EXHIBIT NO. 15
2-21-09

DOCKET ITEM #2

Special Use Permit #2008-0082**1 Groves Avenue – Child Care Home**

Application	General Data	
Request: Consideration of a request for a special use permit to operate a child care home.	Planning Commission Hearing:	February 3, 2009
	City Council Hearing:	February 21, 2009
Address: 1 Groves Ave	Zone:	R2-5/Single and Two-family
Applicant: Heather Christiani	Small Area Plan:	Potomac West

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Eileen Oviatt Eileen.oviatt@alexandriava.gov

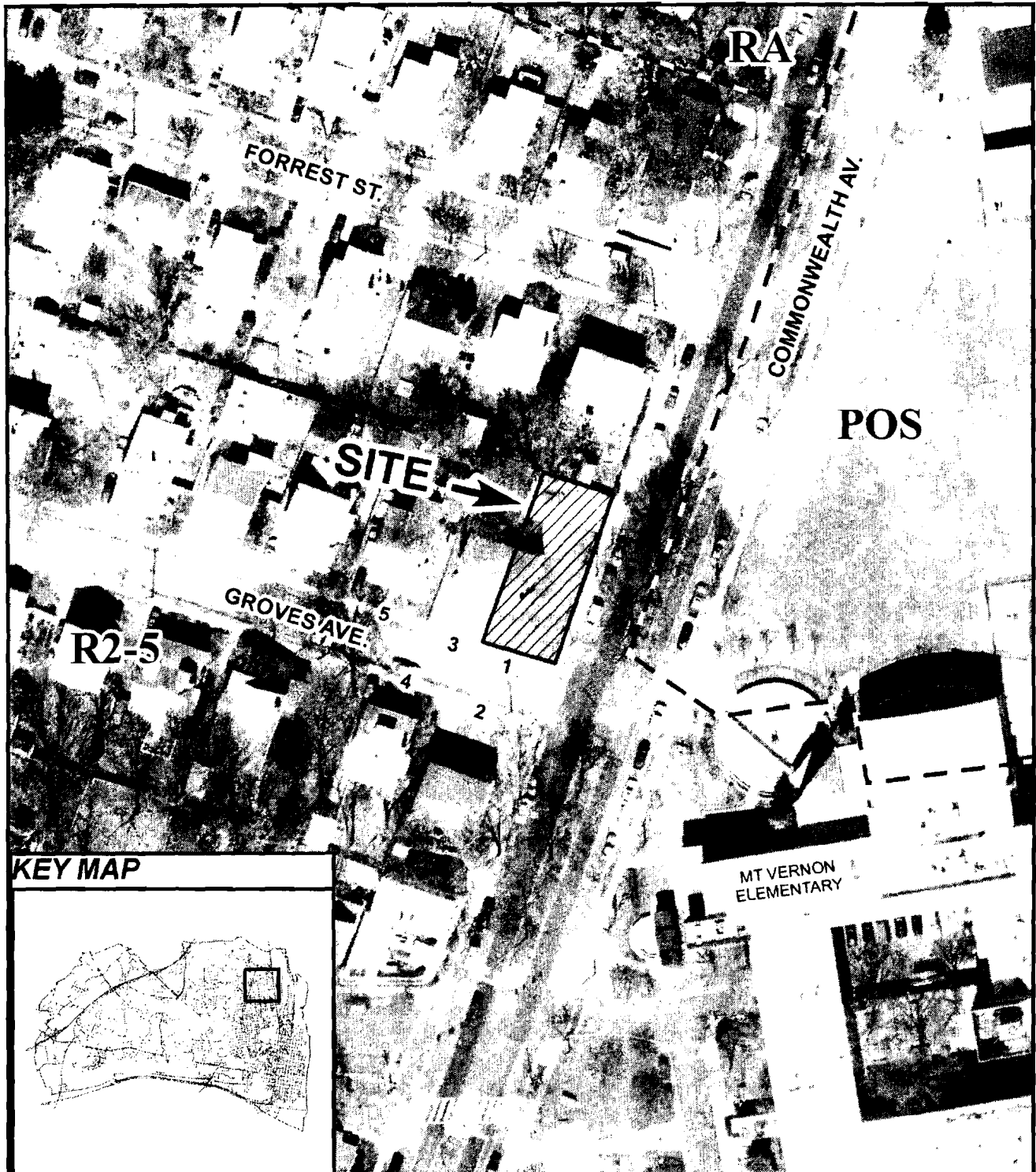
PLANNING COMMISSION ACTION, FEBRUARY 3, 2009: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Gary Hermann, 4 Groves Avenue, spoke in support of the request, however, expressed concerns regarding current parking and traffic enforcement issues presented by visitors to the Mt. Vernon Rec Center and Duncan Library. The concerns have been referred to parking enforcement.

