



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of June 10, 2023

DATE: June 1, 2023

SUBJECT: U-3489-17-1 USE PERMIT REVIEW for a child care center for up to 50 children (Kinhaven School); located at 915 N. Oakland St. (St. George's Episcopal Church) (RPC# 14-039-001; -002; -003).

Applicant:
Kinhaven School
Amy Hitchcock, Director
915 N. Oakland St.
Arlington, VA 22203

By:
Timothy Dugan Attorney/Agent
Bean Kinney & Korman
2311 Wilson Blvd., Suite 500
Arlington, VA 22201

C.M. RECOMMENDATION:

Renew the use permit for a child care center for up to 50 children for (Kinhaven School) at St. George's Episcopal Church, subject to the previously approved conditions and with a County Board review in one (1) year (June 2024).

ISSUES: This is a one (1) year use permit review for Kinhaven School that operates as a child care center for up to 50 children located at the St. George's Episcopal Church at 915 N. Oakland St. There are no known issues outstanding as of the date of this report.

SUMMARY: This is a one (1) year use permit review for Kinhaven School, which is a child care center for up to 50 children located at the St. George's Episcopal Church at 915 N. Oakland St. In June 2022, the County Board approved a use permit amendment for an increase in capacity of the Kinhaven School from 38 children up to a maximum of 50 children. The child care center is currently in the process of obtaining the necessary revision to their Certificate of Occupancy to

County Manager: [Signature]
County Attorney: [Signature]
Staff: Pierre Jolicoeur, DCPHD, Planning Division
13.

permit the child care’s increase in students. However, the Kinhaven School has remained operational providing child care services for 38 children. Staff’s assessment with the use permit amendment application in 2022 concluded that the school has sufficient parking and recreational amenities to accommodate an increase in the school’s capacity. Therefore, since the applicant is currently in the process of obtaining the Certificate of Occupancy to accommodate an increase in capacity up to 50 children, staff recommends renewal of the use permit subject to the previously approved conditions and with a County Board review in one (1) year (June 2024) to assess the program’s compliance with the approved conditions once the expanded use becomes operational.

BACKGROUND: Kinhaven School has been providing childcare services at various locations in Arlington since 1971. The subject use at St. George’s Episcopal Church has been in operation since a use permit was approved by the County Board on July 15, 2017. On June 18, 2022, the applicant received approval of an amendment to their use permit to allow for an increase in capacity for the Kinhaven School’s child care center from 38 children to up to 50 children.

Address / RPC: 915 N. Oakland St. (St. George's Episcopal Church) (RPC#14-039-001, -002,-003)

Neighborhood: Ballston-Virginia Square Civic Association

Zoning: “R-5” – One-Family and Restricted Two-Family Dwelling District

GLUP: “Semi-Public”

Existing Land Use: The subject site is approximately 65,000 square feet and is developed with the existing St. George’s Episcopal Church.

Figure 1: Location of the St. George’s Episcopal Church



Source: Pictometry

Figure 2: St. George’s Episcopal Church (Kinhaven School)



Source: CPHD

DISCUSSION: The following details the existing use and staff assessment:

REVIEWED USE:

Type of Use: Child Care Center

Hours of Operation: Monday through Friday from 9 a.m. – 3 p.m.

Outdoor Play: The applicant currently utilizes off-site play space to fulfill the outdoor play requirement outlined in Arlington County Code Chapter 52. The applicant regularly uses Maury Park to fulfill the requirement for outdoor play. On an occasional basis, the applicant utilizes other resources such as taking the children to a trail or nature center.

Parking: Table 1. Parking Requirement

Required	Provided
5	17

Arlington County Zoning Ordinance (ACZO), Section 14.3.7 requires one off-street parking space per 10 children for day care uses

Pick-Up and Drop-Off: There are seventeen (17) parking spaces available

for use by parents during pick-up and drop-off. Parents enter the parking lot from North Oakland Street and utilize the spaces near the entrance to the school. In addition, the applicant expects approximately 15 percent of families to continue walking to Kinhaven School as is the current practice for many program participants.

ASSESSMENT:

DHS, Child Care Office:

During the review of this use permit no issues have been reported as of the date of this report. The Department of Human Services supports the renewal of the child care center's expansion.

Zoning Enforcement:

The Kinhaven School has not yet implemented an increase in their student capacity (up to 50 children) as approved in June 2022. Zoning Enforcement will confirm initial compliance with the approved use permit conditions during review and approval of the Certificate of Occupancy (C.O.), as well as with a subsequent County Board review of the use permit, which is recommended for June 2024.

