

Docket Item #4
SPECIAL USE PERMIT #2004-0064

Planning Commission Meeting
September 9, 2004

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

APPLICANT: Heitha M. Beane

LOCATION: 5335 Holmes Run Parkway

ZONE: R-8/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.

SITE GRAPHIC
(AVAILABLE IN THE OFFICE OF PLANNING AND ZONING)

I. DISCUSSION

REQUEST

The applicant, Heitha M. Beane, requests special use permit approval for the operation of a child care home with a maximum of nine children located at 5335 Holmes Run Parkway. Pursuant to Section 7-500(B) of the zoning ordinance, a child care home for six to nine children requires special use permit approval.

SITE DESCRIPTION

The subject property is one lot of record with approximately 65 feet of frontage along Holmes Run Parkway and a total lot area of 7,270 square feet. The site is located in the Seminary Valley community and developed with a garage and a split level, single-family dwelling where the applicant resides.

SURROUNDING USES

The property is surrounded by residential uses with predominantly single-family structures. The building faces Homes Run stream and the surrounding park, which contains bike and walking trails, open space and playground equipment.

PROJECT DESCRIPTION

The applicant has been a registered family child care provider with the City of Alexandria since August 1, 2003, and, without an SUP, is allowed to care for three children in addition to her own two children, who are five and two years old. The applicant seeks permission to increase the number of children in her care to nine, and has applied to the State Department of Social Services for a license to expand her child care services. Both the lower levels of the building, which are directly connected and have an approximate area of 560 square feet, will be devoted to child caring activities.

Age of children: According to the applicant, the children will range in age from one to five years.

Hours of operation: The applicant intends to offer child care services from 7:30 A.M. to 5:30 P.M., Monday through Friday. The drop-off and pick-up times will vary depending on the parents' schedules but will typically remain in the perimeters of 7:00 A.M. to 8:00 A.M. for drop-off and 5:00 P.M. to 6:00 P.M. for pick-up.

Outdoor play area: The applicant uses the approximately 3,000 square feet of fenced rear yard for outdoor activities. By providing more than 75 square feet of outdoor play area per child above the age of two, the applicant exceeds the requirements stipulated under Section 7-500 (B) of the zoning ordinance. Holmes Run City Park provides additional outdoor

play area with its bike and walking trails, open space and playground equipment.

Employees: The applicant and one co-teacher/assistant will staff the child care home whenever more than five children, including her own, are in her care. Requirements for the assistants' training are specified under the recommended permit conditions.

Trash: The applicant anticipates that three bags of trash per week will be generated by the proposed use. Trash is disposed of in a bin located on the property and is collected along with the residential garbage in the neighborhood once a week.

Noise: The applicant anticipates some noise generated from children playing in the backyard. However, children are under supervision at all times and are not allowed to go outside without her permission. The applicant and staff escort the children during any outdoor and off-site activities.

PARKING

Section 8-200 (A) of the zoning ordinance does not specify a particular parking requirement for a child care home. However, on-street public parking spaces are available along Holmes Run Parkway in front of the applicant's home that should allow for safe pick-up and drop-off of children away from vehicle travel ways. Additionally, the applicant's residence has a driveway accommodating two vehicles.

ZONING

The subject property is located in the R-8/Single-family Residential zone. Section 3-302 (C) of the zoning ordinance allows a child care home in the R-8 zone only 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 for residential use.

II. STAFF ANALYSIS

Staff has no objection to the proposed child care home located at 5335 Holmes Run Parkway. The proposed use is consistent with the requirements for child care homes set forth in the zoning ordinance. In addition, the Department of Human Services, Office of Early Childhood Development (OECD), states that the applicant has been a registered family child care provider for more than one year and is in the process of obtaining a State License for the larger facility. OECD recommends approval of the application.

Adequate open space is provided on-site. In addition, the Holmes Run City Park is located in the vicinity of the child care home. Adequate on- and off-site parking is available. Staff notes that parents will likely drop off or pick up their children at different times, staggering the demand for parking and reducing the overall impact of additional cars associated with this use.

Consistent with the recommendation of the Department of Human Services, staff has included standard child care home conditions and a condition limiting the maximum number of children to be cared for by the applicant to nine. Finally, staff recommends a condition requiring a review of the child care home after it has been operational for one year.

With these conditions, staff recommends approval of the special use permit.

III. RECOMMENDED PERMIT 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 business or entity in which the applicant has a controlling interest. (P&Z)
2. The applicant shall provide child care for no more than nine children at any one time. (P&Z) (OECD)
3. The applicant shall comply with all other department's recommendations, and the licensing and registration requirements and other limitations of local and state regulations. (OECD)
4. The applicant shall have the help of assistants who have successfully been trained and certified in First Aid procedures whenever more than five children, including her own, are in her care. (OECD)
5. 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)
6. Only one "non-resident" assistant shall be permitted on-site at any one time. (P&Z)
7. The hours of operation shall be limited to between 7:00 A.M. and 7:00 P.M., Monday through Friday. (P&Z)

8. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)
9. 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 home, and regarding safety programs available through the department for the children. This shall be completed prior to the child care home opening for business. (Police)
10. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all special use permit provisions and requirements. (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 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 a 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: Eileen Fogarty, Director, Department of Planning and Zoning;
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:

- R-1 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line.
- 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.

Health Department:

- F-1 No objection, in that this department has no regulations governing CHILD CARE HOMES.

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 child care home. This is to be completed prior to the child care home 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 safety programs available through the department for the children.
- F-1 There were no calls for police service except for one call in 2001 for found property.

Human Services:

- F-1 Ms. Heitha Beane of 5335 Holmes Run Parkway has been a registered family child care provider since August 1, 2003. Her current child care permit expires on July 31, 2004. She is allowed to care for three children in addition to her own two children. Her son is five years old and her daughter is two years old.
- F-2 Ms. Beane wishes to expand her child care business and be able to care for up to nine children. She has begun the process to qualify for a State license. Ms. Beane was employed as a counselor at a Fairfax County elementary school. Ms. Beane is interested in caring for children between the ages of one and five years. She completed six hours of pre-service training on June 28, 2003 to qualify for a City child care permit. She is certified in first aid through July 2006. Ms. Beane demonstrates a good understanding of the developmental needs of children and is very culturally sensitive.
- F-3 Her assistant will be Ms. Jami Massjouni and she has a degree in elementary education. They plan to offer child care services on Tuesdays, Wednesdays and Thursdays from 7:30 am until 5:30 pm.
- F-4 The Beane home is a split level brick home in the Seminary Valley community. There are three bedrooms, a recreation room, living room, dining room and kitchen. There is fenced backyard play space. Housekeeping standards are very good. Due to past flooding of the lower level there is, as of this writing, work being done to correct that problem. Consequently the lower level area that will be devoted to child caring activities is not yet furnished. The house faces Holmes Run Park which has bike and walking trails, open space and playground equipment.
- R-1 Approval of the Special Use Permit for no more than nine children, pending compliance with other departments' recommendations and the completion of the repairs of the lower level that will be used for child care, and subject to the licensing and registration requirements and other limitations of local and state regulations, and on the condition that she will always have the help of assistants who have successfully been trained and certified in First Aid procedures whenever more than five children, including her own, are in her care.

SUP#2004-0064
5335 Holmes Run Parkway

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