CITY COUNCIL ACTION:



SUP #2008-0082

02/03/09



I. DISCUSSION

REQUEST

The applicant, Heather Christiani, requests special use permit approval for the operation of a child care home located at 1 Groves Avenue.

SITE DESCRIPTION

The subject property is one lot of record with 44 feet of frontage on Groves Avenue and 101 feet of frontage on Commonwealth Avenue, with a total lot area of 4,608 square feet. The site is developed with a three-level residential townhouse. Access to the property is from Commonwealth Avenue.



The surrounding area is occupied by a mix of residential uses. Immediately to the north, west, and south are residential properties. To the east is Mount Vernon Elementary School.

BACKGROUND

The applicant is currently caring for three children in her home during the school day and one child before and after school, Monday through Friday, which is a permitted use and does not require a special use permit.

PROPOSAL

The applicant proposes to provide child care for up to nine children in the existing residence according to the following:

- | | |
|---------------------|----------------------------------------------------------------------------------------------|
| Hours: | Monday through Friday, 6:00 a.m. to 7:15 p.m., excluding all Federal holidays |
| Number of students: | No more than 9 (nine) at one time, including 2 (two) resident children |
| Noise: | No noise impacts anticipated |
| Trash/Litter: | Four medium-sized bags of trash per week which is collected weekly by the City of Alexandria |

PARKING

The Zoning Ordinance does not require any additional parking for child care homes than would be required for a residential use. In addition to two driveway parking spaces, on-street public parking spaces are available next to the applicant's home on Commonwealth Avenue.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the R2-5 zone. Section 3-503 of the Zoning Ordinance allows a child care home in the R2-5 zone only with a special use permit.

The proposed use is consistent with the Potomac West 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 1 Groves Avenue. The proposed use is consistent with the requirements for child care homes set forth in the zoning ordinance, and adequate open space is provided on site. In addition, the Department of Human Services states that the applicant has completed all necessary trainings for her child-care permit, and is currently attending classes at Northern Virginia Community College to become an approved provider for the City of Alexandria.

Both off-street parking and on-street parking along Commonwealth Avenue are available to accommodate parents dropping off and picking up children. In addition, parents will likely drop off or pick up their children at slightly different times, staggering the demand for parking and reducing the overall impact of additional cars associated with this use. Staff has also included a condition requiring children to be escorted to and from the parent's vehicles on Groves Avenue if no parking is available. This will keep parents from impeding the flow of traffic on Commonwealth Avenue. An occupancy permit and State license are both required for the facility before opening.

Staff recommends approval of the proposed child care home subject to the recommended 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 6:00 a.m. and 7:15 p.m., Monday through Friday. (P&Z)
3. This special use permit shall not be effective unless and until the child care home for up to nine children is licensed by the Virginia Department of Social Services. (P&Z)
4. 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. (Police)
5. If parking is not available on Commonwealth Avenue or Groves Avenue, the applicant must be available to escort the children to and from the parent's cars on Groves Avenue only. No stopping or standing shall be allowed on Commonwealth Avenue. (T&ES)
6. Parents shall not be permitted to double-park their cars on Groves Avenue or Commonwealth Avenue while dropping off or picking up children. (T&ES)
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; 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: Richard Josephson, Deputy Director, Department of Planning and Zoning;
Eileen Oviatt, 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 If parking is not available on Commonwealth Avenue or Groves Avenue, the applicant must be available to escort the children to and from the parent's cars on Groves Avenue only. No stopping or standing shall be allowed on Commonwealth Avenue. Parents shall not be permitted to double-park their cars on Groves Ave or Commonwealth Ave. 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.

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 Comments

Human Services:

- F-1 This worker is recommending approval of Ms. Christiani's special use permit to allow her to care for up to nine (9) children, including resident children, pending compliance with other departments' recommendations and subject to licensing requirements and other limitations of local and state regulations.

