

EXHIBIT NO. 1

DOCKET ITEM #3

Special Use Permit #2010-0007
2802 Mosby Street – Child Day Care Home

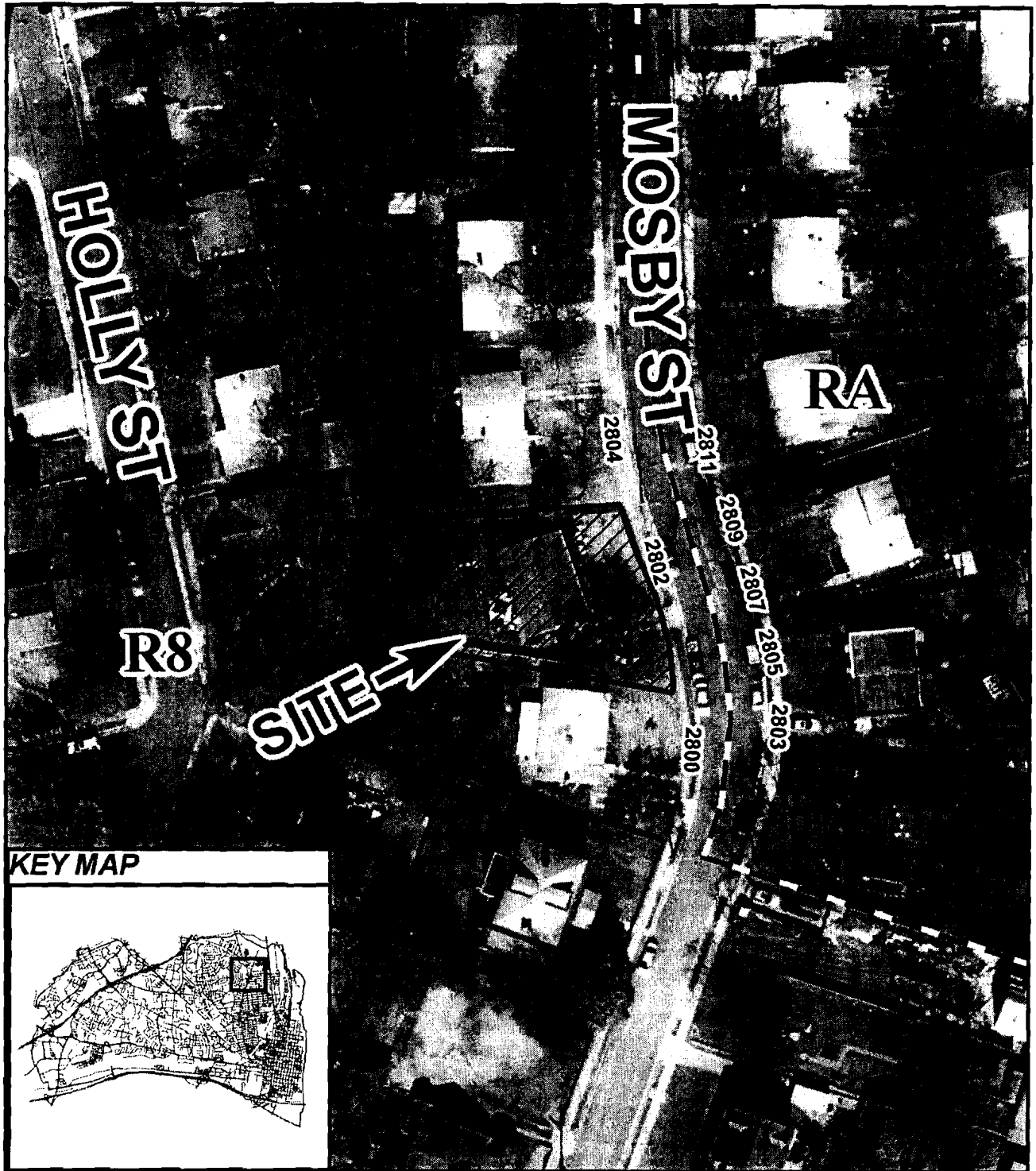
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5-15-10

Application	General Data	
Request: Consideration of a request to operate a child day care home.	Planning Commission Hearing:	May 4, 2010
	City Council Hearing:	May 15, 2010
Address: 2802 Mosby Street	Zone:	R-8
Applicant: L'Tonya Tobin	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: Mary Christesen mary.christesen@alexandriava.gov

PLANNING COMMISSION ACTION, MAY 4, 2010: 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.

SUP #2010-0007
2802 Mosby Street



KEY MAP



SUP #2010-0007

05/04/10



I. DISCUSSION

REQUEST

The applicant, L'Tonya Tobin, requests special use permit approval for the operation of a child care home located at 2802 Mosby Street.

SITE DESCRIPTION

The subject property is one lot of record with 77.22 feet of frontage on Mosby Street, 140.14 feet of depth along the south side property line, 116.88 feet of depth along the north side property line and a total lot area of 7,960 square feet. The site is developed with a single family residential dwelling. Access to the property is from Mosby Street.



The surrounding area is occupied by a mix of single, two family and townhouse residential dwellings. Immediately to the north, south and west are single family residential dwellings. To the east are semi-detached two family dwellings.

