

Docket Item #5
SPECIAL USE PERMIT #2005-0132

Planning Commission Meeting
February 7, 2006

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

APPLICANT: Vijaya Shah

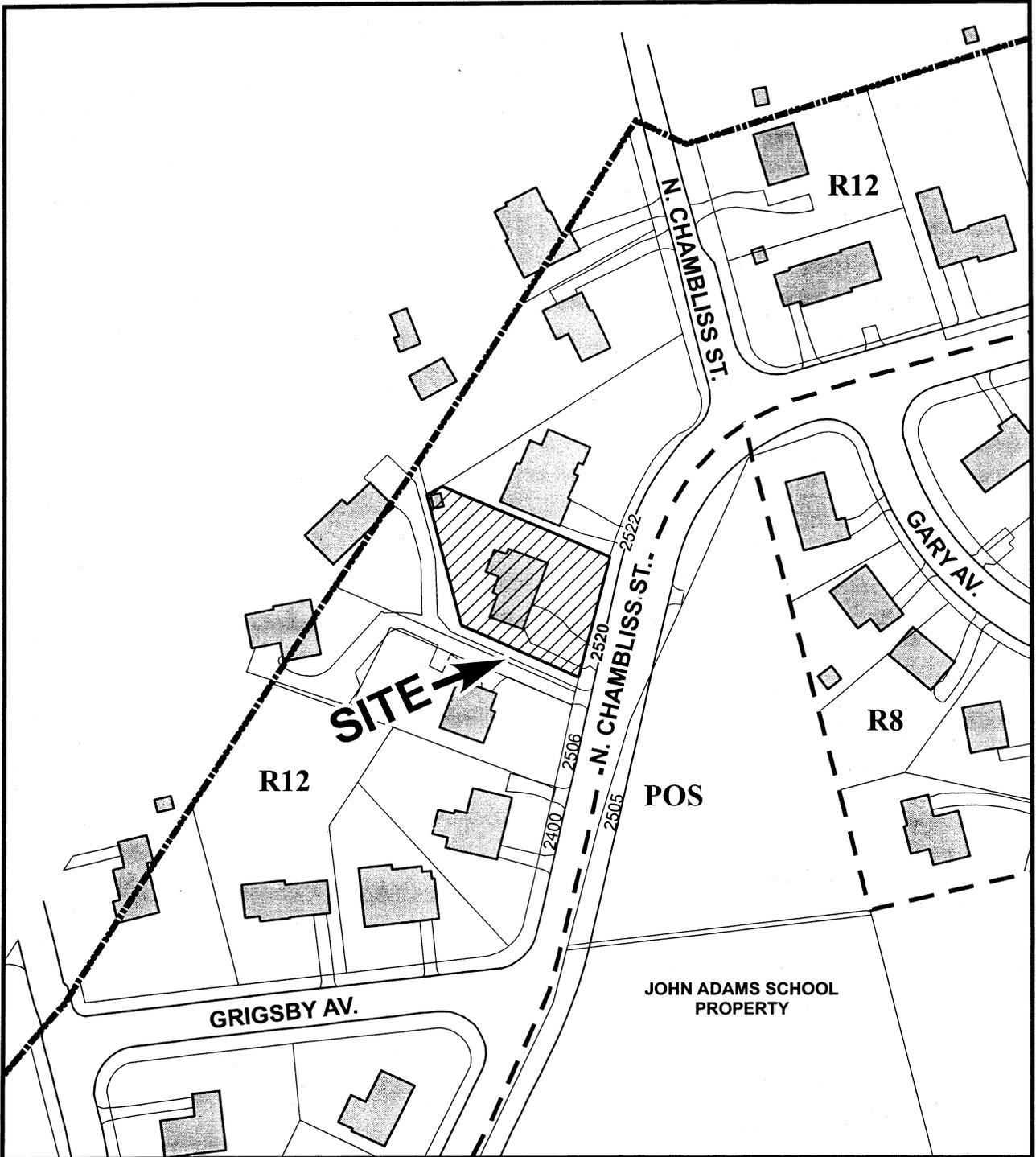
LOCATION: 2520 N. Chambliss Street

ZONE: R-12/Residential

PLANNING COMMISSION ACTION, FEBRUARY 7, 2006: 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.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2005-0132

02/07/06



I. DISCUSSION

REQUEST

The applicant, Vijaya Shah, requests special use permit approval for the operation of a child care home with a maximum of nine children located at 2520 North Chambliss Street.

