

EXHIBIT NO.

1

4

10-13-07

Docket Item #3

SPECIAL USE PERMIT #2007-0072

Planning Commission Meeting

October 2, 2007

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

**APPLICANT:** Roberta M. Jackson

**STAFF:** Allison Anderson  
Allison.anderson@alexandriava.gov

**LOCATION:** 816 Madison Street

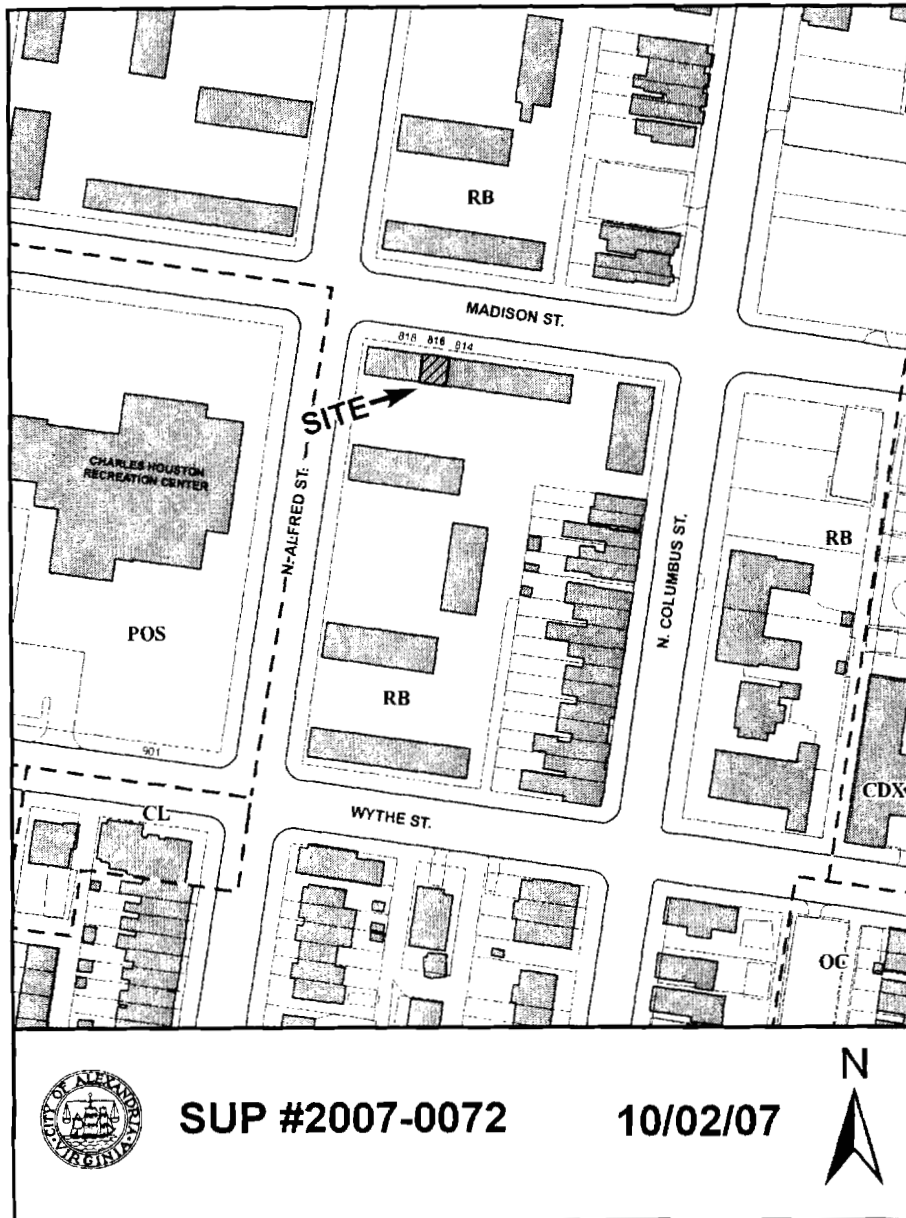
**ZONE:** RB/Residential

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**PLANNING COMMISSION ACTION, OCTOBER 2, 2007:** 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.