BACKGROUND

The applicant, a former elementary teacher, is proposing to begin caring for preschool-aged children beginning in September 2010. The applicant does not currently provide any childcare services at her home.

PROPOSAL

The applicant proposes that she and one assistant will provide child care for up to nine children with one assistant at her residence according to the following:

- | | |
|------------------|--|
| Hours: | Monday – Friday: 7:00 a.m. – 7:00 p.m.
Saturdays (occasionally for “Parent’s Day Out)
7:00 a.m - 7:00 p.m. |
| Number children: | No more than nine, including two resident children |
| Age of children: | 2 to 5 years old |
| Noise: | Children’s noise levels will be monitored by the applicant. |
| Trash/Litter: | One kitchen bag per day is anticipated which will be picked up weekly by the City of Alexandria. The applicant will pick up after children when outside. |

PARKING

The Zoning Ordinance does not specify required parking for child care homes. In addition to two tandem parking spaces in the driveway, parking is available on both sides of Mosby Street. The applicant anticipates that parents will park on the street and escort children to and from the home.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the R-8 zone. Section 3-302(C) and 7-500 of the Zoning Ordinance allow a child care home in the R-8 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 childcare home located at 2802 Mosby Street. The proposed use is consistent with the requirements for child care homes set forth in the zoning ordinance section 7-500. Adequate play area is provided on site. The rear yard is enclosed with a 6.00 foot fence and the front yard is partially enclosed with an approximately 3.00 foot fence.

The Department of Human Services, Office of Early Childhood Development, states that the applicant has not yet set up her home for childcare, however the applicant's home has more than adequate space to do childcare. As discussed with the applicant, the areas proposed for the child care, the basement and the backyard, need to be rearranged and safety measures need to be in place prior to caring for children. The applicant is also required to obtain a State license before she begins operating.

According to the applicant, she is in the process of completing the required courses and will apply to the State to obtain a license to operate a home day prior to opening. All staff will be certified in CPR and other state home health and safety requirements.

Both off-street and on-street parking on both sides of Mosby Street are available to accommodate parents dropping off and picking up children. It is likely that parents will drop off and pick up children at slightly different times, which will limit the demand for parking and reduce the overall impact of additional cars associated with this use.

Staff recommends approval of the 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 7:00 a.m. and 7:00 p.m., Monday through Saturday. (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. The applicant, an assistant or parent must be available to escort children to and from the parent's cars. (T&ES)
6. Parents shall not be permitted to double-park their cars on Mosby Street while dropping off or picking up children. (T&ES)
7. Access to adjacent properties or driveway entrances shall not be blocked at any time. (T&ES)
8. 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: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Mary Christesen, 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 Mosby Street.
- R-2 Parents shall not be permitted to double-park their cars Mosby Street while dropping off or picking up children.
- R-3 Access to adjacent properties or driveway entrances shall not be blocked at any time.
- 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.
- C-5 An annual fire prevention permit is required for the in-home child care.

Health Department:

No comments.

Human Services:

- F-1 The applicant has not yet set up her home for childcare, however the applicant's home has more than adequate space to do childcare. As discussed with the applicant, the areas proposed for the child care, the basement and the backyard, need to be rearranged and safety measures need to be in place prior to caring for children. The applicant is also required to obtain a State license before she begins operating.

Parks and Recreation:

No comments.

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 assessment of the child care home. This is to be completed prior to the child care home opening for business.

The Police Department conducted a crime statistics check of this address from January 1, 2007 – March 23, 2010. There were no cases of crime reported for this address.

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



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 50112-0007

PROPERTY LOCATION: 2802 Mosby St., 22305

TAX MAP REFERENCE: 024-01-02-13 ZONE: R8

APPLICANT:

Name: L. Tonya D. Tabin

Address: 2802 Mosby St., Alexandria, VA 22305

PROPOSED USE: Child Care 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.

L. Tonya D. Tabin
Print Name of Applicant or Agent

[Signature] 2/22/10
Signature Date

2802 Mosby St.
Mailing/Street Address

703-856-7345 N/A
Telephone # Fax #

Alexandria, VA 22305
City and State Zip Code

moonpie16@comcast.net
Email address

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

PROPERTY OWNER'S AUTHORIZATION

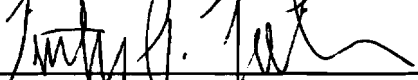
As the property owner of 2802 Mosby St., Alexandria, VA, I hereby
(Property Address)
grant the applicant authorization to apply for the Child Care Home use as
(use)
described in this application.

Name: Timothy P. Tobin

Phone: 703-856-7345

Please Print
Address: 2802 Mosby St, 22305

Email: moonpie162@comcast.net

Signature: 

Date: 2/22/10

- 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.