Parks and Recreation:

- C-1 Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owners front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)

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.
- F-1 The Police Department has no objections to the child care facility opening.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2008-0082

PROPERTY LOCATION: 1 Groves Avenue Alexandria, VA 22305

TAX MAP REFERENCE: 024.04-01-47 ZONE: R2-5

APPLICANT:

Name: Heather Christiani

Address: 1 Groves Avenue, Alexandria, VA 22305

PROPOSED USE: Daycare 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.

Heather Christiani
Print Name of Applicant or Agent

1 Groves Avenue
Mailing/Street Address

Alexandria VA 22305
City and State Zip Code

Heather Christiani 11-13-08
Signature Date

571 312 8972 (SAME)
Telephone # Fax #

HEATHERCHRISTIANI@YAHOO.COM
Email address

ACTION-PLANNING COMMISSION: _____ DATE: _____

ACTION-CITY COUNCIL: _____ DATE: _____

SUP # 2008 0082

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 1 Groves Avenue, I hereby
(Property Address)
grant the applicant authorization to apply for the DAYCARE CENTER use as
(use)
described in this application.

Name: JESUS and EMMA RODRIGUEZ Phone: (703) 217-4437
Please Print
Address: 4605 EATON PLACE ALEXANDRIA Email: _____
VA 22310
Signature: Jesus Rodriguez Date: 11-19-08
Emma Rodriguez

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.

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.)

This Application is for establishment of a full time daycare home at The property located at 1 Groves Avenue. The center will be located in the lower level of The house with full use of The surrounding lawn and patio areas for recreation and learning activities for The children. A full time licensed provider and one licensed assistant will care for up to ~~SEVEN~~^{NINE} full time children, ages 6 weeks to five years. They will provide meals and snacks^{and} indoor and outdoor activities for The children between The hours of 6:00 AM Through 7:15 pm Monday Through Friday, excluding all Federal Holidays. The property is located directly across Commonwealth Blvd from The Mount Vernon Elementary School. In addition There may be four children receiving before and after school care. The before and after care children will not be at The home at The same time as the full time care children. There will be no more than nine children at The property at any given time. Two of The children are residential children

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?

NINE Specify time period (i.e., day, hour, or shift).

~~One~~ full time children, Monday-Friday, 6:00AM to 7:15pm

Four before and aftercare children, Mon-Fri, 6:00AM-7:15AM
5:00pm-7:15PM

* No more than 9 children on the property at any one time

B. How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

1 Full time licensed provider, Monday - Friday 6:00AM-7:15pm

1 Full time licensed assistance Mon-Fri,

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

Day: Monday thru
Friday, excluding
All Federal
holidays

Hours: 6:00 AM to
7:15 PM

7.

Please describe any potential noise emanating from the proposed use.

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

There will be little noise level inside,
Outside time Noise level will be monitored.

B. How will the noise be controlled?

By asking children to use our little
voices

8.

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

No odors

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)

Office papers, food, craft items, diapers

wipes

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

4 MEDIUM BAGS OF TRASH Per week

C. How often will trash be collected?

Trash is collected once a week through the City of Alexandria

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

crafts will be done inside, No need to

litter

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:

- 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:

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

Meeting Standards for all requirements of
Health and Safety regulations.

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.

PARKING AND ACCESS REQUIREMENTS

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

2 Standard spaces
_____ Compact spaces
_____ Handicapped accessible spaces.
✓ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A _____

Does the application meet the requirement?

☐ Yes ☐ No

- 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? 2

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____

Does the application meet the requirement?

☐ Yes ☐ No

B. Where are off-street loading facilities located? Driveway and
Commonwealth Ave

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

6am - 8am + 5:00pm - 7:15pm.

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? BEFORE and after are will not overlap with Full time drops.

Drop off children = 4 times a day. - Two FAMILIES WILL
Pick up children = 4 times a day. - DROP (5) FULL TIME CHILDREN

TWO CHILDREN ARE RESIDENTIAL CHILDREN

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 is adequate for drop off
and Pick up for parents and children.

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?

