

EXHIBIT NO. 1

6  
10-19-02

Docket Item # 6  
SPECIAL USE PERMIT #2002-0078

Planning Commission Meeting  
October 1, 2002

**ISSUE:** Consideration of a request for a special use permit to operate a child care home.

**APPLICANT:** Ruth Walker

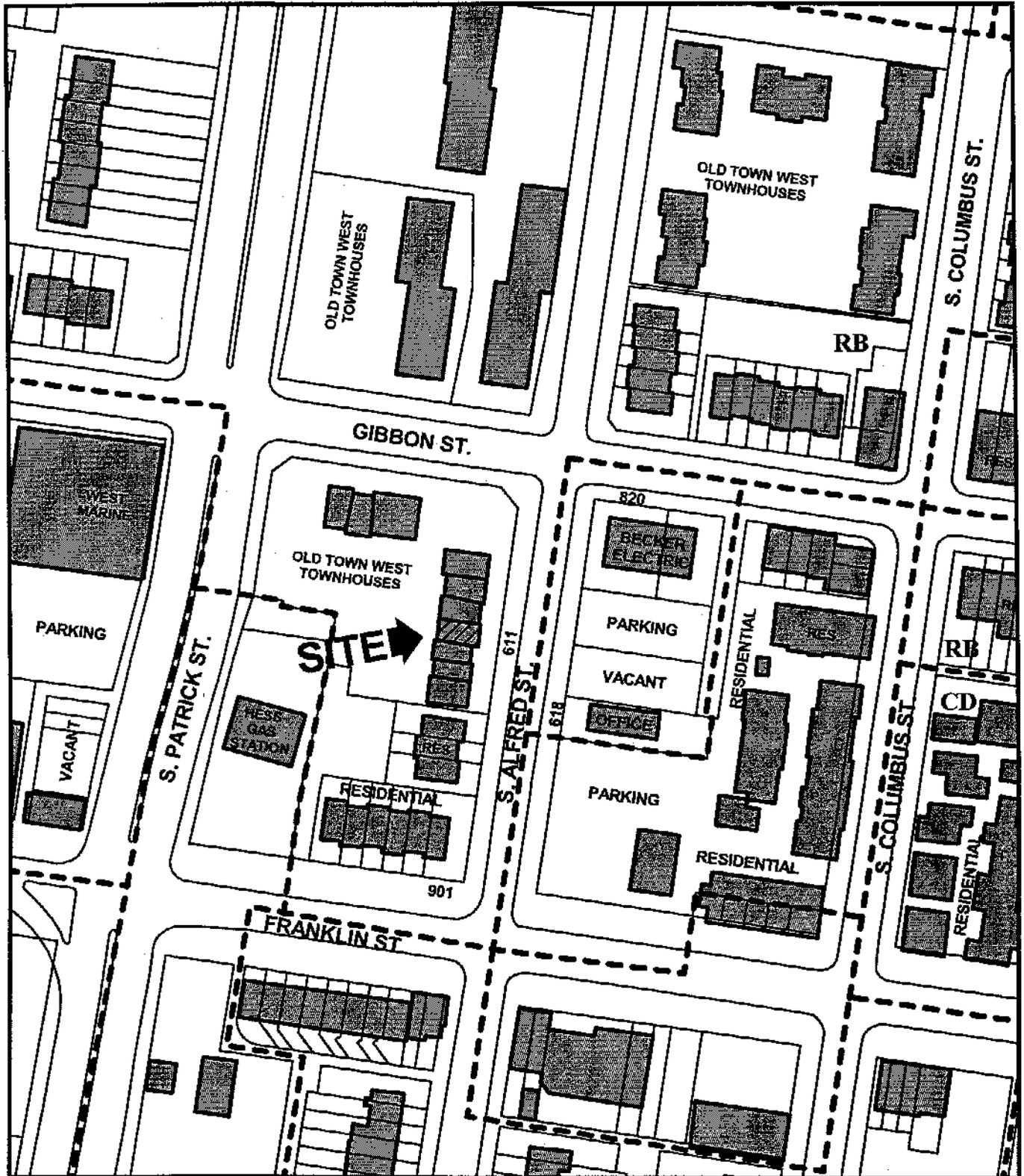
**LOCATION:** 611 South Alfred Street

**ZONE:** RB/Residential

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**PLANNING COMMISSION ACTION, OCTOBER 1, 2002:** By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