N/A

OWNERSHIP AND DISCLOSURE STATEMENT
Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. L'Tonya D. Tobin	2802 Mosby St. Alexandria, 22305	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 2802 Mosby St, 22305 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. L'Tonya D. Tobin	2802 Mosby St. Alexandria, 22305	50%
2. Timothy P. Tobin	2802 Mosby St. Alexandria, 22305	50%
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

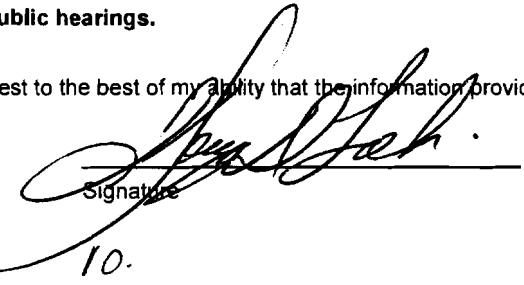
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. L'Tonya D. Tobin	NONE	City Council Planning Commission
2. Timothy P. Tobin	NONE	City Council Planning Commission
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

2/22/10
Date

L'Tonya D. Tobin
Printed Name


Signature

Alexandria City Council

William Euille, Mayor
Kerry Donnelly, Vice Mayor
Frank Fannon IV
Alicia Hughes
Rob Krupicka
Redella "Del" Pepper
Paul Smedberg

Planning Commission

John Komoroske, Chair
H. Steward Dunn, Vice Chair
Donna Fossum
J. Lawrence Robinson
Mary Lyman
Jesse Jennings
Eric Wagner

Board of Zoning Appeals

Harold Curry, Chair
Mark Allen, Vice Chair
Geoffrey Goodale
David Lantzy
Jennifer Lewis
Eric Zander
John Keegan

Board of Architectural Review

Old and Historic District

Thomas Hulfish, Chair
Oscar Fitzgerald
Arthur Keleher
Wayne Neale
Peter Smeallie
James Spencer
John Von Senden

Board of Architectural Review

Parker-Gray District

Christina Kelley, Chair
William Conkey
H. Richard Lloyd, III
Thomas Marlow
Douglas Meick
Philip Moffat
Deborah Rankin

Definition of business and financial relationship.

Section 11-305 of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;
- (2) by way of an ownership entity in which the member or a member of his immediate household is a partner, employee, agent or attorney;
- (3) through a partner of the member or a member of his immediate household;
- (4) through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 10 percent or more of the outstanding bonds or shares of stock of a particular class. In the case of a condominium, this threshold shall apply only if the applicant is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium;
- (5) not as an ordinary customer or depositor relationship with a professional or other service provider, retail establishment, public utility or bank, which relationship shall not be considered a business or financial relationship;
- (6) created by the receipt by the member, or by a person, firm, corporation or committee on behalf of the member, of any gift or donation having a value of more than \$100, singularly or in the aggregate, during the 12-month period prior to the hearing on the application from the applicant.

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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?

- N/A
- 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.)

Please see attached

NARRATIVE DESCRIPTION

I, along with an assistant, will provide in-home childcare for preschool-aged children. Children will range from 2-5 years of age, with a maximum of 9 potty-trained children daily. The childcare program will be in the basement of my home.

CURRICULUM:

As a former 3rd grade teacher, I firmly believe any preschool, whether in-home or in a formal day care setting, should be an early learning program that establishes and provides a measurable range of skills and knowledge essential for children to be successful in kindergarten. So, this will not be the typical in-home childcare program.

We will be using Virginia's Foundation Blocks for Early Learning Standards. These standards include the areas of literacy, mathematics, science, history and social science, physical and motor skill development, and personal and social development with indicators of success for entering kindergarten that are derived from scientifically-based research. The standards reflect a consensus of children's conceptual learning, acquisition of basic knowledge, and participation in meaningful and relevant learning experiences. Alignment to Virginia's kindergarten Standards of Learning, to Virginia's phonological Awareness Literacy Screening, and to the national guide, Teaching Our Youngest, A guide for Preschool Teachers and Child-Care and Family Providers, produced by the Early Childhood-Head Start Task Force, U.S. Department of Education and U.S. Department of Health and Human Services is evident. We will use Virginia's Foundation Blocks for Early Learning to develop our curriculum and meaningful classroom activities.

In addition to feeding the minds, we will also promote a healthy body and healthy lifestyle. We will participate in the Active Lifestyle Program sponsored by the President's Council on Physical Fitness and Sports. We will make sure the children have at least 60 minutes of active playtime each day and will visit the local recreation centers and playgrounds, as well as our own 1500 square foot back yard, to promote an active lifestyle.

ADMINISTRATIVE:

Each weekday, parents will use on-street parking to perform both drop off in the morning and pick up in the evening.. Although our normal schedule is Monday through Friday, a few times each year, we plan to watch the children on a Saturday so that parents can have a "Parent's Day Out".

LONG-TERM GOALS:

Ultimately, the goal is to perfect our program and move it out of the home into a formal daycare setting.

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).

Maximum of 9; 7:00AM - 7:00 pm

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

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

1 assistant
7:00AM - 3:00pm or 11:00AM - 7:00pm

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

Day: Monday - Saturday

Hours: 7:00AM - 7:00pm

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

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

Children's voices during outdoor play.

B. How will the noise be controlled?

Should not be a problem, but children will be asked to keep voices @ a moderate level.

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)

Food wrappers, food waste, paper

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

Approx. 1 kitchen bag per day

C. How often will trash be collected?

Daily from home to bin and weekly curbside pickup from bin.

