

Docket Item #6
SPECIAL USE PERMIT #2004-0021

Planning Commission Meeting
June 1, 2004

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

APPLICANT: The Child and Family Network Centers
by Barbara Mason, Executive Director, CFNC

LOCATION: 4600 Duke Street, Suite 310

ZONE: RC/Residential

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.

I. DISCUSSION

REQUEST

The applicant, The Child and Family Network Center, represented by Barbara Mason, requests special use permit approval to operate a child care center on the first floor of the residential condominium building located at 4600 Duke Street.

SITE DESCRIPTION

The 14-story building located at 4600 Duke Street was built in 1967 as an apartment building, and was converted to a condominium project in 1976. The building contains a total of 446 units. Of these units, 396 are residential. The remaining 50 units are commercial and located on the first and second floors of the building. The entire parcel of land at 4600 Duke Street has an area of 357,269 square feet. The condominium building occupies 265,397 square feet of the parcel and the Shell service station and Mango Mike's restaurant occupy the remaining 91,872 square feet of the parcel.

In 1996, City Council approved the operation of the Hopkins House child care center for Suite 309, which is located next to the subject space. The business vacated the space in the beginning of 2004.

PROJECT DESCRIPTION

Initial Proposal: The initial application was twofold as the main applicant, the Child and Family Network Center (CFNC), which will occupy Suite 310, was joined by a co-lessee, the Center for Multicultural Human Services (CMHS), which intended to occupy Suite 309 of the subject space.

CMHS provides free or low-cost mental health, social and educational services to low-income immigrant, refugee, and other cultural-minority families and children, which is considered to be a social service use. Although staff supports the organization's work, a social service use is not permitted in the RC zone. Staff informed CMHS of these limitations, which resulted in the withdrawal of CMHS's portion of the application. The Child and Family Network Center (CFNC) is now the sole applicant of the request to operate a child care center in unit 310, and the operation is shown on the attached and revised application and floor plan.

Revised Proposal: The Child and Family Network Center (CFNC), founded as the Alexandria Community Network Preschool, proposes to expand its accredited preschool program now located at 3701-A Mount Vernon Avenue. According to the applicant, a strategic plan for the next three years identified an expansion into the west end of Alexandria as a way to fulfill a well-documented need for early childhood education in that part of the City.

The proposal includes the following:

Floor Area & Layout:	Approximately 1,000 square feet, including two classrooms and one office and kitchen.
Number of Children:	Up to 32 children will be present at any one time.
Age Distribution:	Pre-school children age three to five.
Number of Employees:	The day care will be operated by four preschool teachers and one administrative assistant.
Type of Service:	The organization offers an accredited preschool program.
Hours of Operation:	8:30 A.M. to 3:30 P.M., Monday through Friday for the day care and up to 6:00 P.M. for office use.

CFNC obtained approval of the Board of Directors of the 4600 Duke Street First Owner's Association to occupy the space with the proposed use (see attached letter).

Trash/Noise: Trash will primarily consist of office papers and food items and will be collected several times per week. Regarding the prevention of littering and nuisance to adjacent users, the applicant indicates that children will be under supervision with a high ratio of staff and students, and that the clients will be reminded of the importance of keeping the property and neighborhood clean and attractive.

Drop-off/Pick-up: Typically, parents will drop children off around 9:00 A.M. and pick them up around 3:30 P.M., from a door located at the rear of the southwest wing of the building. Access to the building and the child care center will be controlled by a buzzer and intercom system, and is located up one flight of stairs to the hallway serving the facility.

Outdoor Play Space: The Alexandria Office of Early Childhood Development has inspected the subject space and found that the outdoor play area will be in a nearby City-owned Holmes Run Park. There are also walking paths, a stream with two bridges, and green spaces in the vicinity, all of which provide the potential for rich outdoor experiences for the children. Staff notes that careful supervision will be required by staff when traveling between the building and the park, because crossing a parking lot is required to access these areas, and the stream is down a slope adjacent to the sidewalk.

PARKING

Pursuant to Section 8-200 (A) (11) of the Zoning Ordinance, a day care center/preschool with two classrooms is required to provide four parking spaces. A total of 500 off-street parking spaces are located on the 4600 Duke Street property, 386 of the spaces are in a surface lot and 109 spaces are inside a garage. The child care center's employees and parents will park in the surface lot, where parking is available on a first come, first served basis.

ZONING / MASTER PLAN: The subject property is zoned RC/High Density Apartment. Section 3-900 (I) of the Zoning Ordinance allows a child care center on the first floor of an apartment building with more than four stories in the RC zone with a special use permit. The proposed use is consistent with the Seminary Hill/Strawberry Hill Small Area Plan chapter of the Master Plan which designates the property as RC/High Density Apartment.

II. STAFF ANALYSIS

Staff has no objection to the proposed day care center at 4600 Duke Street. The center will provide an important service for working parents in the west end of the City who need quality day care for their children.

