

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

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.

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

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 The applicant was out of the country for an extended period of time, and the approved SUP is no longer valid.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)

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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.

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**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**