**Reason:** The Planning Commission agreed with the staff analysis.



**SUP #2002-0078**

**10/01/02**



STAFF RECOMMENDATION:

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. The hours of operation shall be 6:00 a.m. to 6:00 p.m Monday through Friday for nine children, 6:00 p.m. to 6:00 a.m. Monday through Friday for five children, and 24 hours a day of operation on Saturday and Sunday for five children. No child shall be under care for a continuous 24 hour period. (P&Z)
3. Only one "non-resident" assistant shall be permitted on-site at any one time. (P&Z)
4. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the child care home. (Police)
5. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
6. The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

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Staff Notes:

Upon issuance of special use permit, the applicant must contact appropriate City and State departments to confirm compliance with City and State codes and ordinances.

The applicant must be registered with the Alexandria Department of Social Services.

The applicant shall obtain a certificate of occupancy prior to commencement of the child care home.

In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, Ruth Walker, requests special use permit approval for the operation of a child care home located at 611 South Alfred Street.
2. The subject property is one lot of record with 186 feet of frontage on S. Alfred Street, 190 feet of frontage along Gibbon Street, and 91 feet of frontage on S. Patrick Street and a total lot area of 38,209 square feet. The site is developed with the Old Town West multi-unit townhouse development. The subject site, 611 S. Alfred Street, is a townhouse that faces the street. There is a playground at the rear of the townhouse, in the middle of the entire development.
3. The applicant is currently licensed by the city to care for up to five children in her home. One of the children is a resident of the home under the age of 14. The applicant seeks special use permit approval to care for an additional four children, for a total of nine, in her home.
4. The applicant requests approval to operate 24 hours a day every day of the week. The regular daytime hours of operation are 6:00 a.m. to 6:00 p.m., with late evening care (from 6:00 p.m. to 12:00 a.m.) and overnight care also requested by parents. Some children need care in the late evening or overnight because their parents work late or have night shifts. The applicant currently cares for five children during the day and five children during evenings and/or overnight. She never cares for more than five children at one time. If approved for nine children, the applicant will likely have nine children during daytime hours and nine children for late evenings and overnight stays. She will not care for more than nine children at one time. No child will stay for a continuous 24 hours of child care.
5. The zoning ordinance defines a child care home as follows: "A private family home which offers care, protection and supervision to no more than a total of nine children at a time under 14 years of age during any 24 hour period and then only for part of the 24 hour day".
6. A playground is located on-site immediately behind the subject townhouse.
7. Two adults will be on hand to take care of the children.
8. Parents can park in the on-site lot to pick up or drop off children.
9. The applicant has applied to the state for a child care license for nine children.
10. Zoning: The subject property is located in the RB (Townhouse) zone. Sections 3-700 and 7-500 of the zoning ordinance allows a Child Care Home in the RB zone only with a special use permit.

11. Master Plan: The proposed use is consistent with the Southwest Quadrant Small Area Plan chapter of the Master Plan which designates the property for RB use.

STAFF ANALYSIS:

Staff has no objection generally to the proposed child care home for nine children located at 611 S. Alfred Street. The applicant complies with the requirements of the zoning ordinance and has contacted the state to apply for the correct child care license. She provides a play area, is registered with the city, and has previously complied with the five child limit for her existing child care home. The child care home is her principal residence and the City has no records of complaints regarding the applicant's history as a child care provider.