## I. DISCUSSION

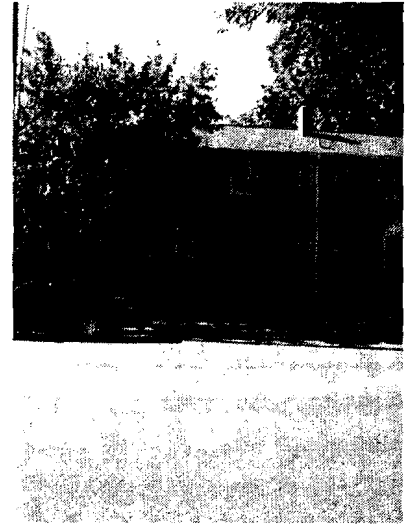
### REQUEST

The applicant, Roberta M. Jackson, requests special use permit approval for the operation of a child care home located at 816 Madison Street.

### SITE DESCRIPTION

The subject property is one lot of record with 248 feet of frontage on Madison Street, 352 feet of depth and a total lot area of 54,018 square feet. The site is developed with townhomes which are part of the James Bland public housing project. The subject property is an interior townhouse. Access to the property is from Madison Street.

The surrounding area is occupied by a mix of residential and recreation uses. Immediately to the north and south are residential townhouses. To the east and west are residential townhouses and the Charles Houston Recreation Center.



### PROPOSAL

The applicant proposes to expand her child care home at 816 Madison Street. Currently the applicant is caring for five children and wishes to increase her capacity to nine children. The applicant will have one assistant present during operating hours. The applicant has been a registered family child care provider since June 2004. She worked for six years at the Flagstone Child Care Center and one year at Hopkins House and became an Approved Child Care Provider in January 2005.

The home is a clean, neat, well-maintained two level, three-bedroom home. There is a 1,200 square foot play area located behind the home and the Charles Houston Recreation Center is located one block to the west of the home.

Hours: Monday – Friday; 5:30 a.m. – 6:00 p.m.

Number children: 9

Age of children: 2 months – 10 years

Noise: Children's noise level will be controlled by the applicant.

Trash/Litter: City trash service.

PARKING

Madison Street provides on street parking on both sides of the street for the entire block containing the applicant's home. A parking survey completed on September 17 at 6:15 p.m. showed that there is adequate on street parking available.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the RB/Residential zone. Section 7-500 of the Zoning Ordinance allows a child care home in the RB zone only with a special use permit.

The proposed use is consistent with the Braddock Road Metro Small Area Plan 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 816 Madison Street. The proposed use is consistent with the requirements for child care homes set forth in the Zoning Ordinance. In addition, the Department of Human Services, Office of Early Childhood Development (OECD), recommends approval of the application.

Staff anticipates that there will be parking available at staggered times when parents drop off and pick up children. Staff has included a condition requiring children to be escorted to and from the parent's vehicles if no parking is available. This will keep parents from double-parking their cars on Madison Street. An occupancy permit and State license are both required for the facility before opening.

With the following conditions, staff recommends approval of the special use permit.

**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 5:30 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. (P&Z)

4. The applicant or an assistant must be available to escort children to and from the parent's cars in the event that parking is not available on Madison Street. Parents shall not be permitted to double-park their cars on Madison Street while dropping off or picking up children. (P&Z, T&ES)
5. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the child care home. This is to be completed prior to the child care home opening for business. (Police)
6. The applicant shall have the help of assistants who have successfully been trained and certified in First Aid and CPR procedures whenever more than five children, including the applicant's own grandchildren, are in her care. (DHS)
7. 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 as the result of a complaint that rises to the level of a violation of the permit conditions, (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: Richard Josephson, Acting Director, Department of Planning and Zoning;  
Allison Anderson, Urban Planner.

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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:

- R-1 The applicant or an assistant must be available to escort children to and from the parent's cars in the event that parking is not available on Madison Street. Parents shall not be permitted to double-park their cars on Madison Street while dropping off or picking up children.
- 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.
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).

##### 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 certificate of occupancy shall be obtained prior to occupying this facility.

##### Health Department:

- F-1 No objection, in that this department has no regulations governing child care homes.

##### Human Services:

- F-1 Ms. Roberta Jackson of 816 Madison Street has been a registered family child care provider since June 2004. Her current child care permit expires on June 30, 2008. She is allowed to care for five children with her permit.

Ms. Jackson wishes to expand her child care business and be able to care for up to nine children. She has begun the process to qualify for a state license and she will attend the next orientation to begin State licensed on October 18, 2007.