660 sq. ft. (existing) + _____ sq. ft. (addition if any) = 660 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

CHILD CARE

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? 2
5. How old are the children? (List the ages of all children to be cared for)
 Resident: 9 years, 5 years
 Non-resident: AGES RANGING FROM 6 WEEKS TO 8 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: 4 x 75 square feet = 300 square feet
 Play area provided: YARD AND PATIO = 3200 square feet
(COMBINED FOOTAGE)
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:

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) shall complete this section.

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

2 EMPLOYEES (FULL TIME)

How many staff members will be on the job at any one time? 2 STAFF MEMBERS

2. Where will staff and visiting parents park? OFF STREET, COMMONWEALTH /

DRIVEWAY.

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

PARENTS WILL DROP CHILDREN OFF AT TWO PARKING
SPOTS AT STAGGERED TIMES TO AVOID DOUBLE PARKING
ON STREET.

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

Drop-off

BEFORE CARE 6:00AM - 7:15AM

FULL TIME 7:15AM - 8:30AM

Pick-up

AFTERCARE 5:15PM - 7:15PM

F/T 4:00 PM - 5:15PM

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

- tricycles, bikes, parachutes, jumprope.
Located on Patio.

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

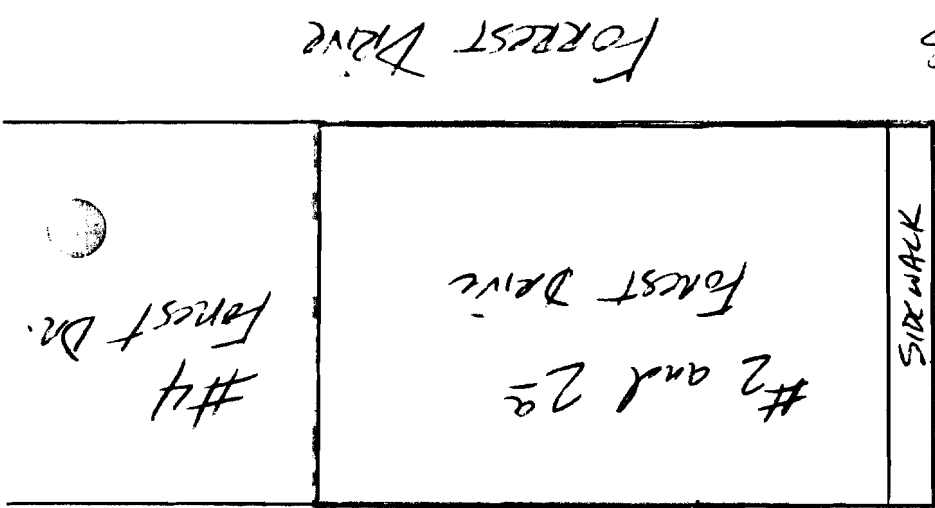
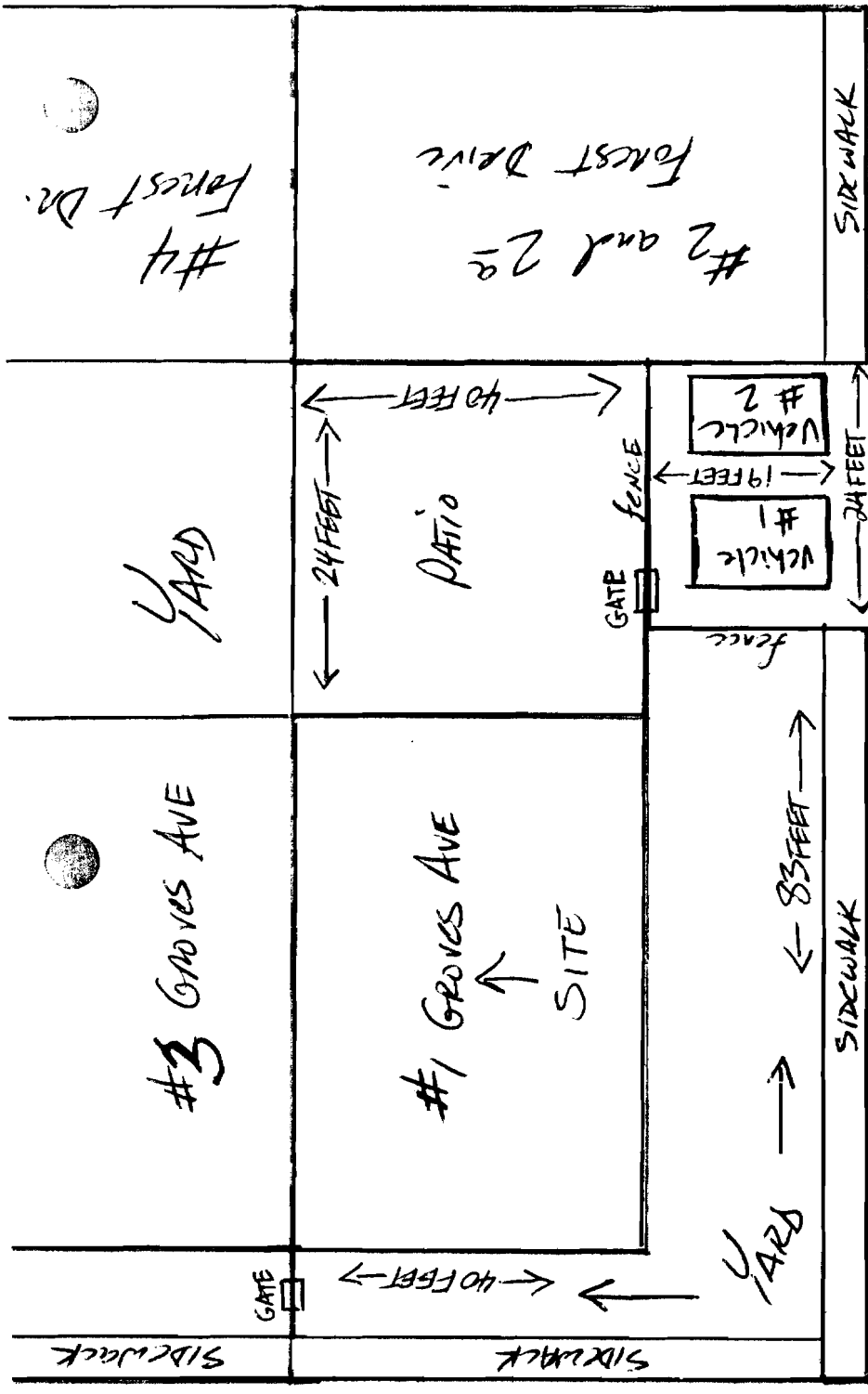
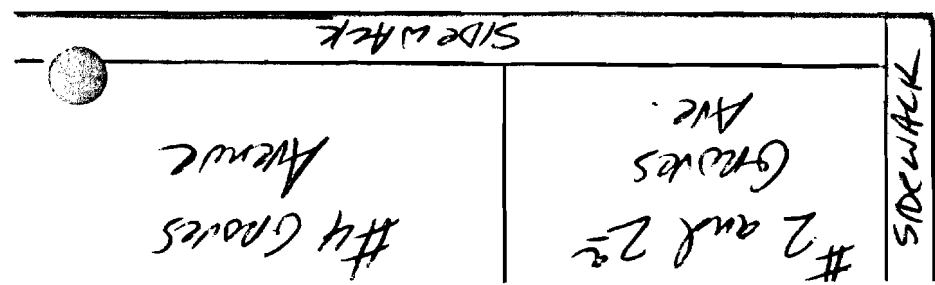
If no, do you plan to fence any portion of the property?

☐ Yes ☐ No

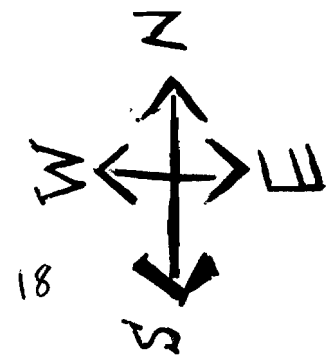
Please describe the existing or proposed fence.