SITE DESCRIPTION

The subject property is one lot of record with a total lot area of 12,140 square feet. The site is developed with a two story single family home. It sits on the border between the City of Alexandria and Fairfax County. The surrounding land uses are primarily residential. A city park occupies the land directly across the street from the proposed child care home.



BACKGROUND

On February 23, 2002, City Council approved SUP#2001-0130 to the applicant for the operation of a child care home at the subject address. The applicant was out of the country for an extended period of time, and the approved SUP is no longer valid.

PROPOSAL

The applicant requests special use permit approval to operate a child care home in her personal residence for up to nine children. The applicant has been an approved child care provider for up to five children for the past two years. The primary area for child care will be in the basement of the house, which is approximately 900 square feet (see attached plan). The back-yard is fenced with play equipment. Specific aspects of the home as described by the applicant are as follows:

Hours: 7:30 a.m. to 5:30 p.m. Monday-Friday

Number
children: Nine

Pick-up/Drop-off: Children will be dropped off 7:30 am-8:30 am and picked up between 4:30 pm and 5:30 pm. There is a two-car garage and a long two lane driveway that can accommodate up to six cars. There is available street parking if needed.

Trash/Litter: The applicant anticipates approximately one garbage bag a day generally of diapers and food scraps. Trash is picked up once per week.

PARKING

The Zoning Ordinance does not specify required parking for child care homes. The applicant does have room for three cars in the driveway (with two cars stacked) and the wide roadway allows for curb parking as well. There is a two-car garage and a long two lane driveway that can accommodate up to six stacked cars. There is available street parking if needed.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the R-12 (Single Family) zone. Section 7-500 of the Zoning Ordinance allows a child care home in the R-12 zone only with a special use permit.

The proposed use is consistent with the Alexandria West chapter of the Master Plan which designates the property for residential use.

II. STAFF ANALYSIS

Staff has no objection to the proposed child care home located at 2520 North Chambliss Street. The proposed use complies with the requirements for child care homes set forth in the Zoning Ordinance. Staff is not aware of any noise issues with the existing home for up to five children. Additionally, the Department of Human Services states that the applicant has been a registered family child care provider for two years, and recommends approval of the application.

The arrival and departure of children at the proposed child care home does not appear problematic since six cars can, at a minimum, be accommodated in the large driveway and along the curb. Additionally, parents drop off or pick up their children at different hours, thereby staggering the need for parking. Lastly, the area consists mainly of detached single family homes on large lots and has a low density relative to other parts of the city. Consequently, traffic congestion in the area would likely not be negatively impacted.

Therefore, staff recommends approval of the special use permit, subject to the following conditions.

III. RECOMMENDED CONDITIONS

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 corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the child care home shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday. (P&Z)
3. The applicant shall obtain a license from the Virginia Department of Social Services prior to expanding her child care home from five to nine children. (P&Z).
4. The applicant shall comply with all other City departments' recommendations of this Special Use Permit. In addition, the applicant shall comply with licensing registration requirements and other limitations of local and state regulations. (OECD)
5. The applicant is to call the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the home. This survey will include safety tips on how to report suspicious activity. (Police)
6. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, 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 which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review, 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)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Valerie Peterson, Urban Planner.

Staff Note: 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.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

F-1 T&ES has no objections to the request to operate a Home Child Day Care facility.

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.

Health Department:

F-1 No objection, in that this department has no regulations governing Child Care Homes.

Human Services:

F-1 Ms. Shah has been an approved child care provider for two years and actually had an SUP in this dwelling several years ago, but left the country for a couple of years. She has cared for many young children and there have been no complaints about her care. The Shah home is an excellent setting for a licensed child care program. The home is large and has a wide driveway for drop off and pick up. There is a separate entrance on the right side of the house which leads to a spacious downstairs area with a large playroom, small kitchen area, and separate rooms for napping. There are at least two exits in and out of the downstairs child care space. There is a large fenced back yard with riding toys and swings. There is a diaper changing table near a sink for washing hands. There are lots of toys and play materials and there is ample space for quiet and active play. There are soft furnishings for comfort and good lighting. The child care area is child-proofed and child-friendly. Ms. Shah has already initiated the process of obtaining her state license to care for more than five.