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

Very little likelihood of litter, but will pick up after children should they drop anything.

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?

No safety issues. We will submit paperwork for state licensure and will obtain prior to opening. All staff will be trained and certified in CPR, state-required home health and safety training and ongoing training.

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 (*tandem*)
____ 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? <input type="checkbox"/> Yes <input type="checkbox"/> No

N/A

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.

N/A

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? Ø

Planning and Zoning Staff Only
Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____
Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No

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 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?
800 sq. ft. (existing) + 0 sq. ft. (addition if any) = 800 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: _____



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? Maximum of 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: 3, 4
 Non-resident: 2-5
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: 9 x 75 square feet = 675 square feet
 Play area provided: 1500 square feet
7. N/A 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

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

2. Where will staff and visiting parents park? On-site parking and street parking

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

① Parents will park on street, bring children to door, and leave. ② Parents will park on street, pick up child @ door, and leave.

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

Drop-off 7:00am - 8:00am Pick-up 5:00p - 7:00p

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

Mostly transportable playground toys like balls, ropes, hoola hoops. Nothing permanently affixed. Items will be stored in house and taken outside when in use.

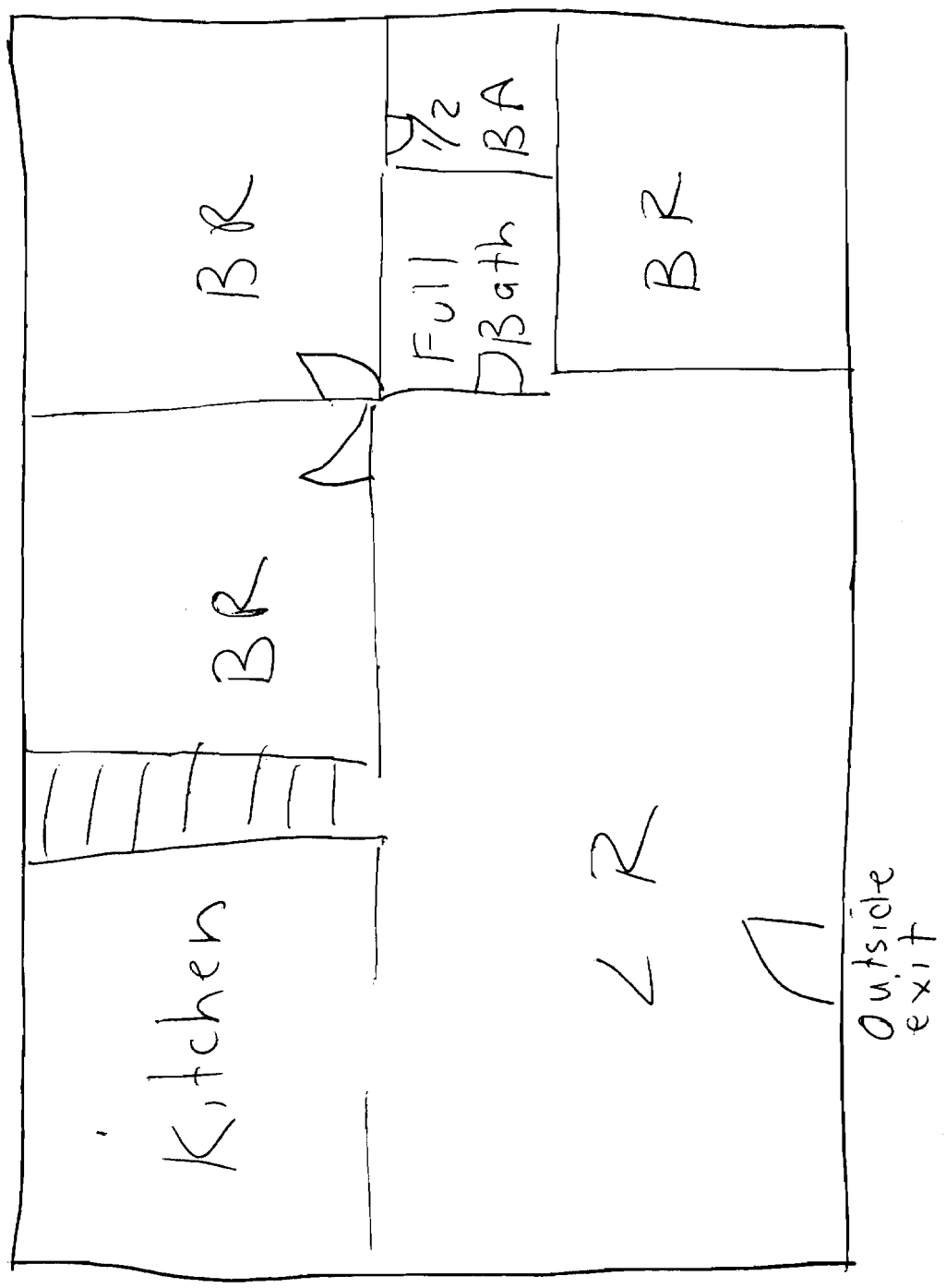
6. Are play areas on the property fenced?