FENCE SURROUNDS ALL OUTDOOR AREAS INCLUDING
PATIO AND YARD AREA. ALL FENCE ENTRANCES ARE
SECURE AND FENCE IS APPROX. 4 FEET HIGH

Graves Avenue (0-99 Blk)



2800-8000 DRS



← COMMONWEALTH BLVD. (2400 BLK)

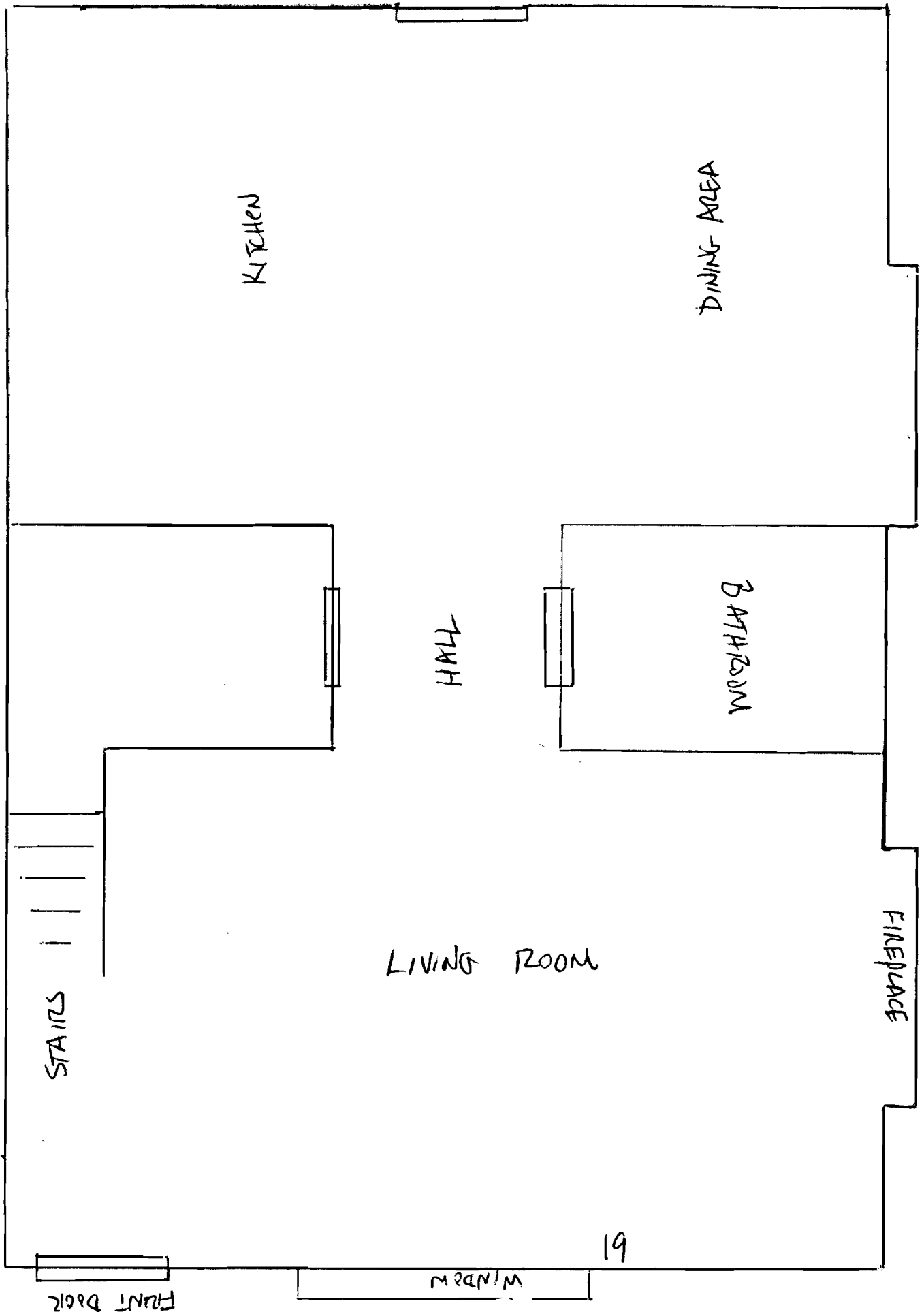


COMMONWEALTH BLVD →

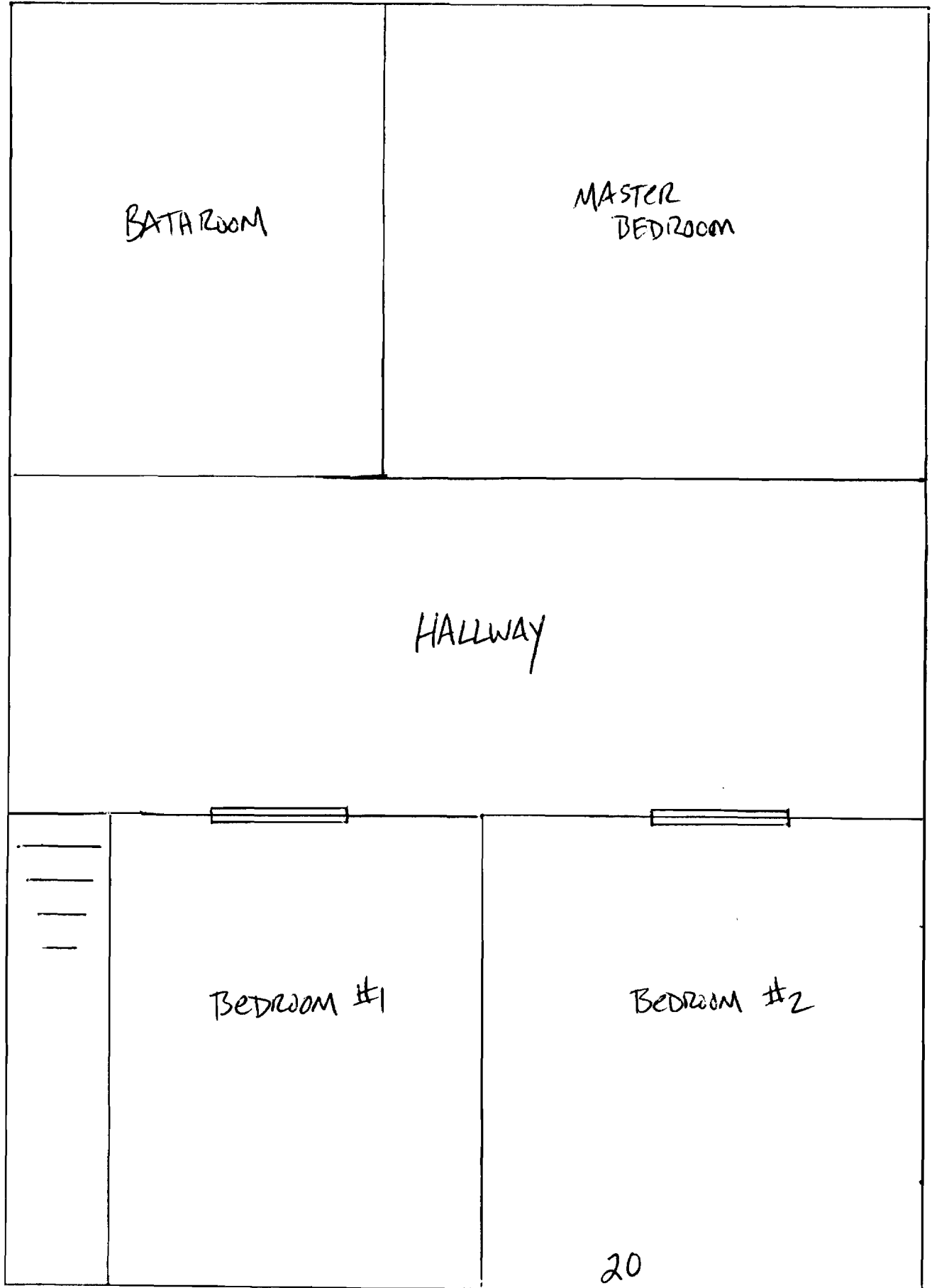
Mt. Vernon Elementary	Mt. Vernon Recreation Center	Ball Field	Tennis Courts	Pool
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BACK DOOR