Ms. Jackson worked for six years at flagstone Child Care Center and one year at the Hopkins House center before becoming a home-based child care provider. Ms. Jackson completed provider training in January 2005 and became an Approved Child Care Provider. Her current First Aid Certification is valid until May 2009.

Ms. Jackson lives in a clean, neat, well-maintained tow level three-bedroom home That is an ARHA public housing unit. She will use all areas of her home for child care. Outside her back door is an on-site playground and to the right of her backyard is the Charles Houston Recreation center. Her backyard is usable with proper and constant supervision by Ms. Jackson and an assistant.

Her assistant will be her adult daughter Ms. Khamena Jackson. Ms. Jackson is a graduate of TC Williams High School and she has enrolled in training workshop and in First Aid/CPR classes sponsored by the Office for Early Childhood Development. They plan to offer child care services on weekdays from 5:30 am until 6:00 pm.

- R-2 Approval of the Special Use Permit for no more than nine children, pending compliance with other department's recommendations and the licensing and registration requirements and other limitations of local and state regulations, and on the condition that she always have the help of assistants who have successfully been trained and certified in First Aid and CPR procedures whenever more than five children, including her own grandchildren, are in her care.

Parks and Recreation:

- F-1 The Charles Houston Recreation Center will begin renovation in the Fall of 2007 and the entire site will be closed to the public. The playground will not be available for use during that time.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the child care home. This is to be completed prior to the child care home opening for business.



# APPLICATION SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** 2007-0072

**PROPERTY LOCATION:** 816 Madison St

**TAX MAP REFERENCE:** 54.04-07-01 **ZONE:** RB

**APPLICANT:**  
**Name:** Roberta M. Jackson

**Address:** 816 Madison St

**PROPOSED USE:** Home Child Care

☒ **THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

☐ **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 IV, Section 4-1404(D)(7) 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 Director of Planning and Zoning 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.

Roberta M. Jackson Roberta M. Jackson 7/22/07  
Print Name of Applicant or Agent Signature Date  
816 Madison St 703-548-6433  
Mailing/Street Address Telephone # Fax #  
Alexandria Va. 22314 nannababygirls@yahoo.com  
City and State Zip Code Email address

**ACTION-PLANNING COMMISSION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ACTION-CITY COUNCIL:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 816 Madison Street, I hereby  
 (Property Address)  
 grant the applicant authorization to apply for the Daycare use as  
 (use)  
 described in this application.

Name: Luisa Reyes Phone: 783-549-7115 ext 216  
 Please Print  
 Address: 18 S. Roth Street Email: LReyes@carha.us  
 Signature: [Signature] Date: 7/20/07

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ Required floor plan and plot/site plan attached.

☐ Requesting a waiver. See attached written request.

2. The applicant is the (check one):

☐ 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 or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

Roberta M. Jackson 100%  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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.

### 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. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

Child Care Provider to have  
up to 9 Kids in house. The staff will  
provide a sleep and play area for Kid  
and will teach Kids basic school  
work. Will teach Kids how to play with  
other Kids

**USE CHARACTERISTICS**

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

- ☒ a new use requiring a special use permit,  
☐ an expansion or change to an existing use without a special use permit,  
☐ an 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 Kids 530am - 600pm Monday - Friday

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

1 8am - 5pm Monday - Friday

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

Day: Monday - Friday Hours: 530am - 600pm

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

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

staff will make sure kids will not make  
a lot of noise will playing in yard

- B. How will the noise be controlled?

by staff

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? (i.e. office paper, food wrappers)

household trash & garbage

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

three bags trash per week

- C. How often will trash be collected?

once a week

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

with trash bags & trash cans

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

[ ] Yes.

[X] No.

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

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:

N/A

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

staff will <sup>teach</sup> kids not to throw rocks & sticks  
and to show the what to do in case of  
an emergency

### ALCOHOL SALES

- 13.

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

[ ] Yes [ ☒ ] No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

N/A

## PARKING AND ACCESS REQUIREMENTS

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

10-15 in front all street parking  
Standard spaces

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

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

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

<p align="center"><b>Planning and Zoning Staff Only</b></p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A _____</p> <p>Does the application meet the requirement?</p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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- B. Where is required parking located? (check one)

☐ on-site

☒ off-site

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

street parking

**PLEASE NOTE:** 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.

- C. 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.

