

Docket Item #15
SPECIAL USE PERMIT #2004-0069

Planning Commission Meeting
September 9, 2004

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

APPLICANT: Bright Start Learning Center
by Kerri Chase

LOCATION: 4920 Brenman Park Drive (Parcel Address: 191 Somerville St.)

ZONE: CDD-9/Coordinated Development District

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.

SUP#2004-0069
4920 Brenman Park Drive

SITE GRAPHIC

I. DISCUSSION

REQUEST

The applicant, Bright Start Learning Center, requests special use permit approval for the operation of a day care center located at 4920 Brenman Park Drive.

SITE DESCRIPTION

The subject property is part of one L-shaped lot of record with approximately 210 feet of frontage on Somerville Street and approximately 454 feet of frontage on Brenman Park Drive. As part of Phase III of Cameron Station, the site is developed with two four story buildings (Buildings III and IV) with approximately 12,188 square feet of ground floor commercial space and three floors of residential space. The construction of both buildings is anticipated to be completed in Fall of 2004; today most of the residential units are sold and occupied. In May 2004, City Council granted a special use permit for a restaurant to occupy 5,000 square feet of the ground floor area of Building No. III at the corner of Somerville Street and Brenman Park Drive. The subject site, Building No. IV, has its entire frontage along Brenman Park Drive. The proposed business will occupy 5,348 square feet of the building's ground floor area.

Phase I of Cameron Station is located on the north side of Brenman Park Drive and is developed with commercial space on the first floor, including a coffee house, day spa, dry cleaner, dentist office, market and a pets retail store, and residential above.

PROJECT DESCRIPTION

The applicant proposes to operate a full-service child care center known as "Bright Start", offering age appropriate curriculum coupled with a custom designed facility and a low teacher to child ratio to ensure a top tier service for children and their parents. The applicant plans to provide a state-of-the-art facility designed to help children fully develop cognitively, socially, physically, and emotionally. The child care center will have six classrooms and one separate indoor play area (for gross motor activities).

The applicant's primary focus will be the provision of full-time care to children of working parents. However, the applicant intends to offer part-time programs and drop-in care on an "as available" basis. According to the applicant, these specialty services are highly desirable to parents, including families in which one parent stays home as the primary care giver.

Hours of Operation:

The child care center is proposed to be open from 7:00 A.M. to 6:00 P.M., Monday through Friday, with occasionally extended hours until 7:30 P.M. if requested by parents. In addition, the applicant seeks permission to offer child care services one Saturday per month between 5:00 P.M. and 10:00 P.M. for a "parents night out".

Number/Age of Children: The applicant anticipates an average attendance of 120 children, but proposes a maximum of 135 children, ages 6 weeks to five years, to be cared for, subject to approval of the Licensing Division of the Virginia Department of Social Services. Only 50 children will be accommodated at the monthly Saturday child care service.

Number of Employees: The number of employees will depend on the number of children enrolled in the program. For a maximum capacity of 135 children, approximately 25 teachers and one director will be on the premises at any one time. The Center Director will run the day-to-day operations and will also be involved in the management of the facility and training of the staff. The applicant will run the business side of Bright Start.

Trash: Approximately one small bag per classroom will be generated by the use daily. A greater amount of trash, in the form of diapers, will be generated by the infant and toddler rooms, which is disposed of twice during the course of the day. The applicant will use a dumpster located behind the building, which will be picked up twice a week by a private contractor.

Outdoor Play Area: The applicant will utilize the 37 acre Ben Brenman Park located one block from the proposed child care center site. The children's outdoor activities will be supervised and in compliance with all safety regulations.

Noise: Some but no unusual noise will be generated by children on their way to outdoor activities in Ben Brenman Park. However, children are under adult supervision at all times and noise will be controlled by a high ratio of staff to children.

Pick-up/Drop-off: The majority of families that will use the Bright Start Learning Center live in Cameron Station within walking distance of the site and will therefore walk or bike to and from the center. Parents who drive can use the parking spaces in front of the center's main entrance along Ben Brenman Park Drive. The average drop-off times will be between 7:00 A.M. and 9:00 A.M., pick-up times will range from 4:30 P.M. to 7:30 P.M.

Loading: Delivery of meals will occur daily, Monday through Friday, and delivery of supplies will occur weekly between 11:00 A.M. and 12:00 P.M. The loading area is located at the rear of the building.

PARKING

Pursuant to Section 8-200 (A)(11) of the zoning ordinance, a child day care center is required to provide two parking spaces for each classroom. In this case, the applicant's proposed layout indicates a total of 6 classrooms for a requirement of 12 spaces.

The number of parking spaces for the commercial space within Phase I and III of Cameron Station was determined at the approval of each phase and calculated in accordance with the zoning ordinance through two ratios: (1) the parking ratio assumed for the retail space is 1.2 spaces for every 210 square feet of floor area, and (2) the parking ratio assumed for the personal service space is 1 spaces for every 400 square feet of floor area. Based on the floor area proposed to be dedicated to these uses, a total of 41 parking spaces has been provided for the commercial spaces within Phase I and a total of 47 parking spaces has been provided for the commercial spaces within Phase III, all consistent with those zoning ordinance ratios. Brenman Park Drive has been designed to accommodate short term public parking on both sides of the street and around the large median.

