

Docket Item #7
SPECIAL USE PERMIT #2006-0056

Planning Commission Meeting
September 7, 2006

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

APPLICANT: Alexandria Adult Day Health Care Center, Inc.
by Victoria Vinokur

LOCATION: 3830 Seminary Road

ZONE: R-20/Residential

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, Alexandria Adult Day Health Care Center, Inc., requests special use permit approval for the operation of an adult day care center located at 3830 Seminary Road.

SITE DESCRIPTION

The subject property is one lot of record with 339 feet of frontage on Seminary Road, 670 feet of depth and a total lot area of 5.4 acres. The site is developed with the Beth El Hebrew Congregation. Access to the property is from Seminary Road. The surrounding area is occupied by residential uses. A post office is located across Seminary Road, to the north.



PROPOSAL

The applicant proposes to operate an adult day care center for elderly persons. The program will provide recreational therapy, educational programs, social services, and nursing care. The program will offer arts, crafts, music, lectures, English classes, Hebrew classes, and others social opportunities. Clients will be residents of Northern Virginia and will either live alone or with a caregiver. Clients will be independent in most activities of daily living, but will generally need some assistance with others. The program is geared toward Eastern European clients, but is open to anyone. The applicant already operates two similar adult care facilities in Maryland, one in Gaithersburg and the other in Rockville (see attached Washington Post article). Specific aspects of the operation as proposed by the applicant are as follows:



View of entrance to facility,
located at back of building.

- Hours: The facility will be open to clients 8:00 a.m. to 2:30 p.m. daily. The office will be open until 5:00 p.m.
- Number clients: The applicant requests up to 150 clients. They anticipate approximately 20 clients when first opening, and a gradual increase over time.
- Employees: Depending on the number of clients, the minimum number of employees will be 20. The required ratio of employees to clients is 1:6.

- Noise: The applicant does not anticipate any loud activities as the nature of the business is not noisy. The center does not anticipate many outdoor activities.
- Trash/Litter: Trash pick-up is twice each week at the facility, which is anticipated to be sufficient for the trash demand. The applicant does not anticipate any outdoor activities, but if they plan something for the outdoors, employees will monitor for any potential litter.

PARKING

According to Section 8-200(A)(11) of the Zoning Ordinance, a day care center requires two parking spaces for each classroom. In this case, the applicant proposes two classrooms—one large auditorium and one small classroom, for a technical requirement of four spaces. The auditorium may be divided up for different activities throughout the day, or may be used for large group lectures. The facility has 128 parking spaces. According to the congregation, only 25 to 50 of those spaces are used daily during the week for other congregation uses, including the child care center also located in the building. As a practical matter, clients will not be driving, but will be dropped off at the facility by passenger vans. The applicant anticipates a maximum of 25 employees if full enrollment is achieved. There is more than sufficient parking for the proposed use.

BACKGROUND

On January 25, 1997, City Council approved SUP#96-0177 for the operation of a child care facility for up to 72 children. That facility still operates on the first floor of the building, and staff is not aware of any issues or violations there. On June 13, 1998, City Council approved SUP#98-0058 for the operation of a private high school (Thornton). That school is no longer in operation at this location.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the R-20/Residential zone. Section 3-103(C) of the Zoning Ordinance allows a day care center in a church in the R-20 zone only with a special use permit.

The proposed use is consistent with the Seminary/Strawberry Hill Small Area Plan chapter of the Master Plan which designates the property for residential use.

II. STAFF ANALYSIS

Staff does not object to the proposed adult care facility at the synagogue. The facility will provide a service to area seniors. Activities are anticipated to be indoors with minimal noise, resulting in little impact on the neighborhood. There is excess parking for the use as clients will not drive and only up to 25 employees are anticipated. Activities at the synagogue are primarily during the

weekend, so there will be no competition for parking. The facility has a separate entrance from the child care center at the property, preventing congestion during hours of drop-off and pick-up.

Staff recommends approval of the special use permit, subject to the following conditions.

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. The hours of operation of the adult care facility shall be limited to between 8:00 a.m. and 5:00 p.m. Monday through Friday. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
5. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
6. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
7. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the adult day care center. This is to be completed prior to the adult day care center opening for business. (Police)
8. The applicant should contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding safety programs available through the department. (Police)

9. 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 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;
Richard Josephson, Deputy Director;
Valerie Peterson, 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.
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.

Code Enforcement:

- C-1 The current use is classified as B, Business; the proposed use is A, Assembly. 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 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-7 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-8 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-9 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
 - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.

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 or Certified Limited Food Manager must be on duty during all hours of operation depending on the operation setup.
- C-3 Permits must be obtained prior to operation.

- C-4 Five sets of plans of each facility must be submitted to and approved by this department prior to construction.
- C-5 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 prior to construction. A \$135.00 fee is required for review of plans for food facilities.
- C-6 This facility must meet commercial standards if 13 or more clients are served. Plans must comply with Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments.
- C-7 If enrollment is kept to a maximum of 12 persons at any one time, the facility may use home-style (semi-public restaurant) standards for food service.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department

Human Services:

- F-1 See attachment.

Police Department:

- 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 adult day care center. This is to be completed prior to the adult day care center opening for business.
- R-2 The applicant should contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding safety programs available through the department.

SUP #2006-0056
3830 Seminary Road

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