SUP 2008 0082

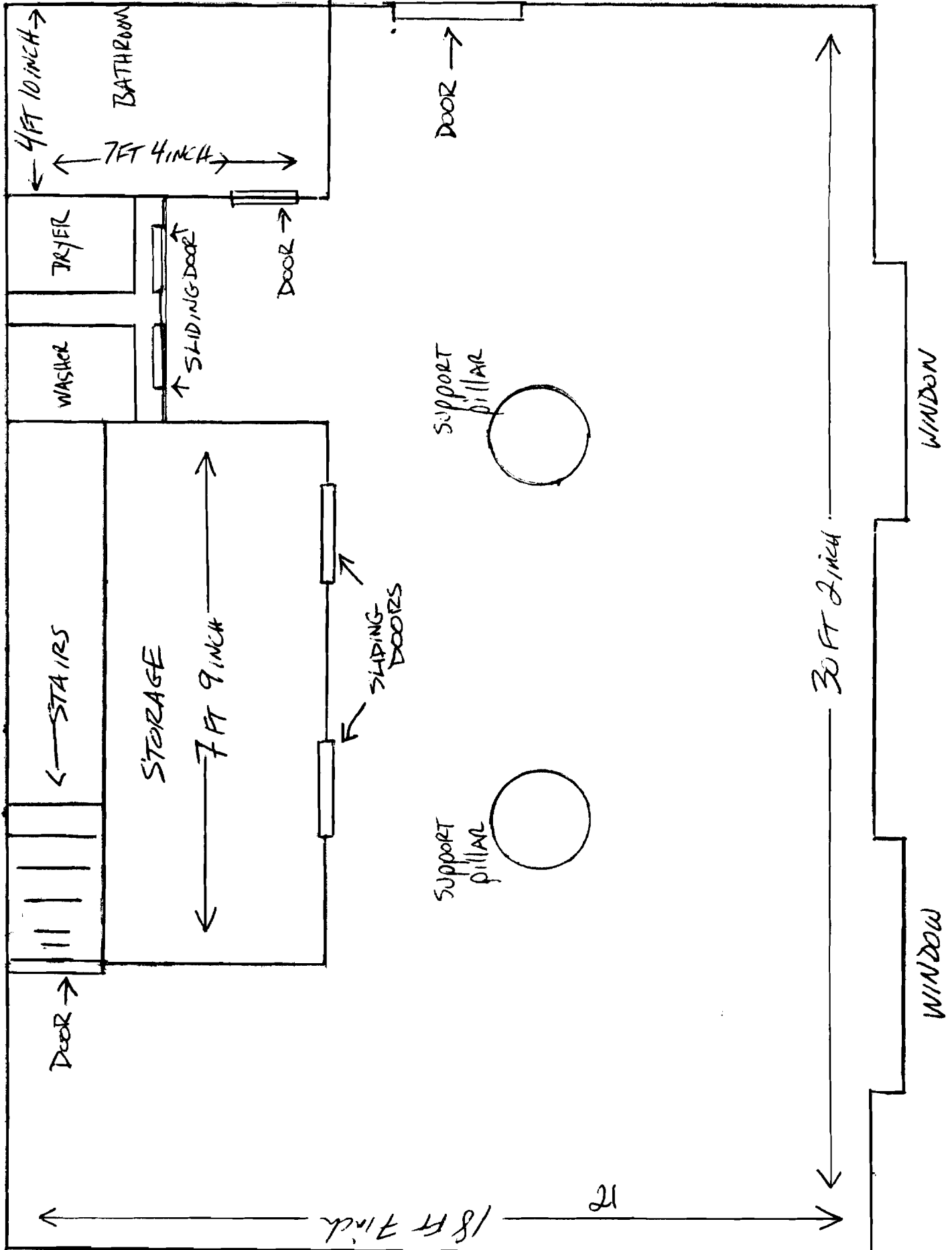


SUP 2008-0082



STAIRS →

SUP 2008-0082





APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2008-082

PROPERTY LOCATION: 1 Groves Avenue Alexandria, VA 22305

TAX MAP REFERENCE: 024.04-01-47 ZONE: R2-5

APPLICANT:

Name: Heather Christiani

Address: 1 Groves Avenue, Alexandria, VA 22305

PROPOSED USE: DAYCARE RESIDENTIAL 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.

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HEATHER CHRISTIANI
Print Name of Applicant or Agent

1 GROVES AVENUE
Mailing/Street Address

ALEXANDRIA VA 22305
City and State Zip Code

Heather Christiani 11-13-08
Signature Date

571 312 8972 (SAME)
Telephone # Fax #

HEATHERCHRISTIANI@YAHOO.COM
Email address

Recommended Approval 7-0 2-3-09

ACTION-PLANNING COMMISSION: _____ DATE: _____

ACTION-CITY COUNCIL: CC approved PC recommendation 7-0 2/21/09
DATE: _____