

Board Agenda Item  
January 25, 2011

3:30 p.m.

Public Hearing on SE 2010-MA-020 (Higher Horizons Day Care Center, Inc.) to Permit a Child Care Center and Nursery School with a Maximum Enrollment of 48 Students and Waivers and Modifications in a CRD, Located on approximately 13,160 Square Feet Zoned C-7, CRD, HC and SC, Mason District

The application property is located at 6201 Leesburg Pike, Tax Map 51-3 ((23)) Cpt. and C1pt.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 13, 2011, the Planning Commission voted unanimously (Commissioner Murphy not present for the votes) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2010-MA-020, subject to the Development Conditions dated December 29, 2010, modified as follows:
  - Revise Condition 5 to read, "The total maximum daily enrollment is limited to 48 students between the ages of 6 weeks and 3 years old."
  - Revise Condition 6 to read, "The maximum number of staff on site shall not exceed 12 at any one time."
  - Revise Condition 7 to read, "The hours of operation shall be limited to 7:30 am to 5:00 p.m."
  - Revise Condition 9 to read, "Parking areas shall not be used for recreational purposes."
  - Add a new Development Condition to read, "Prior to the issuance of a non-RUP, the applicant shall provide a parking tabulation to ensure adequate parking on site."
- Modification of the transitional screening yard and barrier requirements along the north, south, and east boundary lines in favor of that shown on the SE Plat.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4337609.PDF>

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STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)  
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting  
January 13, 2011  
Verbatim Excerpt

SE 2010-MA-020 – HIGHER HORIZONS DAY CARE CENTER, INC.

After the Close of the Public Hearing

Vice Chairman Alcorn: Close the public hearing; recognize Commissioner Hall.

Commissioner Hall: Okay. We got the buttons working. Mr. Chairman, I move that the Planning Commission recommend - - oh boy, hold on. Right. I have - - okay. Thank you.

Commissioner Lawrence: Suspended motion.

Commissioner Hall: Okay.

Vice Chairman Alcorn: All right.

Commissioner Hall: I don't know if I trust you after that 2009 and 2010. Okay. Let me start again. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2010-MA-020, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED DECEMBER 29, 2010, and as modified - -AND AS MODIFIED HERE. Okay. Condition Number 5 - - CONDITION NUMBER 5 WILL BE REPLACED WITH "THE TOTAL MAXIMUM DAILY ENROLLMENT IS LIMITED TO 48 - - between the ages - - THE STUDENTS BETWEEN THE AGES OF SIX WEEKS AND THREE YEARS OLD." CONDITION NUMBER 6 SHALL NOW READ: "THE MAXIMUM NUMBER OF STAFF SHALL NOT EXCEED 12 AT ANY ONE TIME ON SITE." Okay. CONDITION NUMBER 7, THE WORD "NORMAL" IS DELETED AND NOW READS: "THE HOURS OF OPERATION SHALL BE LIMITED TO 7:30 A.M. TO 5,000 - - 5,000 - - TO 5:00 P.M." And last but not least, CONDITION NUMBER 9 WILL NOW READ: "PARKING AREAS SHALL NOT BE USED FOR RECREATIONAL PURPOSES." IN ADDITION, WE WILL ADD A NEW DEVELOPMENT CONDITION, WHICH READS: "PRIOR TO THE ISSUANCE OF A NON-RUP, THE APPLICANT SHALL PROVIDE A PARKING TABULATION TO ENSURE ADEQUATE PARKING ON SITE."

Vice Chairman Alcorn: Okay. The motion's been moved. Is there a second?

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Any discussion on that motion?

Commissioner Lawrence: Question, Mr. Chairman, for clarification.

Vice Chairman Alcorn: Mr. Lawrence?

Commissioner Lawrence: The condition that says, we're only going to have so many staff on site at any one time, how will that be enforced? Will there be sign-in sheets? How will we know?

Commissioner Hall: I would believe that it would be like any other condition that it's called - - they would have time-in sheets or time cards, or it's like any other condition that we have.

Commissioner Lawrence: Thank you, Mr. Chairman.

Vice Chairman Alcorn: Any other discussion on the motion?

William O'Donnell, Zoning Evaluation Division, Department of Planning and Zoning: Commissioner Hall, I can kind of speak to that. If it becomes a problem - -

Vice Chairman Alcorn: Mr. O'Donnell.

Mr. O'Donnell: I'm sorry. This is William O'Donnell. If it is a problem, Zoning Enforcement has the ability to - - you know - - use that condition as a means to enforce, either if it's a parking problem or whatever the problem is. So.

Vice Chairman Alcorn: Okay. Any more discussion on the motion? All those in favor of recommending approval of SE 2010-MA-020, subject to the development conditions consistent with those found in the staff report and as modified by Commissioner Hall, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman. I MOVE THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING YARD AND BARRIER REQUIREMENTS ALONG THE NORTH, SOUTH, AND EAST BOUNDARY LINES, IN FAVOR OF THAT SHOWN ON THE SE PLAT.

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Any discussion of that motion? All those in favor of recommending a modification of the transitional screening yard and barrier requirements along the north, south, and east boundary lines, in favor of that shown on the SE Plat, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Hall: Mr. Chairman, thank you very much, staff, Will - - hang in there. And I appreciate the work that the applicant and you'll be bringing extra services to people who need it in their neighborhood, which I think is a real plus. So, I thank you all. And now I'm going to say, good night, and I'm going to take my throat and leave. Thank you very much, Mr. Chairman.

Vice Chairman Alcorn: Thank you, Ms. Hall. Mr. Lawrence, before we go to - -

Commissioner Lawrence: Just a quick question for Transportation staff. Is there a statement somewhere on our Web site about who owns our roads?

Alan Kessler, Fairfax County Department of Transportation: My name is Alan Kessler with the Fairfax County Department of Transportation. I do not know exactly, basically it might be on the VDOT Web site.

Commissioner Lawrence: Could I ask that we - -?

Mr. Kessler: That's the first place I would look.

Commissioner Lawrence: Could I ask that we take a look at that? I think there are a number of people in the County who don't - - why would they know that we don't control our own roads? That the State controls them instead, except for maybe a couple hundred miles. Could we look into that? And maybe is there a way to publicize that by saying on the Web site, "We don't control the roads, the State does." Thank you, Mr. Chairman.

Vice Chairman Alcorn: Sure. Okay. Thank you.

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(The motions carried unanimously with Commissioner Murphy not present for the votes.)

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