R-2 The applicant shall comply with all other City departments' recommendations of this Special Use Permit. In addition, the applicant shall comply with licensing registration requirements and other limitations of local and state regulations (OECD)

SUP#2005-0132
2520 N. Chambliss Street

Police Department:

- R-1 The applicant is to call the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the home. This survey will include safety tips on how to report suspicious activity.

APPLICATION for SPECIAL USE PERMIT #2005-00132

[must use black ink or type]

PROPERTY LOCATION: 2520 N. Chambliss St

TAX MAP REFERENCE: 10.03-09-21 ZONE: R-12

APPLICANT Name: Vijaya Shah

Address: 2520 N Chambliss

PROPERTY OWNER Name: VIJAYA SHAH

Address: 2520 N Chambliss

PROPOSED USE: family child care home

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.

VIJAYA SHAH
Print Name of Applicant or Agent

Vijaya Shah
Signature

2520 N Chambliss St
Mailing/Street Address

(703) 578-1469 (703) 578-1469
Telephone # Fax #

Alex, VA 22301
City and State Zip Code

NOV 14, 05
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.

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.

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)

This application is for permission to use my residential home for child care. I plan to take care of up to nine (9) children ranging in age from 2 months to 5 years. I am an experienced day-care provider with a large 3,000 square foot home with a large fenced-in backyard. My home has a big basement with a play-area of at least 250 square feet, a bathroom, kitchen, a bedroom, toys, cribs, mats, television, VCR-DVD player, stereo, etc. The children's parents will drop off the children from 7:30 – 8:30 am, and pick the children up from 4:30 – 5:30 pm. I plan to hire up to 2 employee assistants during these same hours. I have a 2-car garage, a long 2-lane driveway that can accommodate up to 6 cars and curbside parking immediately in front of my home that can take up to 5 cars. There will be minimum noise generated—at most, baby cries or children playing. The children will primarily be watched in my basement, with insulated walls, and a distance of at least 30 feet to my nearest neighbor's home.

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).

MON-FRI (per applicant) 7³⁰ AM - 5³⁰ PM for up to nine children and 2 adults.

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

2 assistants at different times

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

Day:	Hours:
<u>same as 5A</u>	_____
_____	_____
_____	_____
_____	_____

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

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

babies may cry.
children may make noise during outdoor play

B. How will the noise from patrons be controlled?

I will comfort the babies
and try to keep the outdoor
noise to a low "roar"

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

n/a

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?

Trash will be diapers and
extra food scraps

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

Use compactor - each day
1 bag usually.

C. How often will trash be collected?

once a week Trash
is put covered trash can

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

n/a children
will not be in street or on
nearby property
if needed will be with them
at all.

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:

mta

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:

mta

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

CPR / FA certificate
Fire drills
safety caps on plugs

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.

mta

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:

4 Standard spaces

_____ Compact spaces

_____ Handicapped accessible spaces.

_____ Other.

*Charge driveway
driveway*

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? 3 spaces for 4 cars

C. Where are off-street loading facilities located? n/a

*applicant/
provided
cars
kept in
garage*

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

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

2 x a day morning + evening as parents drop off + pick up

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?

adequate

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?

3000 sq. ft. (existing) + _____ sq. ft. (addition if any) = 3000 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: _____

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? ~~6 to 9~~ 9
4. How many children reside in the home? ~~6 to 9~~ 9
5. How old are the children? (List the ages of all children to be cared for)
Resident: None
Non-resident: 9 infant to 5

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: 2000 ^f 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:

mla

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?

