

Docket Item #3  
SPECIAL USE PERMIT #2003-0077

Planning Commission Meeting  
October 7, 2003

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

**APPLICANT:** Nana Serwaa Bempah

**LOCATION:** 5355 Truman Avenue

**ZONE:** R-5/Residential

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STAFF RECOMMENDATION:

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 business or entity in which the applicant has a controlling interest. (P&Z)
2. The hours of operation shall be limited to between 7:00 A.M. and 6:00 P.M., Monday through Friday. (P&Z)
3. Prior to the child care home opening for business, the applicant is to contact the Crime Prevention Unit of the Alexandria Police Department regarding at 703-838-4520 regarding a security survey, robbery awareness program for all employees, and safety programs available through the department for the children. (Police)
4. The Director of Planning and Zoning shall review the special use permit one year after approval 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, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, 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)

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, Nana Bempah, requests special use permit approval for the operation of a child care home located at 5355 Truman Avenue.
2. The subject property is one lot of record with 90 feet of frontage on Truman Avenue, approximately 86 feet of depth and a total lot area of 8350 square feet. The site is developed with a one and a half story detached single family home. Access to the property is from Truman Avenue.
3. The applicant proposes to operate a child care home for up to nine children. The applicant will have two assistants, including her husband, and a friend. Three children reside in the home and are ages 10, eight, and three. She also currently cares for two other children, ages three years and eight months. She requests approval for up to nine children to give her the flexibility to care for more children. She proposes to care for children Monday through Friday between 8:00 a.m. and 5:00 p.m.
4. The parents will pick up and drop off children from the driveway at staggered hours. There is also public street parking available in front of the home.
5. The applicant proposes that the children play in the large rear yard of her home.
6. According to the Department of Human Services, there have been no complaints about the applicant. Human Services also states that the home of 1,620 square feet exceeds the amount of space recommended by the Office of Early Childhood Development, which is 35 square feet per child.
7. The applicant anticipates three trash bags of garbage each week. Trash is picked up once a week.
8. Zoning: The subject property is located in the R-5/Single-family zone. Section 7-601 (B) of the zoning ordinance allows a child care home for up to nine children in the R-5 zone only with a special use permit.
9. Master Plan: The proposed use is consistent with the Seminary Hill/Strawberry Hill chapter of the Master Plan which designates the property for residential use.

STAFF ANALYSIS:

Staff does not object to the proposed child care home located at 5255 Truman Avenue. The single family home is detached, buffering neighboring properties from potential noise from the children. The yard is large and able to accommodate the children in the applicant's care. The applicant will have assistants to help with the children. She is proposing only daytime hours during the week when area neighbors are most likely not at home. The applicant has a driveway where parents can drop off children, with a sidewalk leading directly to the front door. In addition, the Department of Human Services states that the applicant has been a registered child care provider since 1999, and recommends approval of the use permit.

Staff has included a one year review to ensure that no problems arise with the use at this location.

With this condition, staff recommends approval of the special use permit.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Valerie Peterson, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- 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 licenced 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

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding safety programs available through the department for the children.
- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 The applicant is to contact the Crime Prevention 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.

Human Services (Social Services):

- C-1 A site visit was made to Nana Bempah's home on July 14, 2003. Ms. Bempah has been a registered child care provider since 1999 and completed the basic Family Child Care training series in May, 2000. Though she did complete training, she has chosen not to become an approved provider, getting her clients through private arrangement with the parents.. Ms. Bempah is currently registered for two non-resident children. The children in her care mainly come from other families from Ghana where the Bempahs are originally from.
- C-2 There have been no child protective services complaints on Ms. Bempah. The Bempah home has 1620 square feet, most of which is available to the children. She exceeds the amount of space recommended by this office, 35 sq. feet per child. Ms. Bempah has a clean, comfortable family room (with an outside exit) where the majority of the child care would be done. The rest of the home, inside and out, is tidy, clean and well-furnished. In addition to toys, Ms. Bempah has two cribs, three cots and a very nice swing set in the fenced portion of the backyard.
- C-3 Ms. Bempah plans to use two assistants, her husband who currently works outside the home until 3:00 PM and her friend, Rebecca Obeah, who also works as a nurses' aide. Ms. Bempah has made great strides in her English skills, and her husband and friend are more proficient than she is. Mr. Bempah plans to quit his job and assist his wife. He is willing to attend any training necessary.
- C-4 In the confusion of moving a couple of months ago, Ms. Bempah's change of address was never noted by the State Licensing unit, and she plans to start that process over again.
- R-1 Recommend approval of special use permit for Nana Bempah for up to nine children with an assistant.