In an effort to distribute the dedicated parking spaces evenly among uses that were not included in the initial parking calculation for 'retail' or 'personal services', such as restaurants and child care centers, and in order to maintain sufficient parking for a variety of future uses, staff conducted a parking analysis and found that the size of the tenant space and the equal application of both retail and personal services ratio are reasonable approaches for the calculation and allocation of parking spaces. In this case, the applicant is occupying 5,348 square feet, which, if halved for purposes of allocating spaces from the amount provided, would require seven parking spaces for a personal services use ($2,674 \text{ sf.} / 400 = 7$) and 16 spaces for a retail use ($2,674 \text{ sf.} / 210 \times 1.2 = 16$). The number of spaces required for the child care center (12) is 10 spaces lower than the number of spaces required by the retail and personal services parking ratio (23). Therefore, staff finds that the technical parking requirement is met and exceeded in accordance with both the zoning ordinance and the Cameron Station development plan.

As a practical matter, the applicant points out that the parking demand might be reduced by (1) the potential for children who will likely be residents of Cameron Station to walk with their parents to the center and, (2) a Cameron Station Owners Association operated shuttle that provides transportation to and from the Van Dorn Metro Station. Considering these factors, staff finds that the provided spaces should adequately accommodate the staff people who drive to work, and still leave room for additional parking for other uses in the building.

ZONING / MASTER PLAN

The subject property is located in the Landmark/Van Dorn Small Area Plan chapter of the Master Plan which designates the property for CDD-9 uses. The CDD-9/Coordinated Development District zone permits residential, retail, open space and public school uses. However, the Development Special Use Permits (DSUP) regulating Cameron Station list a number of additional uses, such as professional offices, permitted to occupy commercial space under certain conditions, and these uses do not include day care centers. Concurrent with this application, the City is processing a DSUP amendment to include day care centers (and other uses determined to be appropriate for the Cameron Station Town Center) in the definition of commercial/permitted uses. Only if the DSUP amendment is approved, may the proposed child care center occupy the commercial space in Cameron Station.

II. STAFF ANALYSIS

Staff supports the proposed child care center located at 4920 Brenman Park Drive. The facility will provide a much needed service to the residents of the Cameron Station and surrounding areas. Staff finds that the proposed child day care center is an appropriate commercial and community serving use that would compliment the Cameron Station Town Center.

Staff has some concerns about parking but believes that many children will be residents of Cameron Station and walk to the center. In addition, staff is requiring that the applicant advise and promote mass transit opportunities for its staff. These efforts should be effective in this case, because of the shuttle service to the Van Dorn Metro. From a zoning perspective, when compared to the number of parking spaces required for retail and personal service uses, which were initially intended to occupy the space, the proposed center will theoretically create ten excess spaces that can be utilized by customers of the surrounding businesses.

Staff does not anticipate that the child care center will create a nuisance for existing residents as it operates solely within the building. The only increase in activity will be associated with the short walk to Ben Brenman Park where the children can enjoy supervised outdoor activities. Those walks will occur only during day time hours.

Staff has included a number of standard conditions and a condition requiring a review of the child care center one year after approval. 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 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 8:00 P.M., Monday through Friday, and to between 5:00 P.M. and 10:00 P.M. on Saturdays twice per month. (P&Z)
3. The maximum number of children permitted at the child care facility at any one time shall be 135, subject to approval of the Licensing Division of the Virginia Department of Social Services. (P&Z) (OECD)
4. This special use permit will not be valid until and unless the City Council approves DSUP # 2004-0026, which allows a day care center at Cameron Station. (P&Z)
5. The applicant shall comply with all other department's recommendations, and the licensing and registration requirements and other limitations of local and state regulations. (P&Z)
6. 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)
7. 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)
8. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the preschool, a robbery awareness program for employees, and regarding safety programs available through the department for the children. This is to be completed prior to the child day care center's opening for business. (Police)
9. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)

10. 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 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, 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 noise 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 structure contains mixed use groups [M, Mercantile; B, Business; S-2, Low-Hazard Storage (public garage, group 2)], and is subject to the mixed use and occupancy requirements of USBC 302.3.
- C-2 The current use is classified as M, Mercantile; the proposed use is E, Educational. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-3 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

- C-7 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.

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.

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 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 programs for employees.
- R-3 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.

Department of Human Services, Office of Early Childhood Development (OECD):

- R-1 On July 12, a representative of the Office for Early Childhood Development (OECD) accompanied Kerri Chase of Bright Start Learning Center, LLC to the proposed site at 191 Somerville Street. OECD reviewed the floor plans and surveyed the area in and around the building. This 5,348 square foot retail space is located on the ground floor of a four-level building that houses other retail stores and condominiums. After an inspection of the premises, OECD staff determined that this location has the potential to serve as an appropriate site for a childcare facility, once construction is complete. State licensing will determine the program capacity.
- S-1 Based on the site visit that was completed on July 11, 2012, it is suggested that:
 - S-2 The designated infant/toddler space remain a flexible area with movable furniture and dividers that would allow the space to be rearranged easily to accommodate the changing needs of the children in care;
 - S-3 The owner/operator contact Parks & Recreation about the possibility of designating space in Ben Brenman Park for an appropriate outdoor playground;
 - S-4 Parking signs be posted designating three parking spaces directly in front of the center for the drop-off and pick-up of children only during the hours of 7am-9:30am and 5pm to 6pm, Monday through Friday;
 - S-5 The owner of the center developed a plan to provide for the security of staff and children, especially during evening hours of operation; and
 - S-6 Since there are no hallways, the classroom design for this program incorporate a perimeter pathway through each classroom to minimize disruption when parent, staff and/or children pass through classrooms to access the main entrance.

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