☐ Parking reduction requested; see attached supplemental form

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

- A. How many loading spaces are available for the use? N/A

<p align="center"><b>Planning and Zoning Staff Only</b></p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____</p> <p>Does the application meet the requirement?</p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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B. Where are off-street loading facilities located? N/A

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

N/A

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

N/A

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?

Street access adequate  
parking

## 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?

120 sq. ft. (existing) + 0 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: roll houses

End of Application



## APPLICATION - SUPPLEMENTAL

**This Supplemental information is 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. 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.**

### 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? 0
5. How old are the children? (List the ages of all children to be cared for)  
 Resident: N/A  
 Non-resident: 2 months — 10 years old
6. A minimum of 75 square feet of outdoor play area on the lot must be provided for each child above age two.  
 Play area required:  
 Number of children above age two: 8 x 75 square feet = 600 square feet  
 Play area provided: >600 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 park's play area:  
Charles Houston Rec.  
ON SITE playground

**NOTE: Child care homes are not permitted to display signs.**



SUP # 2007-0072

**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) shall complete this section.**

1. 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

2. Where will staff and visiting parents park? public parking

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

At 816 Madison St

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

Drop-off

Any time after 530AM

Pick-up

Anytime before 600PM

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

sand box bike balls art & craft in the backyard

6. Are play areas on the property fenced? ☒ Yes ☐ No

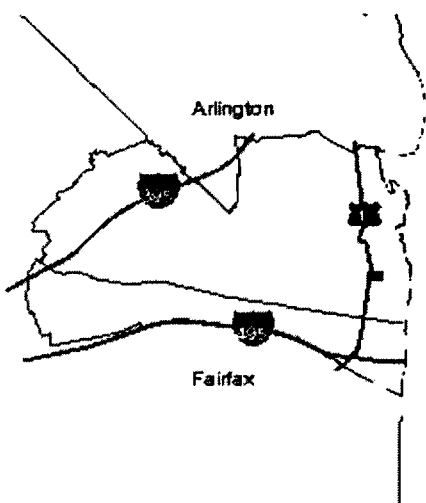
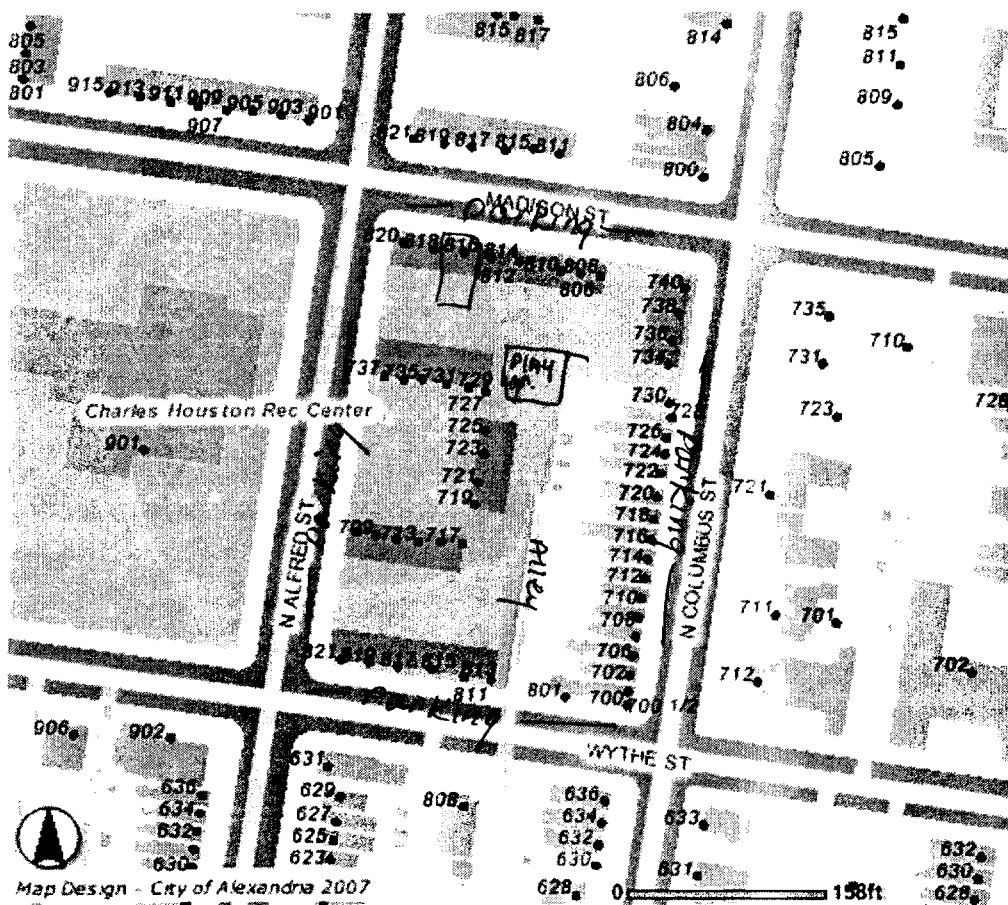
If no, do you plan to fence any portion of the property?