Yes No
 Yes No

Please describe the existing or proposed fence.

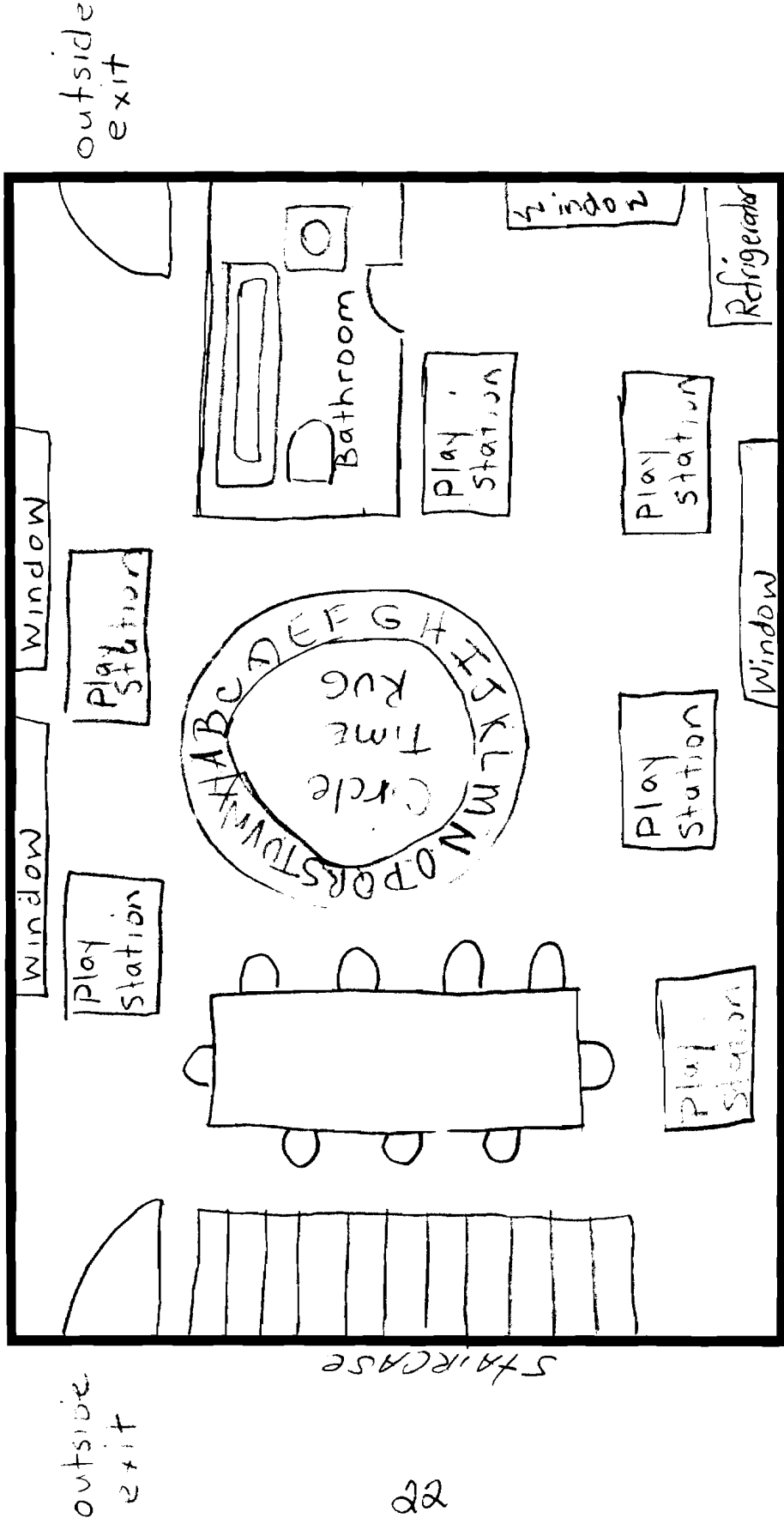
360° six foot fence around back yard.

Interior Floor Plan
2802 Mosby St., Alexandria, VA 22305
Tonya Tobin
1000 s/f
Main Level



Interior Floor Plan
2802 Mosby St., Alexandria, VA 22305
L'Tonya Tobin

800 s/f Basement



Site Plan
2862 Mosby St.
Alexandria, VA 22305
Tonya Tobin
8920 s/ft.

Holly St.

2807
Holly

2805
Holly

2801
Holly

2804
Mosby

2802 Mosby

open space

Stage

Open space

Driveway

2800
Mosby

2801
Mosby

2803
Mosby

2809
Mosby

2811
Mosby

2813
Mosby

To Mt. Ida

To Mosby

To Gentry

PARKING

PARKING

PARKING

PARKING

PARKING

PARKING

2802 Mosby St.

Date Created: 2/4/2010

SUP 2010-0007



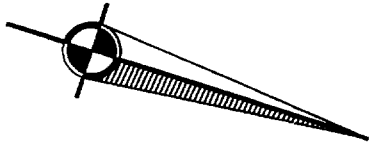
Legend for Parcel Map
Highlighted Feature