Staff, however, is concerned about increasing the size of the child care home to nine children during evenings, nights and on weekends. Nine children in a townhouse could cause noise problems for adjacent neighbors during evenings, nights and weekends, when the neighbors are most likely home. Therefore, staff has included a condition limiting the number of children to five during evenings, overnight and weekend days. This number maintains the current level of service for evenings, overnight and weekend days, but allows the increase to nine children for the regular day time use of the child care home.

Staff has also included language making it clear that approval of the application does not include continuous 24 hour care of any one child.

Staff supports approval of the application subject to the recommended conditions.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Mary Hashemi, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- R-1 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.

Code Enforcement:

- C-1 This review is based on the assumption that this facility will be licensed as a family day home by the Virginia Department of Social Services. If this does not occur then the number of children served at one time shall be limited to five.
- C-2 Smoke detectors shall be provided in all sleeping areas.
- C-3 Fire extinguishers shall be provided at this facility.
- C-4 A Fire Emergency Evacuation Plan will be developed and submitted to the Public Fire Safety Education Officer for approval.
- C-5 A certificate of occupancy shall be obtained prior to occupying this facility.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.
- C-2 A Certified Food Manager must be on duty during all hours of operation.
- C-3 Permits must be obtained prior to operation.
- C-4 Five sets of plans must be submitted to and approved by this department prior to construction.

- C-5 This facility must meet state and city Social Services requirements for air and floor space, toilet facilities, separate isolation room for sick children, lighting, temperature, storage for cots, clothing. Other items may be required by state or city codes.
- C-6 If food preparation or food handling is done on the premises, five sets of plans of the food handling areas are to be submitted to the Health department for approval.
- C-7 This facility must meet commercial standards (13 or more). Plans must comply with Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. A \$135.00 fee is required for review of plans for food facilities.
- C-8 If enrollment is kept to a maximum of 12 children at any one time, the facility may use home-style(semi-public restaurant)standards for food service.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the child care home.

Human Services - Social Services:

- F-1 No comment.

MH  
APPLICATION for SPECIAL USE PERMIT # 2002-0078

[must use black ink or type]

PROPERTY LOCATION: 611 S. ALFRED ST Alex VA 22314 (601)

TAX MAP REFERENCE: 80.01 0401 ~~74.03~~ ZONE: RB

APPLICANT Name: RUTH WALKER

Address: 611 S. ALFRED ST Alex VA 22314

PROPERTY OWNER Name: Dip Limited PARTNERSHIP TIE

Address: P.O. Bx. 4900 Dept #101 E Property Tax Scottsdale AZ 852149

PROPOSED USE: Home Day CARE FOR MORE THEN (5) CHILDREN

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

RUTH WALKER  
Print Name of Applicant or Agent

Ruth Walker  
Signature

611 S. ALFRED ST  
Mailing/Street Address

7/836-2665  
Telephone # Fax #

Alex VA 22314  
City and State zip Code

7/23/02  
Date

=====DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY=====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one)  the Owner  Contract Purchaser  
 Lessee or  Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

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If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- Yes. Provide proof of current City business license
- No. The agent shall obtain a business license prior to filing application, if required by the City Code.
2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

**NARRATIVE DESCRIPTION**

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

Nature of Activities services will provide to the  
Children physical and mental excursions such as indoor,  
and outdoor games, drawing coloring, rhymes and songs and  
reading and arithmetic. These activities will enhance  
Visual, physical and mental skills. the play area will be to  
the rear of complex. There will be to adults providing  
care as needed. I would like for the operation hour to  
be twenty four hours as needed for parents who also work  
in the evening such as doctors, lawyers, nurses, police off-  
and housekeeper etc; that works overnight to dawn. they  
also need childcare assistance. There will ~~be~~ also  
be twenty five parking spaces in the rear of home for  
for drop off and pick up and parking in the front of complex  
and for employees to park. the noise will be  
kept to a minimum with providers supervision.