In addition to all applicable standard conditions, staff has included conditions ensuring the children's safety and well-being. With these 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. A maximum of 32 children shall be permitted at the child care facility at any one time. (P&Z)
3. The hours of operation shall be limited to between 8:00 A.M. and 7:00 P.M., Monday through Friday. (P&Z)
4. The applicant shall post the hours of operation at the entrance to the business. (P&Z)

5. The applicant shall ensure that the subject space is a self-contained unit that meets all applicable City and State Code requirements. (P&Z) (OECD)
6. The applicant shall renovate the subject space, including new finishes on the walls, replacement or cleaning of the carpet, and window repairs. (OECD)
7. A minimum of four parking spaces shall be reserved for the school's use. (P&Z)
8. The applicant shall provide outdoor play area to the satisfaction of the Alexandria Office of Early Childhood Development. (P&Z)
9. Trash and garbage shall be stored inside or in a dumpster. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up as often as necessary, to prevent an unsightly and unsanitary accumulation. (P&Z)
10. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
11. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
12. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the child care center, which shall be completed prior to the child care center opening, and regarding a robbery awareness program for employees, and safety programs available through the Department for the Children. (Police)
13. 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)

14. The Director of Planning and Zoning shall review the special use permit after the school 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 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: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Bettina Irps, 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:

- 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 The proposed use requires a change of use from B-Business for Unit 310 respectively to E-Educational. The proposed use shall comply with all applicable provisions for E Use (USBC)
- C-1 The proposed use is a change in use group classification; a new Certificate of Occupancy is required (USBC).
- C-2 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-3 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-5 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-6 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC.

- C-7 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.
- C-2 A Certified Food Manager must be on duty during all hours of operation.
- C-3 Permits must be obtained prior to operation.
- C-4 Five sets of plans must be submitted to and approved by this department prior to construction.
- C-5 This facility must meet state and city Social Services requirements for air and floor space, toilet facilities, separate isolation room for sick children, lighting, temperature, storage for cots, clothing. Other items may be required by state or city codes.
- C-6 If food preparation or food handling is done on the premises, five sets of plans of the food handling areas are to be submitted to the Health department for approval.
- C-7 This facility must meet commercial standards (13 or more). Plans must comply with Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. A \$135.00 fee is required for review of plans for food facilities.
- C-8 If enrollment is kept to a maximum of 12 children at any one time, the facility may use home-style (semi-public restaurant) standards for food service.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the childcare center. This is to be completed prior to the child care center opening for business.
- 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 employees.
- R-3 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.

- F-1 Staff spoke to Sharon Shackelford who is the Director for the preschool. She advised staff that all employees would go through the Child Protective Services Registry. All employees would have a Criminal History check and background check. The Alexandria Police Department concurs with this.

Human Services (Social Services, Office of Early Childhood Development):

- F-1 On April 15, 2004, a site visit was made by OECD staff, Nancy Striniste, to 4600 Duke Street to review the proposed plan to renovate part of a second story two-unit space to house an office and 2 child care classrooms for up to 32 children ages 3-5.
- F-2 There is good natural light in the space.
- F-3 The main entry to the space, from the public hallway, leads directly into one classroom. There is currently signage on the door indicating that it should remain unlocked at all times.
- F-4 The second classroom is currently open to a space that was planned for use by Multicultural Human Services, the co-lessee.
- F-5 Each of the two classroom spaces has a residential style bathroom adjacent.
- F-6 The outdoor play space will be in a nearby city-owned park. There are also walking paths, a stream with two bridges, and green spaces in the vicinity, which provides the potential for rich outdoor experiences for the children. Careful supervision will be required by staff when traveling between the building and the park, because crossing a parking lot is required to access these areas, and the stream is down a slope adjacent to the sidewalk. The stream appears to be a prime candidate for a cleanup, as the wooded area is spoiled by some trash and debris.
- R-1 The renovation will require new finishes on walls, replacement or cleaning of carpet, and window repairs (one window seems to be held in place with duct tape).
- R-2 It is recommended that a full height wall be built to fully enclose this classroom. There should be a door in the wall if code requires it.
- S-1 Currently the windows are inoperable (because crank handles are absent from awning style windows), but to provide healthy ventilation (to cut down on the spread of illness), at least some of the upper panels should be made safely operable.

- S-2 If this will be the case when CFNC occupies the space, OECD suggests that a wall, at least 3' tall, with a gate or door, be added to separate the entry area from the classroom portion of the space. This will be a child-safety issue.
- S-3 Once across the parking lot, the sidewalk leading to the park is uneven, and there is a metal pipe protruding vertically from the asphalt that presents a tripping hazard. It is recommended that this be removed.
- S-4 The park has some play equipment: 3 rocking animals, a see-saw, two sling-style swings and a waterplay/playhouse type structure. There are also two benches which appear to be well located in the only shady portion of the space. The swings are not well-located or in good condition, and it is suggested that they be removed. They could be replaced with a horizontal tire swing located out of traffic. An age appropriate climber should be added to the park. The waterplay structure does not appear to be useful, because there is no access to running water in the park. More shade, either in the form of a structure or trees would make the space more usable in the summer.

**REPORT ATTACHMENTS AVAILABLE IN THE PLANNING
AND ZONING OFFICE**