- Metrorail Stations
- City Boundary
- Address Points
- Metrorail Tracks
- Street
- Roadway
- Water
- Park
- Other Road
- Railroad
- Building
- Parks
- Water
- Other Road
- City of Alexandria

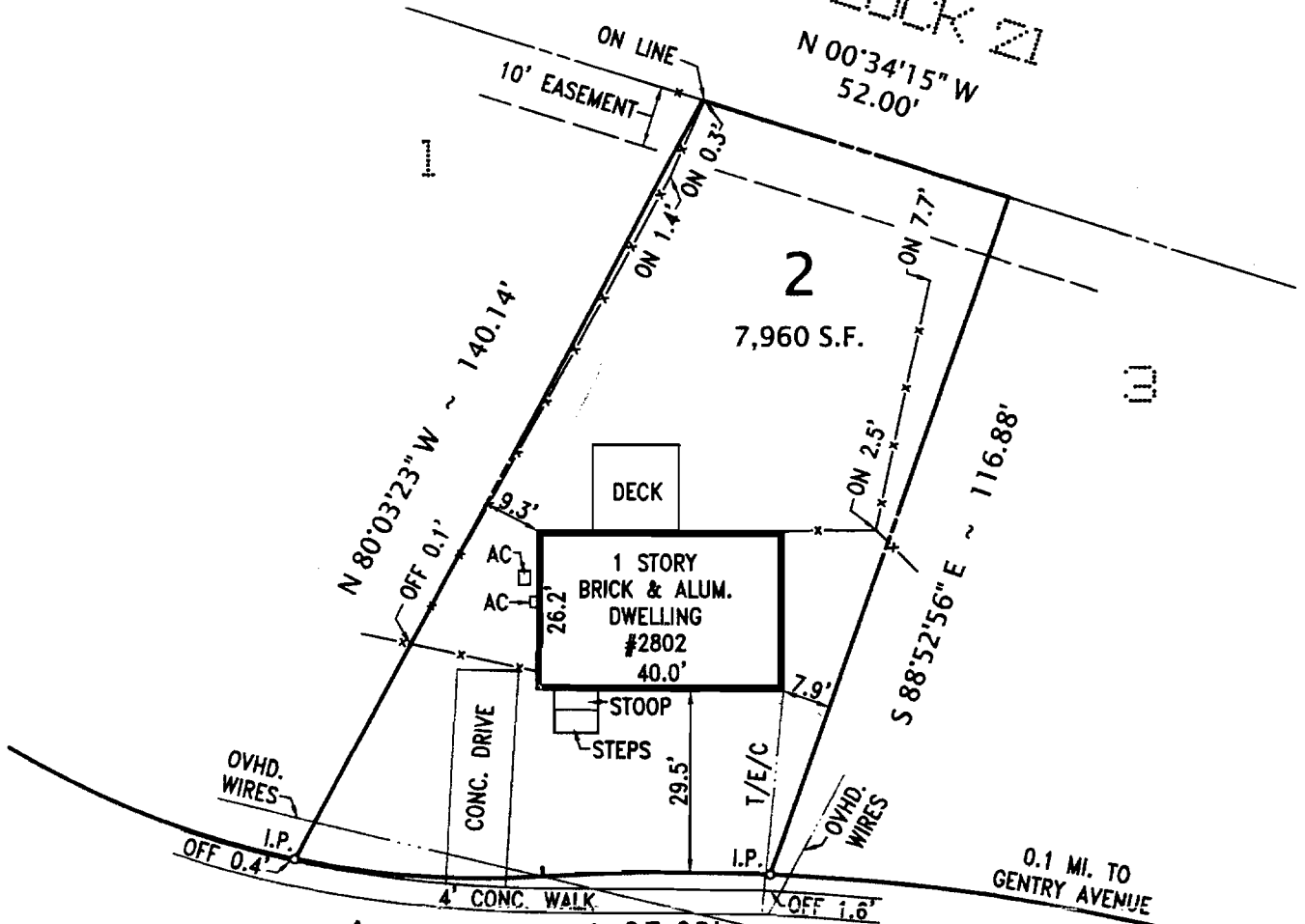
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SUP 2010 0007

NOTE: FENCES ARE CHAIN LINK.



GROVE'S SUBDIVISION OF
MT. IDA
BLOCK 21
N 00°34'15" W
52.00'



A=40.20' A=37.02'
R=148.19' R=341.28'

MOSBY STREET
50' R/W

PLAT
SHOWING HOUSE LOCATION ON
LOT 2 BLOCK 9
WARWICK
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 30' AUGUST 27, 2003

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SUP
BeautifulSunnyDay
to:
Mary.Christesen
04/17/2010 09:10 AM
Show Details

Mary,

Would you kindly change my SUP to reflect I have not filed with the State, as yet. I may by the time the City meetings take place, but just in case I'm not, I don't want there to be a problem. Thanks.