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**USE CHARACTERISTICS**

4. The proposed special use permit request is for: *(check one)*

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,
- other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

9 6:00AM - 6:00PM (DAY)  
6:00PM UNTIL MIDNIGHT OR (OVERNIGHT) 24 HRS

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

ONE 6:00AM - 6:00PM MIDNIGHT + OVERNIGHT 24 HRS

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

Mon. - Sun

24 HRS 6:00AM - 6:00PM

MON - SUN

MIDNIGHT AND OVERNIGHT

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

NONE

B. How will the noise from patrons be controlled?

NONE

8. Describe any potential odors emanating from the proposed use and plans to control them:

NONE

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

A SMALL AMOUNT OF DISPOSABLE DIAPERS AND PAPER

PRODUCTS WILL BE CONTAINERIZED IN TRASH BAGS AND PLACED  
IN LARGE TRASH DUMPER FOR REGULAR PICKUP IN REAR OF HOME.

B. How much trash and garbage will be generated by the use?

VERY MINIMUM

C. How often will trash be collected?

DAILY

D. How will you prevent littering on the property, streets and nearby properties?

TRASH PRODUCTS WILL BE CONTROLLED WITH IN PROVID  
INTERIOR AND EXTERIOR

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes.  No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes.  No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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12. What methods are proposed to ensure the safety of residents, employees and patrons?

FIRE ESCAPE plan HAS BEEN DEVELOPED

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**ALCOHOL SALES**

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes.  No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

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N/A

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**PARKING AND ACCESS REQUIREMENTS**

14. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

\_\_\_\_\_

B. How many parking spaces of each type are provided for the proposed use:

\_\_\_\_\_ Standard spaces

\_\_\_\_\_ Compact spaces

\_\_\_\_\_ Handicapped accessible spaces.

\_\_\_\_\_ Other.

*See  
narrative  
for parking  
information.*

C. Where is required parking located?     on-site     off-site    *(check one)*

If the required parking will be located off-site, where will it be located:

\_\_\_\_\_

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? \_\_\_\_\_

B. How many loading spaces are available for the use? \_\_\_\_\_

C. Where are off-street loading facilities located? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

D. During what hours of the day do you expect loading/unloading operations to occur?

PARENT DROP KIDS off 6-8AM and pick up  
AROUND 6:00-8:00PM

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

\_\_\_\_\_  
\_\_\_\_\_

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

\_\_\_\_\_  
\_\_\_\_\_

**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building?  Yes  No

Do you propose to construct an addition to the building?  Yes  No

How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?

\_\_\_\_\_ sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = \_\_\_\_\_ sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building  a house located in a residential zone  a warehouse

a shopping center. Please provide name of the center: \_\_\_\_\_

an office building. Please provide name of the building: \_\_\_\_\_

other, please describe: \_\_\_\_\_

15

**CHILD CARE SUPPLEMENTAL APPLICATION**

Supplemental information to be filed by applicants requesting special use permit approval of a child care home or child care center. All applicants must submit a plot plan of the property, showing play areas and parking and an interior floor plan.

**Child Care Homes**

Applicants requesting special use permit approval of a child care home for six to nine children within a home shall complete this section.

1. Is the proposed facility the principal residence of the operator?  Yes.  No.
2. Is the operator registered with the City of Alexandria Office of Early Childhood Development to provide child care in the home?  Yes.  No.
3. How many children, including resident children, will be cared for? 9
4. How many children reside in the home? 1
5. How old are the children? (List the ages of all children to be cared for)  
Resident: 12  
Non-resident: 0-13yrs
6. A minimum of 75 square feet of outdoor play area must be provided for each child above age two, on the lot.  
Play area required:  
Number of children above age two: \_\_\_\_\_ x 75 square feet = \_\_\_\_\_ square feet.  
Play area provided: 2,120 square feet.
7. If the lot does not have room for on-site play area, is the child care home within 500 feet of a park or playground available for the children to play in?  Yes.  No.

