

Docket Item #2
SPECIAL USE PERMIT #2006-0072

Planning Commission Meeting
October 3, 2006

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

APPLICANT: Dawn Abate

LOCATION: 216 East Bellefonte Avenue

ZONE: R-2-5/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, Dawn Abate, requests special use permit approval for the operation of a child care home located at 216 E. Bellefonte Avenue.

SITE DESCRIPTION

The subject property is one lot of record with 50 feet of frontage on E. Bellefonte Avenue, 115 feet of depth and a total lot area of 5,750 square feet. The site is developed with a single family home, currently used as a duplex. Access to the property is from E. Bellefonte Avenue. The applicant proposes to have the child care on the second floor of the home, and live on the first floor.



PROPOSAL

The applicant proposes to operate a child care home for up to nine children. She will care for children ages 3 to 5 years old. There will be two adults with the children at all times. Specific aspects of the proposed home child care as proposed by the applicant are as follows:

Hours: 8:00 a.m. to 5:00 p.m. Monday through Friday.

of Children: Nine

Ages: The applicant will care for children between the ages of 3 and 5 years old.

Outside Play

Area: The applicant proposes to install play equipment in the rear yard. There is sufficient space for the nine children. The rear yard is enclosed with chain-link and wooden fencing.

Trash/Litter: The applicant anticipates one bag of trash daily. Trash pick-up will be once each week. Any litter will be monitored and picked up by the applicant.

PARKING

The Zoning Ordinance does not specify required parking for child care homes. The applicant has a two-lane driveway that she estimates can accommodate up to six stacked vehicles. There is available street parking if needed.

BACKGROUND

For the past year, the applicant has operated a child care home at 2406 Mt. Vernon Avenue (SUP#2005-0033). The applicant moved and wishes to continue offering child care at her home. Staff is not aware of issues at the previous location.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the R-2-5 zone. Section 7-500 of the Zoning Ordinance allows a child care home in the R-12 zone only with a special use permit.

The proposed use is consistent with the Potomac West 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. The proposed use complies with the requirements for child care homes set forth in the Zoning Ordinance. The Office of Early Childhood Development had some initial concerns about the condition of the home, but the applicant has addressed those issues (see attached letter from applicant). An occupancy permit and State license are both required for the facility before opening.

Staff recommends approval of the SUP, with 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 child care home shall be limited to between 7:30 a.m. and 6:00 p.m. Monday through Friday. (P&Z)

3. The applicant shall obtain a license from the Virginia Department of Social Services. (P&Z)
4. The applicant is to contact the Community Relations 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 home opening for business.
5. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for employees.
6. 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.
7. 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:

F-1 No comments or objections to proposed Child Day Care facility.

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.

C-4 A certificate of occupancy shall be obtained prior to occupying this facility.

Health Department:

F-1 No comment.

Human Services:

F-1 As of September 20, 2006, OECD has read Ms. Abate's responses and feels she has correctly addressed all of the concerns regarding her new site.

F-2 Ms Dawn Abate plans to occupy the property at 216 East Bellefonte Ave on September 1, 2006. She lives at present at 2406 Mt. Vernon Ave where she has a Virginia State License for a Family Day Home with and expiration date of April 17, 2007. A copy of her listing at the Virginia Department of Social Services is attached to this report.

Ms Abate wishes to open up a home child care center at 216 East Bellefonte Ave and be able to care for up to nine children, including her own child. She plans to care for children from the ages of three years to five years form 8:00 am- 5:00 pm, Monday through Friday. Her plan is that she will have eight children on site in the morning

and they will leave and be followed by five different children in the afternoon session. She has a person who will act as her assistant.

Ms Abate will occupy the bottom half of the home at 216 East Bellefonte Ave and will run her child care business on the upper level. The upper level has one bathroom and a kitchen. Three of the other four rooms will be used for play, learning, and meal time activities. The fourth room will be a teacher's office. There is a side porch on the upper level that is accessed by a door directly across from the kitchen area. This home has a fairly large backyard that children can play in. There appears to be ample on-site paved space for cars which may need to park to access this home

Potential Hazards

The entire upper level has a ceiling that may contain asbestos.

The bathroom that will be used by the children has a sink over a hot water radiator which is a potential burn hazard when the radiator is being used. All of the rooms have a radiator that may also be hazardous to children.

The side porch on the upper level that is accessed by a door directly across from the kitchen area appears unsafe for children. The door to the porch needs to be repaired. The porch railing may be too low. There may be the need for screening of this area to prevent a fall. Peeling paint is visible and within reach of the children from this porch.

Peeling paint is visible on the trim of his house and on the outer walls. There is a risk of children ingesting paint chips in the yard.

The backyard that children can play in has several hazards. Building materials such as lumber are stacked on the yard near the metal fence. There is a metal trailer parked next to a shed and the hitch to this trailer is an obvious hazard to children. There are many tree roots that may be a tripping hazard for children as they play in this yard.

There are several boards on the front porch which are not flush and may be a tripping hazard for children.

This structure has a basement that Ms. Abate states she will never allow children to enter. There are many visible hazards in the basement area of this house.

- (S) The potential hazards mentioned above were discussed with Ms. Abate. She stated her intentions to correct each one. For example, she is willing to have this house painted and to have a fenced area installed in the back yard. It is suggested that she be given some time to eliminate any potential hazards to children in her care.

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 child care center. This is to be completed prior to the child care home opening for business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for 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.

SUP #2006-0072
216 East Bellefonte Avenue

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