Operator + 2 assts (usually rotating)

How many staff members will be on the job at any one time? _____

9. Where will staff and visiting parents park? _____

in the driveway

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

they will pull in to driveway and escort the children into the house

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

Drop-off

7:30 - 9 AM

Pick-up

4:30 - 5:30 PM

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

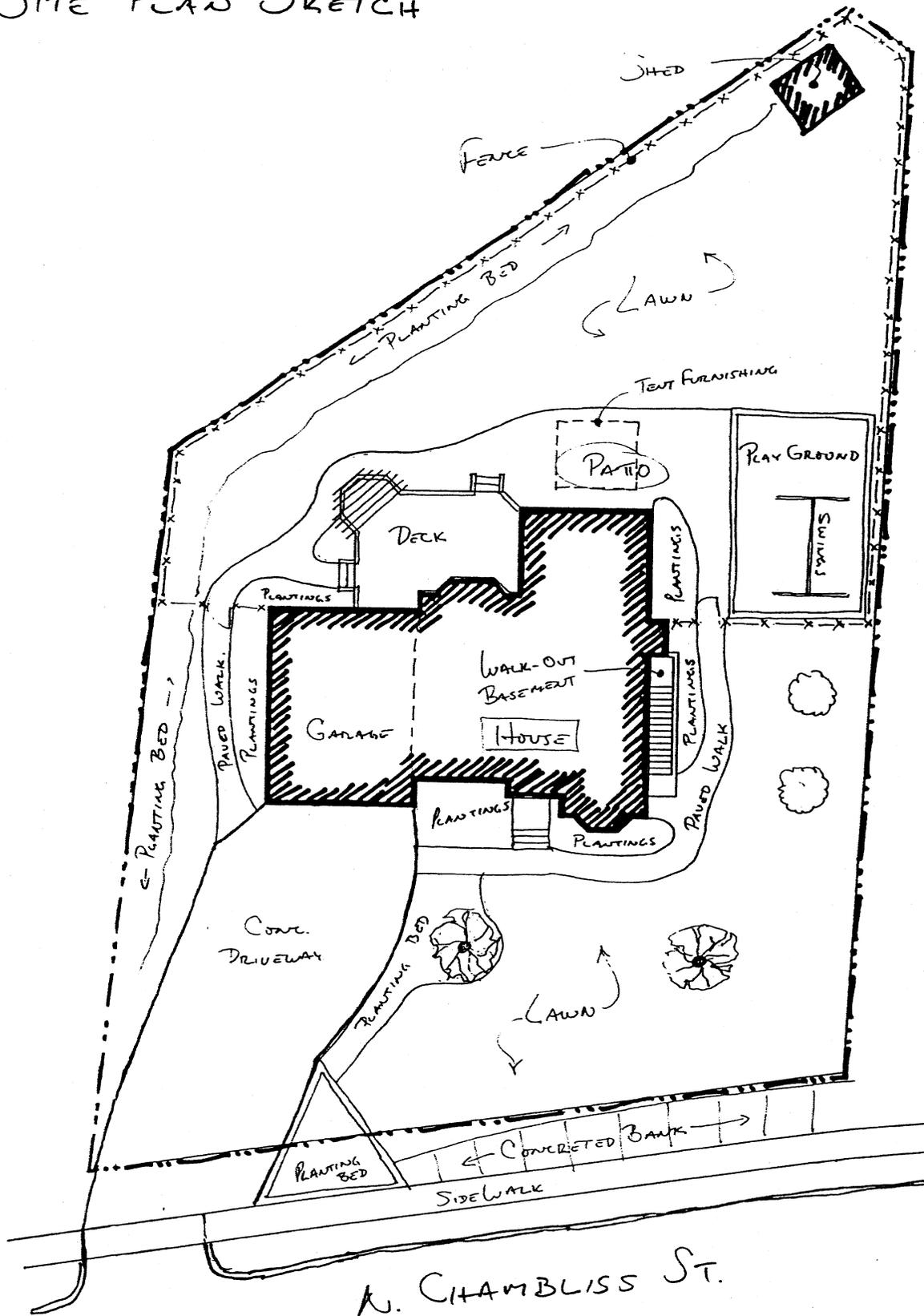
Swings riding toys

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.