If yes please describe the play area:

Playing Bars Sliding Board.

If a play area that is not owned or leased by the operator is to be used by the children, written permission from the owner must be obtained and a copy submitted with this application.

*Please note: child care homes are not permitted to display signs.*

**Child Care Homes and Child Care Centers**

Applicants for both child care homes and child care centers (day care center, day nursery, and nursery schools) must complete the following section:

8. How many employees will staff the child care facility, including the operator?

2

How many staff members will be on the job at any one time? 2 AS NEEDED

9. Where will staff and visiting parents park? Street parking  
property parking lot.

10. Please describe how and where parents will drop-off and pick-up children.

Parents will drop off and pickup children via front entrance  
and property lot. front entrance faces the street.  
twenty five parking spaces to the rear of property for pick up  
and drop off.

11. At what time will children usually be dropped-off and picked-up.

Drop-off

Pick-up

6:00 AM

6:00 PM

6:00 PM

Until Over Night 8:00 AM

12. What type of outdoor play equipment is proposed for the child care facility, if any? Where will it be located on the property?

Sliding Board, playing bars.

13. Are play areas on the property fenced?  Yes.  No.

If no, do you plan to fence any portion of the property?  
Please describe the existing or proposed fence.

Yes.  No.

**Child Care Centers Only**

Applicants for child care centers (day care center, day nursery, and nursery schools) must complete the following section:

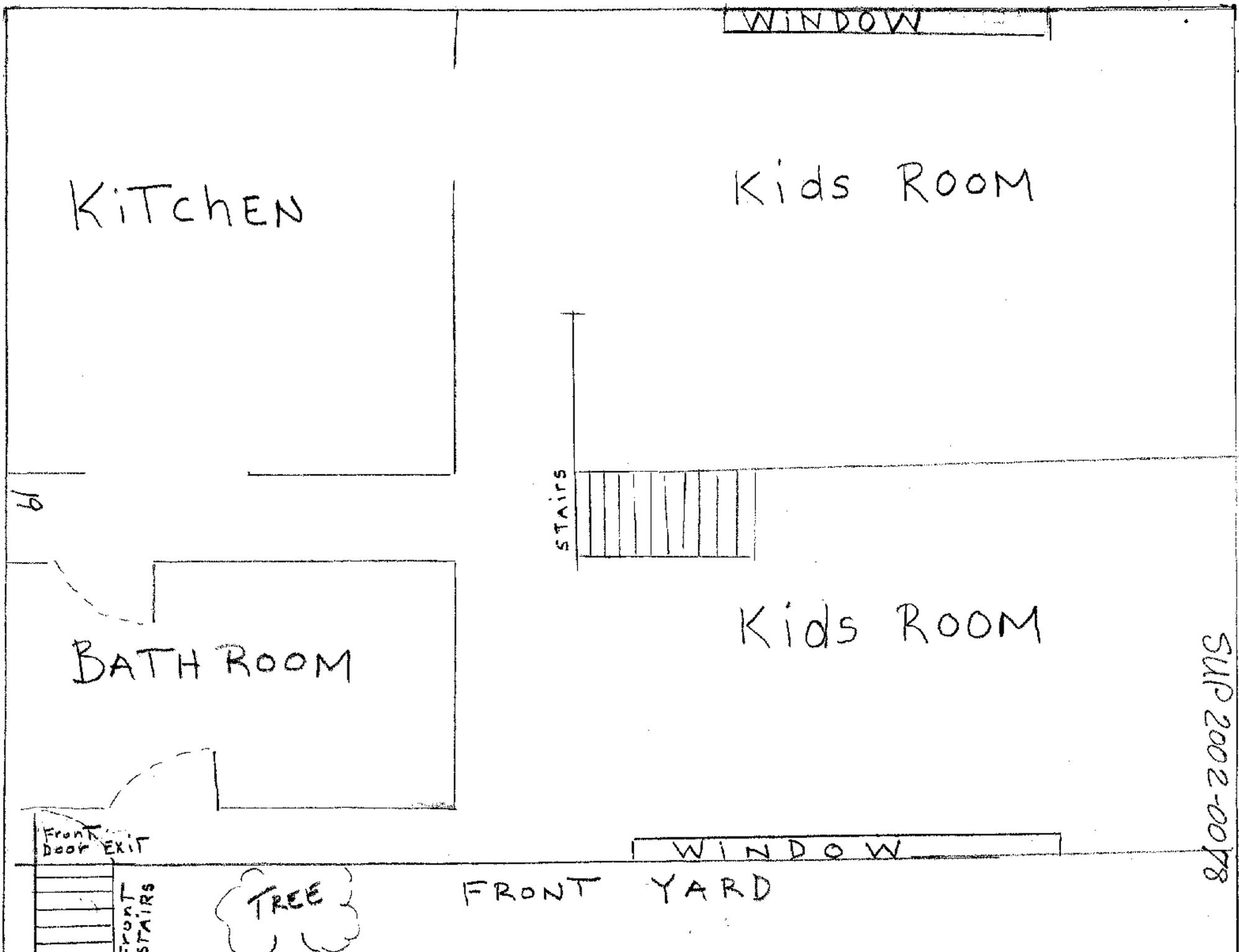
14. How many children will be cared for during one day? 9

