

Docket Item #2
SPECIAL USE PERMIT #2007-0108

Planning Commission Meeting
December 4, 2007

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

APPLICANT: Avis Walker

LOCATION: 525 S. Columbus Street (Parcel Address: 598 S. Alfred Street)

ZONE: RB/Residential

PLANNING COMMISSION ACTION, DECEMBER 4, 2007: On a motion by Mr. Dunn, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances, staff recommendations and amended conditions #5 and #8. The motion carried on a vote of 6 to 0. Mr. Robinson was absent.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Avis Walker, 525 S. Columbus St., applicant, spoke in support of the application and defended herself against a letter from a neighbor that was sent to the Planning Commission.

Annalisa Trulio, 809 Gibbon St., spoke in opposition to the application, stating that the steep steps and size of the townhouse made this an unsuitable location for childcare and posed safety risks for children being cared for at the home.

David Trulio, 809 Gibbon St., spoke in opposition to the application, stating concerns over the safety of children, parents and motorists. He also voiced concerns about the possibility of more illegal parking on S. Columbus St.

Ruth Walker, 611 S. Alfred St., spoke in support of the application, stating that she provides childcare in the area without any traffic problems or safety risks.

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 #2007-0108

12/04/07



I. DISCUSSION

REQUEST

The applicant, Avis Walker, requests special use permit approval for the operation of a child care home located at 525 South Columbus Street.

SITE DESCRIPTION

The subject property is one lot of record with 227 feet of frontage on South Columbus Street and South Alfred Street, 247 feet of depth and a total lot area of 56,096 square feet. The site is developed with the Old Town West Townhouse development. The subject site is a townhouse that faces South Columbus Street.



The surrounding area is occupied by a mix of residential and retail uses. Immediately to the north and west are garden style apartments. To the south and east are townhouses.

PROPOSAL

The applicant proposes to operate a child care home at her residence. There is one resident child in the home, age three. The applicant proposes to care for an additional eight children on weekdays 6:00 am to 6:30 pm. Overnight care will be provided for five children.

Hours: Monday – Friday, 6:00am – 6:30pm (9 children)
Monday – Friday, 6:30pm – 6:00am (5 children)

Number of children: 9 children during the day, 5 children overnight

Age of children: 3 months to 8 years

Noise: No undue noise is anticipated, staff will control noise levels

Trash/Litter: Trash will be collected daily, children will not be allowed to take potential litter outside

PARKING

Parents will drop off their children at the front entrance of the home on South Columbus Street. On-street parking is available on both sides of the street, but is limited. The applicant is also able to provide pick-up and drop-off in the parking lot located behind her home.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the RB zone. Section 3-703 of the Zoning Ordinance allows a child day care home in the RB zone only with a special use permit.

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

II. STAFF ANALYSIS

Staff supports the new child care home proposed for 525 South Columbus Street. The applicant lives in a clean, neat, well-maintained two level two bedroom home that is a privately owned, publicly assisted unit. The applicant has arranged her space so that there is adequate room to accommodate nine children. There is a playground on the grounds.

The applicant is proposing to care for 9 children on weekdays and 5 children overnight on weeknights. Staff recognizes that there is a great need for child care, including overnight care. Staff is in agreement with the Office of Early Childhood Development and is recommending approval of the special use permit.

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 Monday through Friday, 6:00am to 6:30pm for nine children. Up to five children may be cared for overnight. (P&Z)
3. The applicant shall obtain a license from the Virginia Department of Social Services. (Human Services)
4. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
5. **CONDITION AMENDED BY PLANNING COMMISSION:** 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 South Columbus Street. Parents shall not be permitted to double park their cars on South Columbus Street while~~

dropping off or picking up children be required to use the parking lot off of South Alfred Street for drop off and pick up of children. (T&ES)

6. 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)
7. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for employees. (Police)
8. **CONDITION AMENDED BY PLANNING COMMISSION:** The Director of Planning and Zoning shall review the special use permit after it has been operational for ~~one year~~ six months, 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;
Richard Bray, 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:

- 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 S. Columbus St. Parents shall not be permitted to double-park their cars on S. Columbus St while dropping off or picking up children. (T&ES)
- 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.