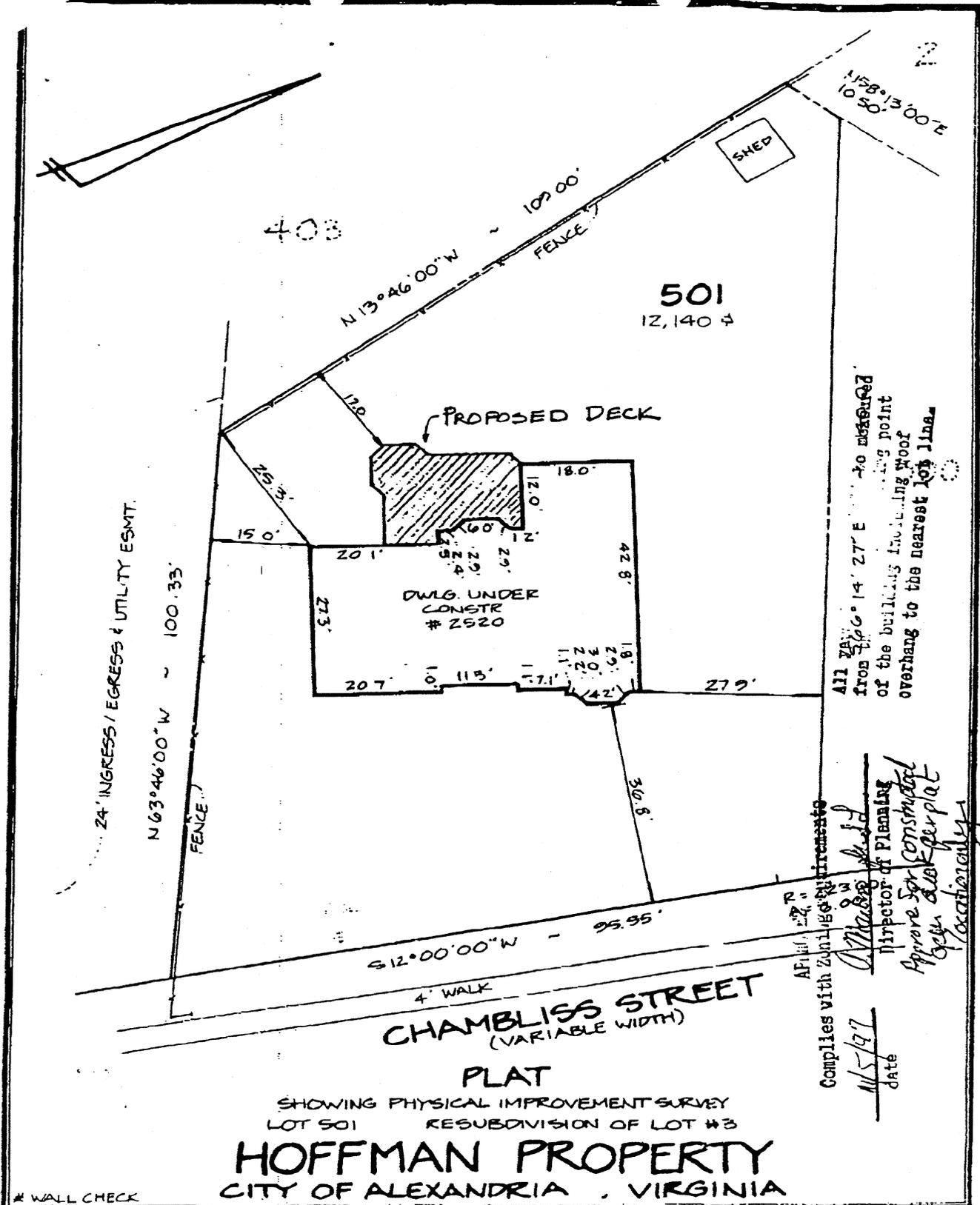
Yes. No.

