

January 28, 1999

TO: The County Board of Arlington, Virginia  
FROM: William T. Donahue, County Manager

APPLICANT: Levine School of Music, Northern Virginia  
5010 Little Falls Road  
Arlington, Virginia 22207

BY: Jeanne Kelley, Agent

SUBJECT: U-2946-98-2 Use Permit Request of Levine School of Music to permit a music school as required by Section 5.A.6.a. for approximately 300 students weekly; on premises known as 5010 Little Falls Road. (Rock Spring Congregational United Church of Christ)

SITE: A 95,148 square-foot lot developed with a church. The proposed use would occupy a total of 2,971 square feet of space within the church. The proposed space is located predominantly on the second level of the church. In addition, a multi-purpose room located in the basement and the school would also use designated space in Carpenter Hall. The church is generally surrounded by single-family residential uses.

ZONING: "R-10" One-Family Dwelling Districts.

LAND USE: "Low" Residential (1 to 10 dwelling units per acre).

NEIGHBORHOOD: Yorktown Civic Association and Rock Springs Civic Association.

**RECOMMENDATION: Approve, subject to the conditions of the staff report and with an expiration date of July 31, 1999.**

SUMMARY: The applicant is proposing to offer individual and group music lessons to the public in the Rock Spring Congregational United Church of Christ. The Levine School actually began offering classes in September 1997. To meet the County requirement to secure a use permit, the applicant submitted an application soon after being informed of the requirement. The subject use permit request was deferred at the October 17, and the December 12, 1998 County Board meetings to allow other uses in the building that potentially would require a special exception use permit to be heard concurrently. To date those uses have not submitted use permit applications. Staff believes that it is now appropriate for the County Board to consider the Levine School of Music's use permit by itself. Staff would continue to work with the church to determine whether there are other uses operating that require special exception use permits.\_

Currently a use permit-approved cooperative preschool for 55 children operates in the church. The proposed space for the music classes would be separate from the preschool. Both uses would be expected to work together in any shared spaces inside and outside of the church. The church does not have a parking lot. Condition #2 of the staff report would require that staff associated with Levine School park away from the church and nearby residences. In addition, the applicant has been encouraged to try

to secure private parking away from the area for the staff and to encourage as much carpooling and ridesharing as possible by patrons and staff. Child Care staff would work with the applicant, providing technical assistance and ensuring adherence to Chapter 16 of the Arlington County Child Care Code. Conditions have been included to ensure the health and safety of the children and to minimize traffic and parking impacts in the vicinity of the church. Staff has been informed by the church that its lease with the Levine School will expire at the end of July 1999 and it will not be renewed. Thus, Levine School's music program would need to relocate by the end of July. Therefore, it is recommended that the use permit be approved subject to the conditions of the staff report and with an expiration date of July 31, 1999.  
**(The use permit expires July 31, 1999)**

**BACKGROUND:** The Levine School of music was founded in 1976 in Washington, D.C. where it continues to have its main campus in Northwest Washington. In addition to the subject Northern Virginia branch, the school also has branches in Maryland and Southeast Washington, D.C. The school is fully accredited by the National Association of Schools of Music. Since 1959 the Rock Spring Preschool has operated a cooperative preschool program under use permit approval for 55 children ages 15 months to five (5) years on the site. At its meeting of October 17, 1998 and again on December 12, 1998, the County Board deferred the subject use permit to allow other potential uses requiring use permit approval to submit applications to be considered simultaneously with this use permit. To date additional use permit applications have not been submitted. Staff believes that, at this time, it would be appropriate to consider the Levine School proposal by itself.

**DISCUSSION:** The Levine School of Music, Northern Virginia Branch has operated out of the Rock Spring Congregational United Church of Christ providing open and private instruction to approximately 300 students per week since September 1997. Students range in age from 18 months to senior citizens. The hours of operation are as follows: Mondays and Tuesdays: 1:00 p.m. to 9:00 p.m., Wednesdays: 10:00 a.m. to 9:00 p.m. and Saturdays: 9:00 a.m. to 5:00 p.m. The program incorporates seven (7) classrooms within the church. In addition, the church auditorium is used on Wednesdays from 6:00 p.m. to 7:15 p.m. between September and May for 23 children in the Children's Opera. The school also has use of designated space in Carpenter Hall. Occasional recitals and community concerts are presented in the auditorium and offered free to the general public. Aside from the Children's Opera, class sizes generally range from one (1) student for private lessons to a maximum of 10 students in classes at any one time. Class duration is generally 30 to 60 minutes in length. The Levine School of Music does not offer any classes on Thursdays, Fridays, or Sundays. The school states that its peak hours for classes range between 3:00 p.m. and 6:30 p.m. on weekdays.

The applicant, who serves as the director of the school, has 20 years in music and has produced a unique blend of experience as a vocal performer, teacher and conductor. For the past two years the applicant served as Executive Director of the Houston Conservatory of Music. Other staff associated with the Levine School of Music, Northern Virginia Branch includes an executive director, a full-time assistant, one part-time assistant, and a total of 25 professionally trained teachers. There would be a total of nine (9) staff on site at any given time. Between the director and the two (2) assistants, two (2) of the three (3) would be present on the site during class offerings; and given that there are seven (7) classrooms, there would be a maximum of seven (7) teachers on the site at any given time.

Currently there are a few other uses operating in the church that potentially may require special exception use permit approval. While those uses have not submitted use permit requests to date, staff would continue to work with the church to determine which uses require special exception use permit approval. A use permit-approved preschool, the Rock Spring Preschool operates in separate space in the church; however, the parking spaces around the church would be shared with Levine School and other users of the church. Since the church does not have a parking lot, parking associated with this use and other users of the church occurs on the street. To lessen traffic and parking impacts, the applicant has agreed to require that all staff associated with the Levine School park along the section of Little Falls Road near



59-2) annually.

to

June 4, 1977

June 3, 1978                      Continued use permit (U-1361-59-2) with no further review.

October 17, 1998                  Deferred use permit request (U-2946-98-2) for a music school for approximately 300 students weekly to the December 12, 1998 County Board meeting.

December 12, 1998                Deferred use permit request (U-2946-98-2) to the February 6, 1999 County Board meeting.