Code Enforcement:

- F-1 Applicant states that they are not currently licensed by the Virginia Department of Social Services. The number of children in application is nine (9). 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 (5).
- C-2 Smoke detectors shall be provided in all sleeping areas.
- C-3 Fire extinguishers shall be provided at this facility.
- C-4 The applicant shall develop an evacuation plan to be approved by Code Enforcement. Upon approval, the plan shall be posted in an unobstructed location.

Health Department:

- F-1 No comment

Human Services:

- F-1 On October 12, 2007, a visit was conducted by the Office of Early Childhood Development (OECD) Social Work Staff, Rosa Chavez.

Ms. Walker was at home at the time of the visit. Ms Walker is in the process of becoming state licensed to care for 9 children. She attended the

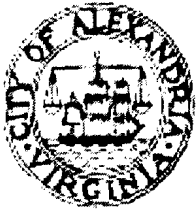
first orientation for state licensing on October 25th. Ms. Walker has obtained certification in CPR and First Aid training.

Ms. Walker plans to use the living room, the kitchen and the dining room as her major child care areas. All of the rooms are clean and well ventilated. The house has only one bathroom which is on the second level. The house is clean and organized, although there is no equipment or supplies in the home at this time for a child care setting. Ms Walker states that she will use her walk in closet on the main level to store the children's belongings. The children will be napping in the living room. Ms Walker needs to obtain age appropriate equipment for the children she accepts for care, such as books educational toys, cribs, high chairs etc. Ms. Walker is currently not providing care for any outside children. Ms. Walker has one son, 3 years of age, who was not present during the visit.

- R-1 It is recommended that Ms. Walker's request for a special Use Permit be approved to allow her to care for nine children in her home contingent upon her meeting all of the state licensing requirements.

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 center. This is to be completed prior to the child care home opening for business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for employees.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2007-0108

Parcel Add. 598 S Alfred St

PROPERTY LOCATION: 525 South Columbus St.

TAX MAP REFERENCE: 74.03-05-07 ZONE: RB

APPLICANT:

Name: Avis Walker

Address: 525 South Columbus Street

PROPOSED USE: Childcare Home

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.

Avis Walker
Print Name of Applicant or Agent

[Signature]
Signature _____ Date _____

525 S. Columbus St.
Mailing/Street Address

(571) 312-1009
Telephone # _____ Fax # _____

Alexandria, VA 22314
City and State Zip Code

Email address

ACTION-PLANNING COMMISSION: _____	DATE: _____
ACTION-CITY COUNCIL: _____	DATE: _____

PROPERTY OWNER'S AUTHORIZATION



As the property owner of MANAGER - 525 South Columbus Street, I hereby
(Property Address)
grant the applicant authorization to apply for the Child Care use as
(use)
described in this application.

Name: ATTIA OSEI

Phone: 763 545 4343

Please Print
Address: 500 South Alfred St

Email: atta.osei@aimco.com

Signature: [Signature]

Date: 9/24/07

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.

AIMCO/OLDE TOWNE WEST III
500 55 BEATTIE PLACE
GREENVILLE SC 29601

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

[x] 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.)

6⁰⁰ - 8⁰⁰ AM - Breakfast

8¹⁵ - 8⁴⁵ AM - Sing a long

8⁴⁵ - 10 AM - Group Art

10 AM - 10⁴⁵ Morning Snack

11⁰⁰ - 12⁰⁰ Group Learning

12⁰⁰ - 2⁰⁰ Nap

2 - 3 Outdoor Play

3¹⁵ - 4⁰⁰ Story Time

4⁰⁰ - 5 Group Learning

5 - 6 Sing A long

6 - 6³⁰ Wind Down (Play)

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).
 - _____ NINE 6am - 6³⁰pm _____
 - _____ FIVE Overnight _____

- B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).
 - _____ TWO from 6am - 6³⁰pm _____
 - _____ One overnight _____

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

Day: _____	Hours: _____
_____	_____
_____	_____
_____	_____

- 7. Please describe any potential noise emanating from the proposed use.
 - A. Describe the noise levels anticipated from all mechanical equipment and patrons.
 - _____ NA _____
 - _____
 - B. How will the noise be controlled?
 - _____ NA _____
 - _____

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

No

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)

Diapers, Paper and Food wrappers

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

Min

C. How often will trash be collected?

Daily

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

No Food given to kids while outside.