2520 N. CHAMBLISS ST, ALEXANDRIA, VA SUP2005-0132
SITE PLAN SKETCH

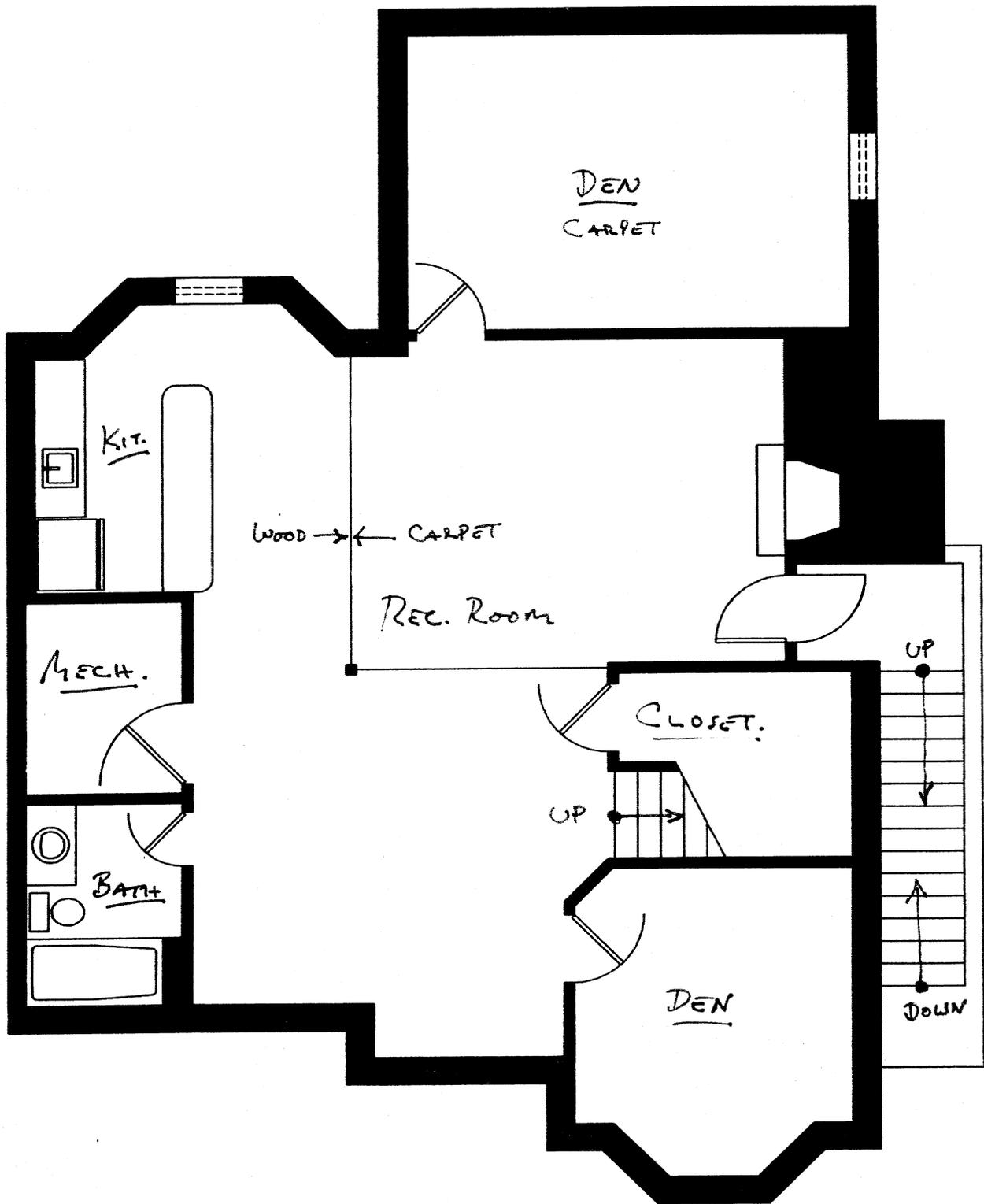


SCALE: 1" = 20'-0"

SUP 2005-0132



2520 N. CHAMBLISS ST., ALEXANDRIA, VA.
FINISHED BASEMENT PLAN SUP 2005-0132



SCALE: $3/16" = 1'-0"$

APPLICATION for SPECIAL USE PERMIT #2005-00132

[must use black ink or type]

PROPERTY LOCATION: 2520 N. Chambliss St

TAX MAP REFERENCE: 10.03-09-21 ZONE: R-12

APPLICANT Name: Vijaya Shah

Address: 2520 N Chambliss

PROPERTY OWNER Name: VIJAYA SHAH

Address: 2520 N Chambliss

PROPOSED USE: family child care home

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.

Vijaya Shah
Print Name of Applicant or Agent

Vijaya Shah
Signature

2520 N Chambliss St
Mailing/Street Address

(703) 578-1469 703-578-1469
Telephone # Fax #

Alex, VA 22311
City and State Zip Code

NOV 14, 05
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: Recommended Approval unanimous consent 2/7/06

ACTION - CITY COUNCIL: 2/25/06 -CC approved the PC recommendation-7-0