L'Tonya Tobin

26

Del Ray Citizens Association

Established 1954
delraycitizens@yahoo.com

P.O. Box 2233, Alexandria, VA 22301
<http://www.delraycitizen.org>

April 29, 2010

Docket Item # 3
SUP# 2010-0007

Deputy Director Barbara Ross
City Hall, Room 2100
Alexandria, VA 22314

Subject: Docket item 3, Planning Commission hearing of May 4, 2010
SUP# 2010-0007; Child Day Care Home at 2802 Mosby Street

Dear Ms. Ross,

At their meeting of April 8, the Land Use committee briefly discussed the subject Special Use Permit request. The application was announced the previous month in 'The Citizen', official newsletter of The Del Ray Citizens Association and a noticed was posted on delraycitizen yahoogroups listserve requesting comment from members and citizens. We received one response from the listserve notice. The responder, an adjoining neighbor to the rear, indicated her full understanding of the application request and potential impact of which she raised no objection.

Based on this response and our evaluation of the application, the Land Use committee recommended to the Executive Board that the Association should *support the request for a Home Child Day Care Center for up to 9 children, ages 2 years to 5 years, at 2802 Mosby Street, zoned R-8, from the hours of 7:00 AM to 7:00 PM, Monday thru Saturday, and subject to all local, state, or federal regulations.*

At their meeting of April 19, the Executive Board considered the recommendation and an additional response from an adjoining neighbor who expressed concern for the amount of traffic congestion the drop-off and pick-up of children would have, that without adequate provision during these times, parents would tend to block adjoining driveways or double-park along a narrow and curved portion of Mosby Street.

The Executive Board believed that the application should go forward as originally proposed and recommended by Land Use committee and should this concern become problematic it could be addressed at a later time, such as the one-year review:

Thank you for your consideration.

Sincerely,

Amy Slack
Co-Chair, Land Use Committee

cc:
Director of Planning and Zoning
Mary Christesen

enclosures: 2
Comment from Curry
Comment from Johnson

Celebrating 100 years of the Town of Potomac

1908 - 2008

27

From: Arthur L Johnson
To: amylanduse@yahoo.com
Sent: Wed, April 7, 2010 9:35:37 PM
Subject: Mosby Street Day Care

Amy,

Sorry to be so late but did want to comment on the SUP for the Day Care on Mosby St.

First let me say that I know the Tobins and that I have every confidence in Latonya's ability. I know that there is a need for affordable day care. I also know that there are ordinances that will govern the facility and will let others that know those comment on whether it is appropriate or not. I will however have to oppose the SUP at present; my main concern is traffic. I know that it is only 9 children and I believe 2 of them are hers but that leaves seven to be dropped off and picked up at the same time as others are trying to leave or come home from work. We have just gotten the neighborhood back after two internet businesses with there Fedex and UPS trucks coming and going throughout the day and West Landscape with its trucks getting their assignments in the morning and returning paper work in the evening have all at last moved out.

Knowing parents' attitudes they will be double parking or blocking drive ways during the drop off and pickup times. We have at least two school buses that come down the street during the day now, and that varies from year to year. We have had one small parking space removed from between mine and my neighbors drive to help three people get in and out of their drives plus it has helped the school buses navigate the S turn. We have drivers park in all "no parking" areas along Mosby on the best of days, we do not need to add to it.

Possibly, if she could have the two spaces in front of her house reserved for a set period of time for drop off and pick ups. I think this would mean a trip to the Traffic and Parking board, but I would be in support of that. This would at least ease the pain.

The main problem with out it is that at that point, the S curve begins and that is where Mosby narrows. I guess the big unknown is - how many cars coming at once.

I believe the SUP is for 9 children and at present 2 are hers. This means at the start a max of 7 cars.

There are two spaces between driveways that a car habitually tries to park. One is between 2712 (mine) and my neighbors' (2800) and is marked no parking. The other space is between 2801 and 2803. This space is about 12' long, not big enough for a car but they still attempt.

Parents on their way to work dropping children off are not thinking of the impact on other trying to get out of their drives.

Again, every one knows that LaTonya's heart is big and no one doubts her ability. We have seen her work with foster children in the past. It is just the traffic concerns. We are use to the quiet now that the other businesses have moved on.

Hope this helps.

bj

From: landuse@delraycitizen.net

Subject: Re: Special Use Permit request for a Child Care Home at 2802 Mosby Street

Date: Wed, 17 Mar 2010 15:28:35 -0400

I appreciate receiving your comment Jenny.

Please tell me whether:

- you have read and understand the application;

I read the entire application, and reviewed the hand drawings that she provided. Knowing the location of the house, and the parking situation, I really don't think that would be an issue at all, nor do I think that the noise would be much of a problem. As I understand it, she is requesting an in home day care application for ages 2 to 5, for up to 9 children. She is planning to store toys indoors and has a fenced yard.

- you are familiar with similar operations in residential areas;

I have used in home providers for almost 5 years. Both of our daughters were cared for by an in home daycare as infants to age 4 for the oldest, 3 for the youngest through an organization called Infant Toddler. There were 5 children present when my oldest daughter was there, 10 when my youngest as the provider had an assistant so was eligible to care for more. Currently my daughter attends Abracadabra on Commonwealth which houses 28 children in a house adjacent to the Commonwealth Baptist Church. Although that situation is slightly different, it is indeed a house on a neighborhood street that I'm assuming was not zoned for commercial properties.

