine children to the January 2007 County Board meeting. |
| January 10, 2007 | Deferred consideration of a use permit (U-3165-06-1) to permit a family day care home for up to nine children to the June 9, 2007 County Board meeting. |
| June 9, 2007 | Approved a use permit (U-3165-06-1) to permit a family day care home for up to nine children, subject to conditions, with a review in one (1) year (June 2008). |
| June 17, 2008 | Deferred review of a use permit (U-3165-06-1) for a family day care home to the July 19, 2008 County Board meeting. |

Approved 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 parents of children receiving care shall escort their children both to and from the home at all times.
3. The applicant agrees that the hours of operation are Monday through Friday between 8 a.m. and 6 p.m.
4. The applicant agrees to make at least one unobstructed off-street parking space available to parents for pick-up and drop-off. Such off-street parking shall at no time obstruct any public right-of-way, or impede access to any neighboring property or driveway.
5. The applicant agrees to continue to stagger pick-up and drop-off times during business hours to alleviate parking demand during peak hours.
6. The applicant agrees, pursuant to Sec. 59-16 (c) (1) of Chapter 59 of the Arlington County Code (Family Daycare Homes), to provide a safe, fenced outdoor play area for children in her care.
7. The applicant agrees, pursuant to Sec. 59-17 (b) (6) of Chapter 59 of the Arlington County Code (Family Daycare Homes), to provide direct supervision to all children during all times of outdoor play activity.
8. The applicant agrees, pursuant to Sec. 14.2-24 of Chapter 14.2 of the Arlington County Code (Motor Vehicles and Traffic) that children in her care will not be allowed to play on any street.