

Docket Item #4  
SPECIAL USE PERMIT #2005-0106

Planning Commission Meeting  
November 1, 2005

**ISSUE:** Consideration of a request for a special use permit to expand an existing child care center.

**APPLICANT:** Bright Start Learning Center  
By Kerri Chase

**LOCATION:** 4920 and 4915 Brenman Park Drive  
(Parcel Address: 4951 Brenman Park Drive)

**ZONE:** CDD-9/Coordinated Development District

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

**SITE GRAPHIC**  
**AVAILABLE IN THE PLANNING AND ZONING OFFICE**

## **I. DISCUSSION**

### REQUEST

The applicant, Bright Start Learning Center, by Kerri Chase, requests special use permit approval to expand the child care center located at 4920 Brenman Park Drive to a space located across the street at 4915 Brenman Park Drive.

### SITE DESCRIPTION

The subject property is part of one lot of record with approximately 200 feet of frontage on Somerville Street, and approximately 470 feet of frontage on Brenman Park Drive. The site is developed with two four-story buildings consisting of ground floor retail and personal service space and three floors of residential space above, as anticipated by the approved plan for Cameron Station Phase I. The child care center located at 4920 Brenman Park Drive, proposes to expand to occupy a location at 4915 Brenman Park Drive, an 1,100 square foot space, currently occupied by a rental office. The Cameron Perks coffee shop is located immediately to the east of the space. The total floor area of the two spaces to be used for child care will be 6,448 square feet.

### BACKGROUND

On September 21, 2004, City Council approved SUP#2004-0069 for the operation of a child care center at 4920 Brenman Park Drive.

On September 28, 2005, staff visited the existing child care center to determine if the business was in compliance with the conditions of its special use permit. Staff found that the applicant was not posting public transportation information, and was not providing employee training on the conditions of the SUP, as required in Conditions #6 and #7. The applicant corrected the violations in a matter of days.

### PROPOSAL

The applicant proposes to expand the existing child care center to a location across the street. The applicant does not propose to increase the number of children approved to be cared for, which is 135. The applicant proposes to relocate its 3 to 5 year olds from the existing space to the new space to provide adequate room for current and future needs of the children and staff. According to the applicant, the physical space in the existing center has been somewhat of a constraint. The new space will be divided into two classrooms. No other changes are proposed.

### PARKING

According to Section 8-200(A)(11) of the Zoning Ordinance, a child care center is required to provide two parking spaces for every classroom. The expansion of the child care center will add two classrooms, for a requirement of four 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 for the retail space is 1.2 spaces for every 210 square feet of floor area, and (2) the parking ratio for the personal service spaces is 1 space for every 400 square feet of floor area. Based on the floor area proposed for these uses, a total of 41 parking spaces has been provided for the commercial spaces within Phase I and a total of 47 spaces has been provided for the commercial spaces within Phase III, consistent with zoning ordinance requirements. 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 for 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 the subject case, the applicant is proposing to occupy 1,100 square feet, which, if halved for purposes of allocating spaces from the amount provided, would require 1.4 parking spaces for a personal services use ( $550 \text{ sf}/400 = 1.4$ ) and 3 spaces for a retail use ( $550 \text{ sf}/210 \times 1.2 = 3$ ), for a total of 5. The number of spaces required for the child care center space (4) is one space lower than the number of spaces required by the retail and personal services parking ratio (5). 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, according to the applicant, approximately two-thirds of the children of the center are Cameron Station residents, who may walk to the center. In addition, the applicant is not proposing to increase the number of children already approved in the prior SUP, therefore, not increasing the expected parking impact.

#### ZONING/MASTER PLAN DESIGNATION

The subject property is referenced 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. 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. The most recent amendment, DSUP#2004-0027, added day care centers (and other uses determined to be appropriate for the Cameron Station Town Center) in the definition of commercial/permitted uses.

## II. STAFF ANALYSIS

Staff does not object to the proposed expansion of the child care center. The existing operation provides a service to area residents, and staff is not aware of any issues at the current center. Staff finds that the child care center is an appropriate commercial and community serving use that compliments the Cameron Station Town Center. The Office of Early Childhood Development is supportive of the expansion.