15. What age children do you anticipate caring for? 0-13 yrs

16. Does the operation have a license from the State of Virginia for a child care facility?

Yes.  No. If yes, provide a copy of the license.

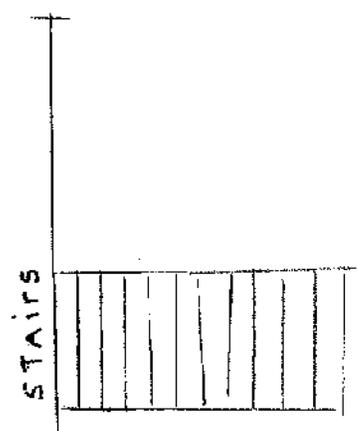
I HAVE A REGISTRATION FOR CHILD CARE THROUGH THE STATE OF VA DSS.



KITCHEN

WINDOW

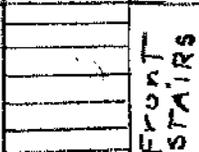
Kids ROOM



BATH ROOM

Kids ROOM

Front Door EXIT



FRONT YARD

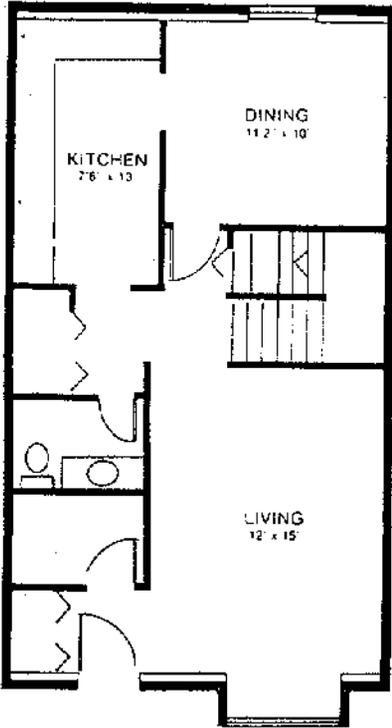
WINDOW

SUP 2002-0078

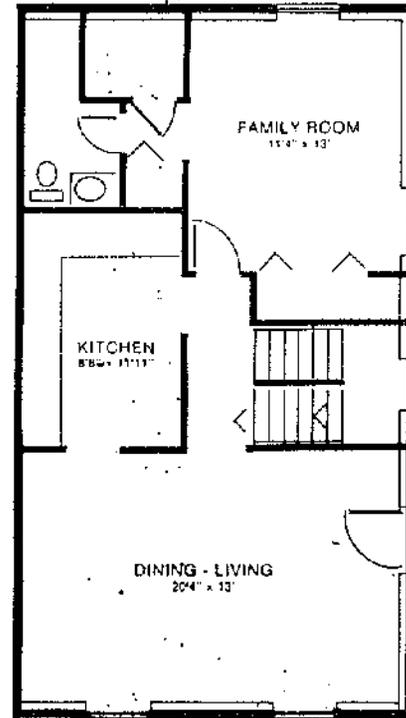
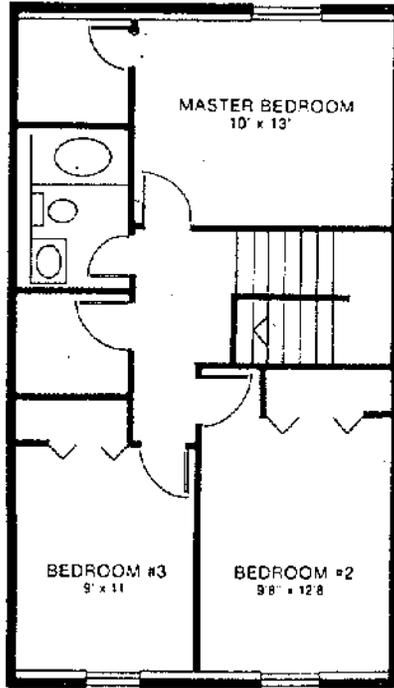


# Floor Plans Townhouses

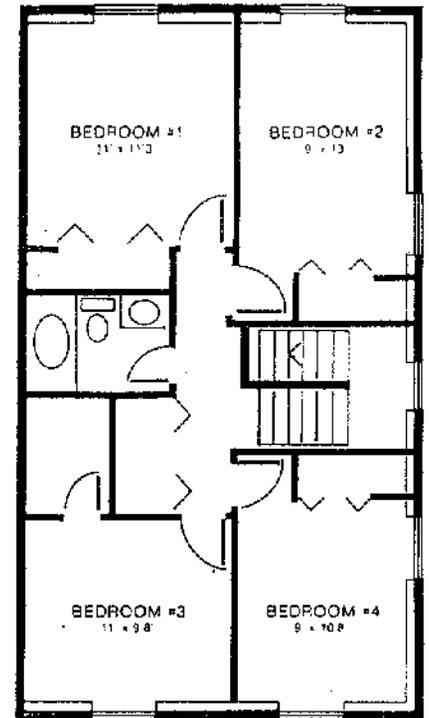
20



THREE BEDROOM TOWNHOUSE



FOUR BEDROOM TOWNHOUSE



No. \_\_\_\_\_ Rental/Mo. \_\_\_\_\_ Date Available \_\_\_\_\_

All Dimensions Approximate.

SUP 2002-0078

MH APPLICATION for SPECIAL USE PERMIT # 2002-0078 6

[must use black ink or type]

PROPERTY LOCATION: 611 S. ALFRED ST Alex VA 22314 (601)

TAX MAP REFERENCE: 80.01 0401 74.03 ZONE: RB

APPLICANT Name: RUTH WALKER

Address: 611 S. ALFRED ST Alex VA 22314

PROPERTY OWNER Name: Dip Limited PARTNERSHIP TIE

Address: P.O. Bx. 4900 Dept #101 E. Property Tax Scottsdale AZ 8526 1490

PROPOSED USE: Home Day CARE FOR MORE THEN (5) CHILDREN

**THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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RUTH WALKER  
Print Name of Applicant or Agent

Ruth Walker  
Signature

611 S. ALFRED ST  
Mailing/Street Address

7/836-2665 Telephone # Fax #

Alex VA 22314  
City and State zip Code

7/23/02  
Date

**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: 10/01/02 RECOMMENDED APPROVAL UC

ACTION - CITY COUNCIL: 10/19/02PH -- CC approved the Planning Commission recommendation.