Inspection Services Division (ISD):

The Kinhaven School has not yet implemented an increase in their student capacity (up to 50 children) as approved in June 2022. ISD will establish the maximum capacity of the child care center during the issuance process of their revised Certificate of Occupancy, which may be less than the number of children permitted by the use permit.

DES, Transportation:

There are seventeen (17) parking spaces available for use by parents during pick-up and drop-off. Parents enter the parking lot from North Oakland Street and utilize the spaces near the entrance to the school. In addition, the applicant expects approximately 15 percent of families to continue walking to Kinhaven School. No areas of concern were noted by DES during their review of this use permit.

CPHD, Planning:

Kinhaven School has operated a childcare center at the St. George's Episcopal Church since 2017 with 38 students. The use has sufficient parking and recreational amenities to accommodate the

program's capacity with up to 50 children as was approved in June 2022, but not yet fully implemented. Staff does not believe that the operation of the expanded child care use, once implemented, will be in conflict with adopted plans and/or policies, nor have an adverse impact on the neighborhood. The applicant is currently in the process of obtaining the Certificate of Occupancy to permit an increase in the child care program from 38 children up to a maximum of 50 children; therefore, staff recommends renewal of the use permit subject to the previously approved conditions and with a County Board review in one (1) year (June 2024).

PUBLIC ENGAGEMENT:

Level of Engagement:

Communicate

This level of engagement is appropriate because staff does not expect that the continued operation of the use, nor its expansion, will adversely impact the neighborhood.

Outreach Methods:

- Public notice was given in accordance with the Code of Virginia §15.2-2204. Notices of the County Board hearing on the use permit were placed in the May 18, 2023, and May 25, 2023, issues of the Washington Times for the June 10, 2023, County Board Meeting.
- Placards were placed in various locations surrounding the subject property within seven (7) days of the public hearing.

In addition to the above legal requirements:

- Civic associations and condominiums were informed of the application via email communication. The subject property is located within the Ballston-Virginia Square Civic Association and is adjacent to the Ashton Heights Civic Association and Tower Villa Condominiums.

Community Feedback:

Ballston-Virginia Square Civic Association: Staff contacted the civic association and they responded with no objection to renewal of the expansion of the childcare center.

Ashton Heights Civic Association: Staff contacted the civic association and they

responded with no objection to renewal of the expansion of the childcare center.

Tower Villa Condominiums: Staff contacted the property manager of the condominium building, and they have expressed their support of renewal of the expansion of the childcare center.

CONCLUSION: The subject use permit amendment to allow an increase in the Kinhaven School child care center's capacity from 38 children up to a maximum of 50 children was approved in June 2022; however, the applicant has not yet received the necessary Certificate of Occupancy to permit operations of the expanded use. However, since the time of approval in June 2022, the Kinhaven School has continued to operate its child care center in good standing with 38 children. As the expansion of the child care use has not yet been implemented, staff recommends renewal of the use permit subject to the previously approved conditions and with a County Board review in one (1) year (June 2024). This review period will afford the applicant additional time to receive its Certificate of Occupancy to increase capacity of the child care program, which staff, the community, and the County Board can assess during this recommended one-year review period.