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:

NA

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. [x] No.

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

NA

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

fire escape plan has been developed

ALCOHOL SALES

13.

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

[] Yes [x] 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.

NA

PARKING AND ACCESS REQUIREMENTS

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

- 30 appx. per applicant (KM) Standard spaces
- _____ Compact spaces
- _____ Handicapped accessible spaces.
- _____ Other.

<p>Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A _____</p> <p>Does the application meet the requirement?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

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?

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? NA

<p>Planning and Zoning Staff Only</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 style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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B. Where are off-street loading facilities located? NA

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

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

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 to the subject property is 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?
_____ 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: _____

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? 1
4. How many children reside in the home? One Child
5. How old are the children? (List the ages of all children to be cared for)
 Resident: Three years old
 Non-resident: NA
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: _____ x 75 square feet = _____ square feet
 Play area provided: 15x15 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:
Has slides, monkey bars etc. and benches to sit on.

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

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

2. Where will staff and visiting parents park? Street as well as on site parking

3. Please describe how and where parents will drop off and pick up children.
There is street parking as well as a parking lot. Parents will pick up kid at front entrance and

4. At what time will children usually be dropped-off and picked-up?
Drop-off 6⁰⁰ AM 6³⁰ pm Pick-up 6³⁰ pm 6⁰⁰ AM

5. What type of outdoor play equipment is proposed for the child care facility, if any? Where will it be located on the property?
There is a playground located across the street from the house.

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.

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CHILD CARE CENTERS ONLY

Applicants for child care centers (day care center, day nursery and nursery schools) shall complete this section.

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

2. What age children do you anticipate caring for? 3 Months - 5 years

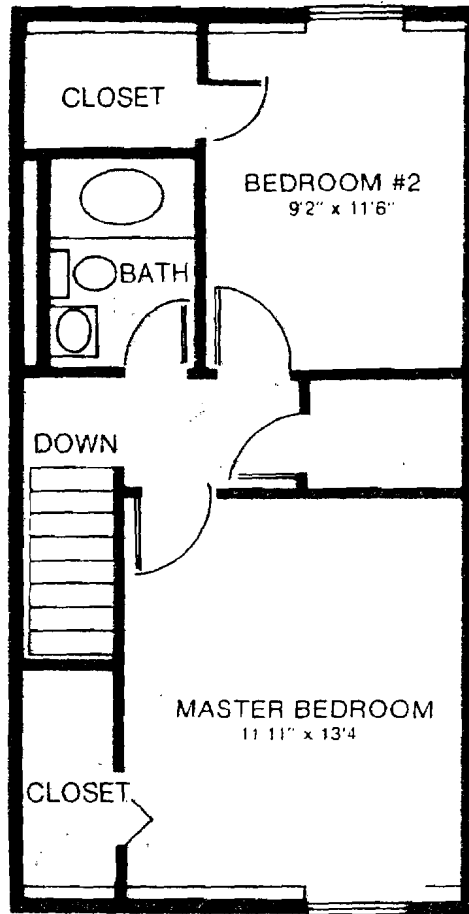
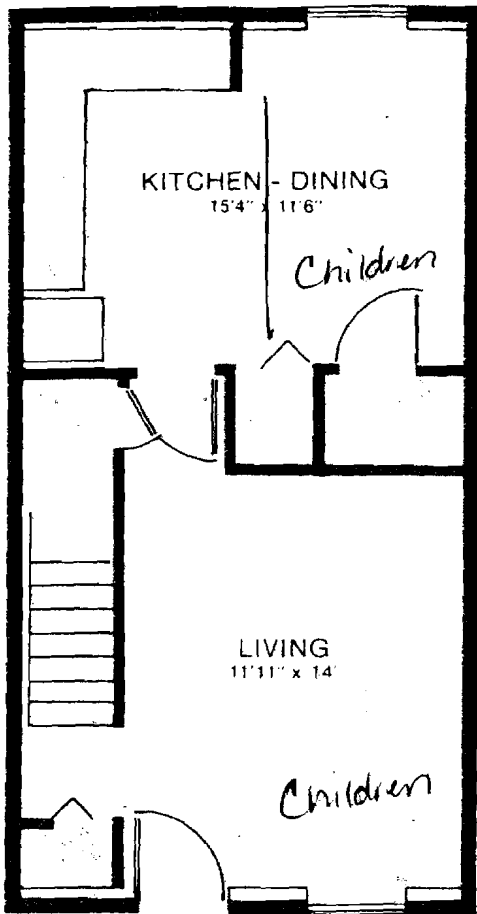
3. Does the operation have a license from the State of Virginia for a child care facility?