Although the child care center is a positive use in the community, staff is concerned about the amount of retail space being dedicated to a single use. The commercial spaces of Cameron Station were envisioned to provide a variety of neighborhood-serving retail and personal service uses. However, with at least two-thirds of the children at the center being from the Cameron Station neighborhood, there is an evident need for this commercial use in the community.

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

Regarding parking, staff is not aware of issues associated with parking at the current operation, and the operation complies with the number of spaces allotted for the building area per the original development plan. In addition, the applicant is not proposing an increase in the number of children, therefore, not increasing the actual demand for parking.

Staff has retained the standard conditions and a condition requiring a review of the child care center one year after approval. Staff has added a condition recommended by the Office of Early Childhood Development regarding interior improvements for the new tenant space. 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) (SUP#2004-0069)
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) (SUP#2004-0069)

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) (SUP#2004-0069)
4. ~~**CONDITION DELETED BY STAFF:** 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) (SUP#2004-0069)
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) (SUP#2004-0069)
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) (SUP#2004-0069)
8. **CONDITION AMENDED BY STAFF:** 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 (including any new employees at 4915), and regarding safety programs available through the department for the children. This is to be completed prior to the 4915 location is open opening for business. (Police) (SUP#2004-0069)
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) (SUP#2004-0069)
10. **CONDITION RETAINED BY STAFF:** 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)

11. **CONDITION ADDED BY STAFF:** The applicant shall implement the following interior improvements at the 4951 Brenman Park Drive space, prior to opening:
- Install a second toilet for children to accommodate the proposed number of children for the site.
  - Install a separate adult bathroom.
  - Designate a staff/kitchen area for teacher workspace and lunch/snack preparation.
  - Install an appropriate size refrigerator to accommodate the program.
  - Ensure phone lines are installed to facilitate communication between the two sites.
  - Install a security device on the main entrance door to ensure safety of children.
  - Designate a person to "oversee" the preschool program to ensure consistent supervision for the off site center.
  - Install blinds similar to the main site program for privacy and nap time. (OECD)

**STAFF:** Eileen Fogarty, Director, Department of Planning and Zoning;  
Richard Josephson, Deputy Director;  
Valerie Peterson, Urban Planner.

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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.

#### 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 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-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-3 A Certificate of Use of Occupancy is required prior to opening (USBC 119.1).
- 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 Required exits, parking, and facilities shall be accessible for persons with disabilities.
- C-8 An additional fire prevention code permit is required for the proposed operation at the separate address. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-9 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 302.3

Health Department:

- F-1 This facility is currently operating as Bright Start Learning Center under an Alexandria Health permit, issued to Bright Start Learning Center, LLC.
- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-3 Approval must be obtained prior to use of the modified areas.
- C-4 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-5 Certified Food Managers must be on duty during all hours of operation.

Police Department:

The Police Department understands that the Child Care Center is already established -and is up and running however, because the proposed edition is not adjoined to the existing classrooms but they are in a whole different building, the Police Department has the following recommendations:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the new addition to the child care center. This is to be completed prior to the child care classrooms opening for business.
- R-2 If the employees that are going to work in the addition are new employees, the applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for those employees.
- R-3 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding safety programs available through the department for the children.
- F-1 The Police Department has no objections to the addition of the classrooms.

Human Services:

- F-1 Bright Start Learning Center has proposed to use a separate site for their preschool program. The site is currently occupied by another vendor and will required some construction. Overall based on the projected enrollment for the preschool program the space seems more than adequate and will provide a good learning environment for the children. One question that has risen is whether or not there will need to be a secondary exit as there currently is only one exit. This issue will be visited by the fire inspector. The Bright Start program seems committed to high quality care and giving its children ample space to learn and grow.
- R-1 Install a second toilet for children to accommodate the proposed number of children for the site
- R-2 Designate a staff/kitchen area for teacher workspace and lunch/snack preparation.
- R-3 Install an appropriate size refrigerator to accommodate the program.
- R-4 Ensure phone lines are installed to facilitate communication between the two sites.
- R-5 Install a security device on the main entrance door to ensure safety of children.
- R-6 Designate a person to "oversee" the preschool program to ensure consistent supervision for the off site center.
- R-7 Install blinds similar to the main site program for privacy and nap time.

SUP#2005-0106  
4920 and 4915 Brenman Park Dr

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