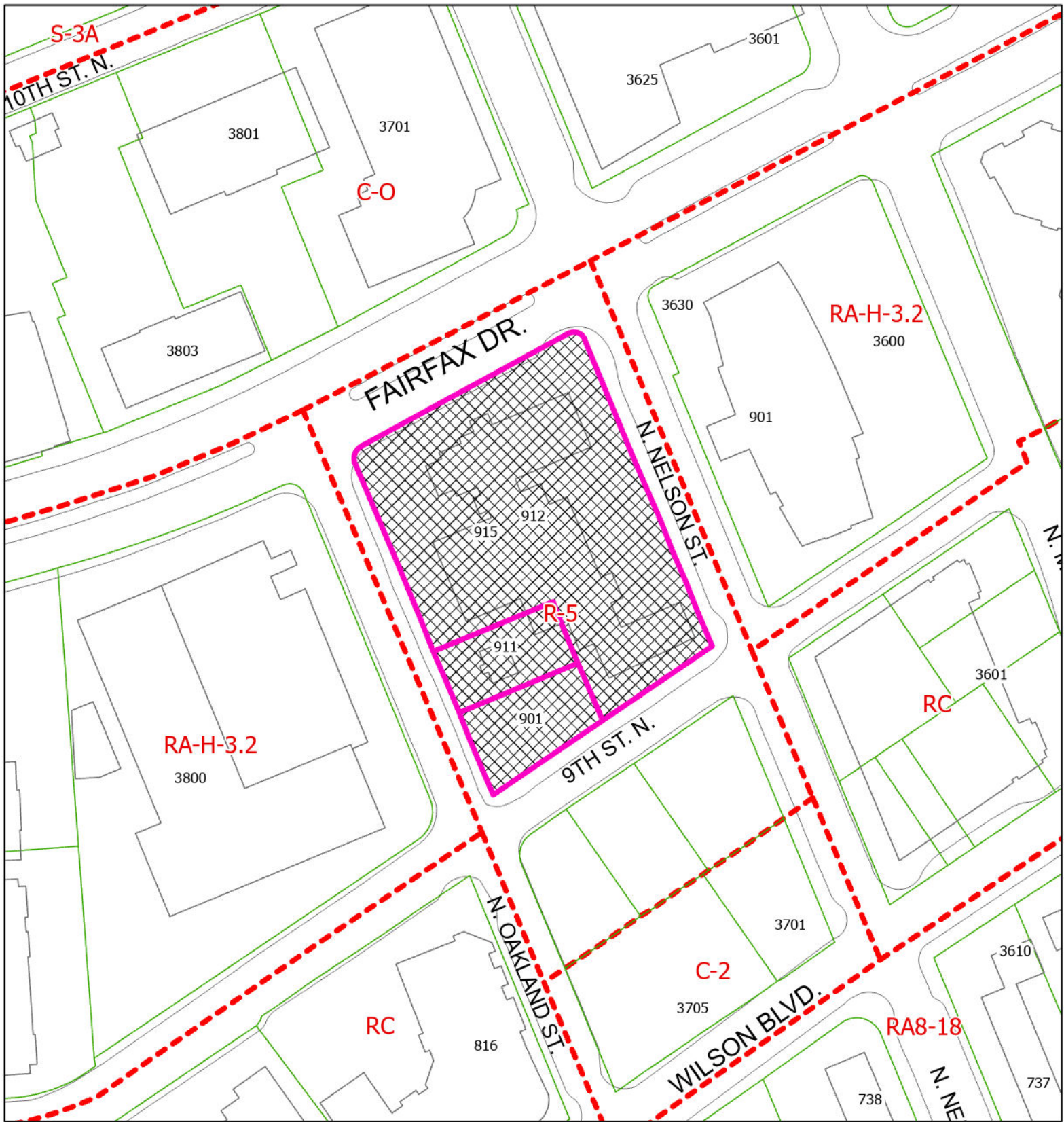
Approved Conditions (U-3489-17-1; Kinhaven School):

1. The applicant agrees to comply with all applicable requirements set forth in all applicable ordinances, codes, and regulations, including but not limited to the currently adopted editions of the Virginia Uniform Statewide Building Code, Parts I, II, and III, and its related regulations; the Virginia Fire Prevention Code; the Arlington County Zoning Ordinance; the Arlington County Health Regulations; and the Arlington County Child Care Center Regulations. Furthermore, the applicant agrees to actively and promptly pursue obtainment of all required associated building and operational permits and occupancy certificates from the various administrative and regulating agencies.

2. The applicant agrees that the hours of operation shall be 8:00 a.m. to 4:00 p.m. Monday through Friday. The applicant further agrees that the maximum permitted enrollment at any one time shall be 50 children, or such number as determined by the Department of Human Services Child Care Office, which may be fewer than the maximum noted above. The applicant further agrees that the maximum total occupant load, inclusive of children and adults, shall be as determined and designated by the Inspection Services Division in accordance with the Virginia Uniform Statewide Building Code, which may also be fewer than the maximum noted above. The applicant further agrees that they may offer evening programs to staff and parents no more than 18 times per year.

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 child care center. The name, telephone number, and electronic mail address (if available) of the liaison shall be submitted by the applicant to the Zoning Administrator, Ballston-Virginia Square Civic Association and Tower Villas Condominium prior to issuance of a Certificate of Occupancy.

4. The applicant agrees to submit an update to its existing parking management plan to the County for review and approval prior to issuance of a Certificate of Occupancy for an increase in capacity for greater than 31 children and up to a maximum of 50 children for the child care center. The applicant agrees that the updated plan shall be approved only if it shows a minimum of five (5) off-street parking space located in the parking lot on the site. The applicant further agrees that those dedicated parking spaces shall be available for staff and visitors of the child care center during the hours of operation for the facility. The five (5) required parking spaces shall comply with all requirements set forth in all applicable ordinances and regulations, including, by way of illustration and not limitation, those administered by Section 14 of the Arlington County Zoning Ordinance.



U-3489-17-1

915 NORTH OAKLAND STREET

RPC# 14-039-001; -002; -003

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

Scale 1:1,200



County Use Only
 Date Placard Posted _____
 By _____
 Removed