Yes No

If yes, provide a copy of the license.

Q7W III

SUP 2007-0108



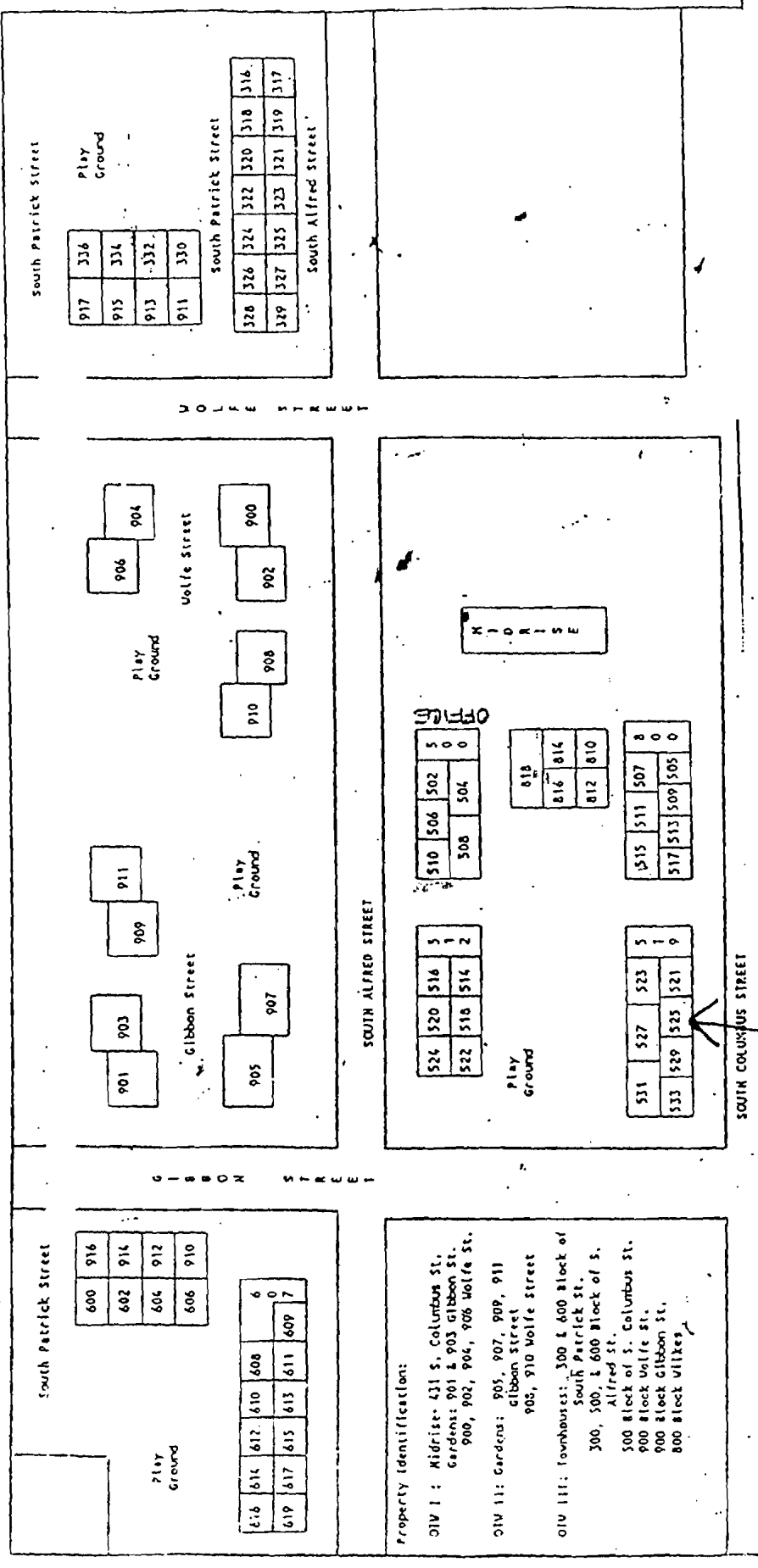
907
SQ FT

TWO BEDROOM TOWNHOUSE

Date Available _____

OLDE HOME WEST APARTMENTS PROPERTY MAP

SOUTH PATRICK STREET / ROUTE 1



SUP 2007-0108

910

S T R E E T

St.
St.
11
ret
back of
1 S.
1 St.

Gibbon Street

905
907

Play Ground

SOUTH ALFRED STREET

524 520 516 5
522 518 514 2

510 506 50
508 504

Play Ground

PARKING LOT

8
816
812

531 527 523 5
533 529 525 21 9

515 511 51
517 513 509 5

SOUTH COLUMBUS STREET

City of Alexandria, Virginia

MEMORANDUM

DATE: DECEMBER 4, 2007

TO: CHAIRMAN WAGNER AND MEMBERS OF THE PLANNING COMMISSION

FROM: FAROLL HAMER, DIRECTOR *FH* *12/12/07*
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: SUP #2007-0108, HOME CHILD CARE

Staff received correspondence related to this case from a neighbor shortly before this meeting. The neighbor could not attend the meeting and chose to write a letter instead (see attached). In following up on this letter, staff contacted the Alexandria Police Department. The police have no reports related to this address, but there have been calls for service at this address on three different occasions. Calls for service indicate that there was an issue in the neighborhood, however they do not imply that the issue originated at any particular address. The Office of Early Childhood Development has indicated that the State Licensing Office's background checks should be the determining factor in allowing childcare at this residence. The SUP requires the applicant to receive a state license prior to operation.

Attachment: Letter dated 11/29/07

11/29/2007

To Whom It May Concern:

I am a resident of Old Towne Alexandria and have lived across the street from the Old Towne West apartments for many years, I've noticed the new residents that have come and go and usually every bodies pretty peaceful and the 500 block of Columbus Street is nice and quiet. Until a new resident of the 525 S. Columbus street moved in and there has been nothing but fighting and arguing in the street, the young lady and several different boyfriends or men on several different occasions has been violently fighting and tearing up the property even knocking over the zoning sign it self(which is planted in the ground) in the street and cursing at each other at 1:00 am and 2:00 am in the morning and it's very disturbing because the young lady is the mother of a very young child and I thought the environment was inappropriate for him and then I noticed the sign out front of her residents stating if you had any questions or concerns please call this number and that's when I copied the phone number and made it my business to inform you so that your aware of this persons environment, and to let you it is unfit for children it's to dangerous and I don't have children, but if I did I would never let them go any where near this women's house. If this wasn't something I believed in strongly I wouldn't have wasted my time and yours, I feel like hiring this women to become a daycare provider would be putting other peoples children in jeopardy and I wouldn't want something to happen to someone's child while in the custody of this women. Please reconsider I really feel like this is a big mistake.