- have knowledge of complaints or praise from such an operation.

I know that Abra occasionally gets complaints by neighbors thinking parents were speeding down Chapman to get to the school, we investigated and discovered it was cut through commuters coming from Russell Rd and they were unrelated to the school. I was not aware of any complaints from the in-home daycare provider that our daughters attended prior to Abra. Her neighbors loved to see the children coming and going.

Thanks!

Amy

On Mar 17, 2010, at 3:00 PM, Jenny Curry wrote:

Hi,

I live on Holly St and routinely walk the dog on Mosby directly past the house. I would whole-heartedly support the application. There is really a dearth of in-home childcare options in Delray and Warwick Village.

Jenny Curry



Fw: 2802 Mosby Street Childcare SUP
Mary Christesen to: Kendra Jacobs

PC Docket Item #3
SUP # 2010-0007

04/26/2010 09:16 AM

Attached is the email I received from a neighbor.

Mary Christesen
Urban Planner
City of Alexandria
Department of Planning and Zoning
703-746-3840

— Forwarded by Mary Christesen/Alex on 04/26/2010 09:14 AM —

From: Nathan Randall/Alex
To: "Elizabeth" <elizabeth@lizluke.com>
Cc: Mary Christesen/Alex@Alex, Barbara Ross/Alex@ALEX
Date: 04/23/2010 03:29 PM
Subject: Re: 2802 Mosby Street Childcare SUP

Ms. Lucchesi,

Thank you for your email regarding the SUP request for a day care home at 2802 Mosby Street. I am copying my colleague Mary Christesen on this message, since she took over for me as project manager on this case.

Regards,
Nathan

"Elizabeth"	Dear Nathan (Mr. Randall)-	04/23/2010 03:25:25 PM
-------------	----------------------------	------------------------

From: "Elizabeth" <elizabeth@lizluke.com>
To: <Nathan.Randall@alexandriava.gov>
Date: 04/23/2010 03:25 PM
Subject: 2802 Mosby Street Childcare SUP

Dear Nathan (Mr. Randall)—

I live on Mosby and leave everyday to drop my kids at school and head to work between 7:45 and 8:00.

The street cannot afford the additional traffic and extra parking problems that this business will present. Additionally, our neighborhood is a residential neighborhood. Businesses belong in business districts.

I am opposed to this proposal. I am all for business as I am a member of the DRBA and advocate for business in the:

- 1) Right place
- 2) With the right infrastructure

As it is, the school busses who travel down our street have a difficult time navigating the road. It will be more difficult with additional parkers with drop off and pick up.

Additionally, the amount of cars at this particular house currently totals four, many of which are parked against the traffic consistently. What will be done at "just a quick drop off or pick up" each and every weekday?

I am opposed to the day care.

If you know of anyone looking to sell or purchase a home please don't hesitate to give them my name; my business is based on your referrals.

Elizabeth Lucchesi
REALTOR, McEneaney Associates
- Working by Referral in Virginia

www.LizLuke.com
109 S. Pitt Street
Alexandria, VA 22314
(703) 286-1239 - Office
(703) 868-5676 - Mobile
(703) 717- 5820 - Fax

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April 21, 2010

Ms. Mary Christesen
City of Alexandria
301 King Street
Alexandria, VA 22314

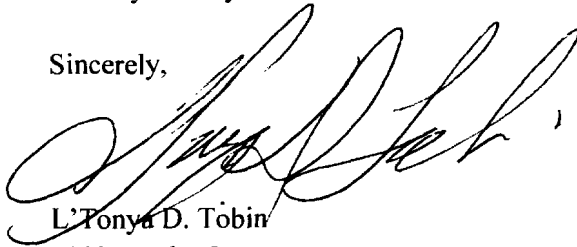
PC Docket Item #3
SUP # 2010-0007

Dear Ms. Christesen:

Per our telephone conversation today, I am requesting a change to my SUP. After speaking with potential clients, I would like to change the hours of operation to 6:00a – 7:00p.

Thank you for your assistance in this matter.

Sincerely,



L'Tonya D. Tobin
2802 Mosby St.
Alexandria, VA 22305



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2010-0007

PROPERTY LOCATION: 2802 Mosby St, 22305

TAX MAP REFERENCE: 024-01-02-13 ZONE: R8

APPLICANT:
Name: L'Tonya D. Tobin

Address: 2802 Mosby St, Alexandria, VA 22305

PROPOSED USE: Child Care 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.

L'Tonya D. Tobin
Print Name of Applicant or Agent

[Signature] 2/22/10
Signature Date

2802 Mosby St.
Mailing/Street Address

703 856-7345 N/A
Telephone # Fax #

Alexandria, VA 22305
City and State Zip Code

moonpie16@comcast.net
Email address

By unanimous consent, Recommended approval 5/4/10
ACTION-PLANNING COMMISSION: _____ DATE: _____
ACTION-CITY COUNCIL: Approved PC recommendation DATE: 5/15/10
7-0

4
5-15-10

2802 Mosby Street Home Day Care SUP2010-0007

- Up to nine children
- 7 a.m. to 7 p.m. Monday through Saturday
- Staff and Planning Commission recommend approval