☐ Yes ☐ No

Please describe the existing or proposed fence.

IRON fence

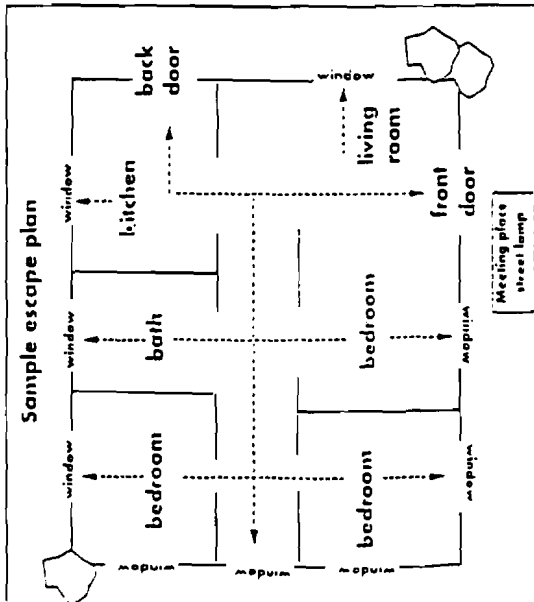
City of Alexandria



18

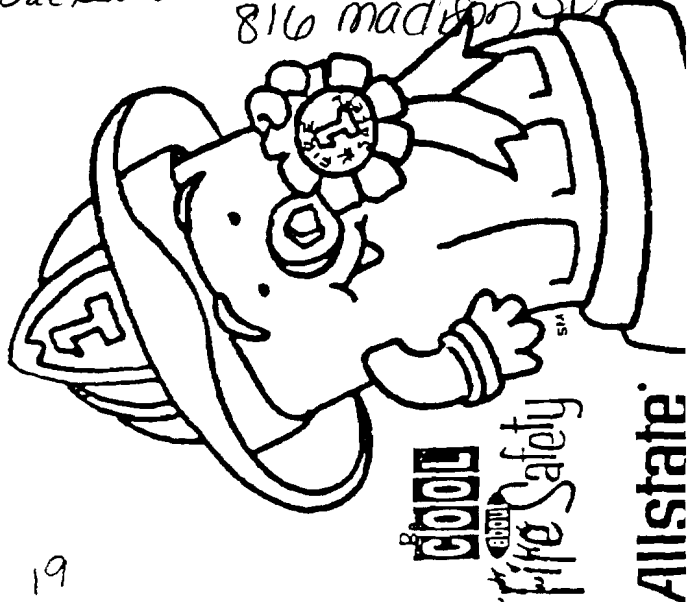
# All Kids Safe

As Fire Marshal for your home you need to map out your escape routes and practice them with your family.

