

Docket Item #10
SPECIAL USE PERMIT #2006-0074

Planning Commission Meeting
November 9, 2006

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

APPLICANT: Rokshana Bhuiyan

LOCATION: 5355 Truman Avenue

ZONE: R-5/Residential

PLANNING COMMISSION ACTION, OCTOBER 3, 2006: By unanimous consent, the Planning Commission deferred the request.

Reason: The applicant was not present.

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, Rokshana F. Bhuiyan, requests special use permit approval for the operation of a child care home located at 5355 Truman Avenue.

SITE DESCRIPTION

The subject property is one corner lot of record with 90 feet of frontage on Truman Avenue, 60.8 feet of frontage on N. Pelham Street, 66.8 feet of depth on the Truman Avenue Side, 105.9 feet of depth on N. Pelham Street, and a total lot area of 8,350 square feet. The site is developed with a single family house. Access to the property is from Truman Avenue. Residential uses surround the subject property.



PROPOSAL

The applicant is a registered family child care provider with the City of Alexandria, and, without a SUP, is allowed to care for three children in addition to her own two children, who are ten and twelve years old. The applicant seeks permission to increase the number of children in her care to nine. The applicant has an existing play area with equipment on the subject property. The applicant proposes to operate the child care home on the basement and first floor of the building, which have a combined square footage of 536 square feet and will be devoted to child care activities.

Hours:	7am-7pm Monday through Friday
Number of children:	Residential-2 Non-residential-7
Age of children	3 months to 12 years old
Noise Impacts:	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.

Trash/Litter:	Removed twice per day and collected every Tuesday morning.
Outdoor Play Area:	On site swing set, slide, see-saw, and a mini group swing set. There is also a large child sized toy car and a mini-playhouse.
Employees:	2

PARKING

Section 8-200 (A) of the Zoning Ordinance does not specify a particular parking requirement for a child care home. However, the applicant's residence has a driveway accommodating two vehicles that should allow for safe pick-up and drop-off of children away from vehicle travel ways.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the R-5 Zone. Section 3-402 (C) of the Zoning Ordinance allows a child care home in the R-5 Zone only with a special use permit.

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

II. STAFF ANALYSIS

Staff has no objection to the proposed child care home located at 5355 Truman Avenue. 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 since 1999 and continues to regularly attend training and workshops provided by OECD and other jurisdictions. OECD recommends approval of the application.

Adequate on-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 the 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 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 Monday- Friday 6am-7pm. (P&Z)
3. The applicant shall provide child care for no more than nine children at any one time. (P&Z)
4. The 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)
5. The applicant shall comply with all other city department's recommendations. In addition, the applicant shall comply with licensing registration requirements and other limitations of local and state regulations. (OECD)
6. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 for a security survey and robbery awareness program for employees as well as safety programs available through the department for the children. (Police)

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;
James Hunt, 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:

R-1 The applicant shall comply with all other city department's recommendations. In addition, the applicant shall comply with licensing registration requirements and other limitations of local and state regulations.

Police Department:

R-1 The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 for a security survey and robbery awareness program for employees as well as safety programs available through the department for the children.

SUP #2006-0074
5355 Truman Ave

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