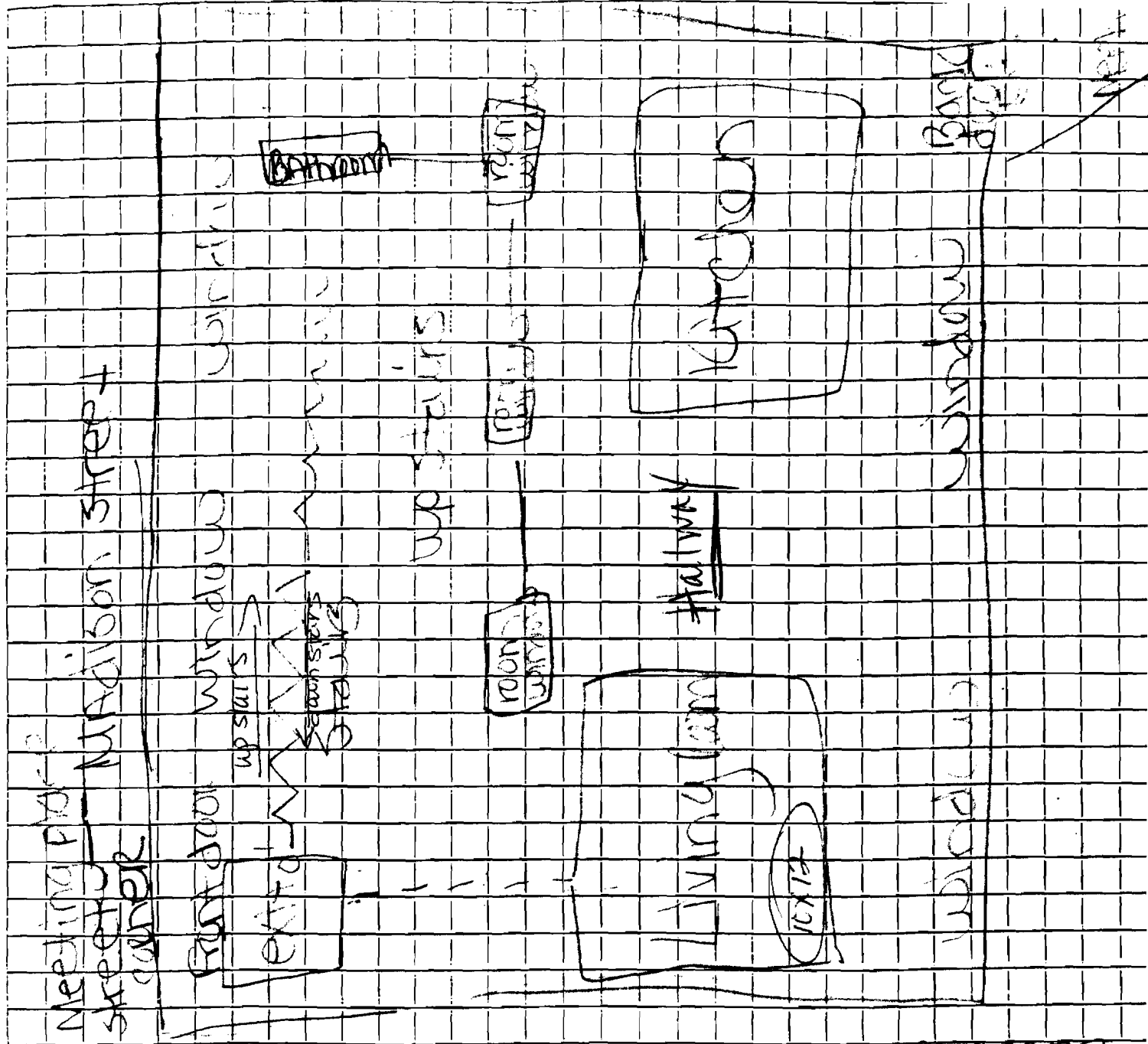


Roberta Jackson

SUP 2007-00-72  
816 Madison St



Draw your own plan.





# APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2007-0072

PROPERTY LOCATION: 816 Madison St

TAX MAP REFERENCE: 54.04-07-01 ZONE: RB

APPLICANT:  
Name: Roberta M. Jackson

Address: 816 Madison St

PROPOSED USE: Home Child Care



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<u>Roberta M. Jackson</u>	<u>Roberta M. Jackson</u>	<u>7/22/07</u>
Print Name of Applicant or Agent	Signature	Date
<u>816 Madison St</u>	<u>703-548-6433</u>	
Mailing/Street Address	Telephone #	Fax #
<u>Alexandria Va. 22314</u>	<u>nannababygirl@yahoo.com</u>	
City and State	Zip Code	Email address

ACTION-PLANNING COMMISSION: By unanimous consent, DATE: 10-2-07  
recommended approval  
ACTION-CITY COUNCIL: CC approved the PC DATE: 10/13/07  
recommendation