

Docket Item #2
SPECIAL USE PERMIT #2006-0096

Planning Commission Meeting
December 5, 2006

ISSUE: Consideration of a request for a special use permit to operate a child care center within a church.

APPLICANT: Maria P. Bustinza

LOCATION: 917 Princess Street

ZONE: RB/Townhouse

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.



I. DISCUSSION

REQUEST

The applicant, Maria P. Bustinza, requests special use permit approval for the operation of a child care center, located at 917 Princess Street.

SITE DESCRIPTION

The subject property is one lot of record with 120 feet of frontage on Princess Street, 152 feet of frontage on N. Patrick Street, and a total lot area of 18,110 square feet. The site is developed with the Third Baptist Church. Access to the property is from Princess Street.



The surrounding area is occupied by a mix of residential and religious uses. Immediately surrounding the property are all townhouse residential dwellings.

PROPOSAL

The applicant requests Special Use Permit approval to operate a child care center located within the Third Baptist Church. The proposed child care center will occupy approximately 1,028 square feet of the building’s ground floor and 1,997 square feet of the building’s second floor, with a total occupied space of 3,025 square feet. The applicant proposes to use the space on the ground floor for infants and young toddlers and the second floor will consist of three classrooms for older toddlers to five years old. The child care center proposes to utilize an existing open space area of the property for outdoor play. The curriculum will focus on the quality of educational and developmental services for all children from birth through age 8. The child care center proposes to operate as follows:

- Hours: 7am- 6pm Monday- Friday
- Number of children:
 - 20- infants and toddlers
 - 20- 18 months to 2 years old
 - 20- 3 years old
 - 25- 4 and 5 years old
 - 85 total children

- Pick-Up/Drop-Off: The subject property has an on-site parking lot with 16 spaces available for parents and staff. Parents will be instructed to use the on-site parking lot for pick-up and drop-off in order not to disturb local traffic on Princess Street. The parking lot is accessible off of an alley along Princess Street.
- Noise: Some noise from children playing at the play ground area, however staff will monitor the children. The applicant anticipates no children on the playground before 9:45am, at lunch time, nor after 5pm.
- Trash/Litter: Trash is currently collected once per week, however the applicant proposes to increase trash collection to twice or three times per week if needed. The applicant does not expect any littering impacts, but indicates a trash can will be located near the entrance to the building and in the parking lot.
- Playground Area: The applicant proposes to use an on-site playground area of 1,388 square feet located at the north end of the building. Only small groups of children will be allowed on the playground area at any one period of time in order to have enough room for each child to play.

PARKING

Section 8-200(A)(11) of the Zoning Ordinance requires a child care center to provide two parking spaces for each classroom. The applicant's layout indicates a total of four classrooms, for a requirement of eight parking spaces. The subject property has an on-site fenced parking lot with 16 parking spaces currently being used by the Third Baptist Church. Since the applicant will be operating during the hours that the church will not be utilizing the spaces, the church has allowed the proposed child care center to use the parking lot, fulfilling the parking requirement. In addition, the child care center will encourage employees to use mass transit.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the RB/Townhouse zone. Section 3-703(B) of the Zoning Ordinance allows a child care center in a church building in the RB/ Townhouse zone only with a special use permit.

The proposed use is consistent with the Braddock Road Metro Small Area Plan chapter of the Master Plan which designates the property for Residential Medium use.

BOARD OF ARCHITECTURAL REVIEW

The property in question is located in the Parker Gray Historic District and is subject to review by the Board of Architectural Review (BAR). The Special Use Permit for a child care facility does not include any exterior changes that are visible from a public right-of-way. However, any future changes, including signage, lighting, window replacement, or other alterations visible from a public right-of-way would need to be submitted for review and approval by the Board of Architectural Review.

II. STAFF ANALYSIS

Staff supports the proposed child care center located at 409- 413 N. Patrick Street. Staff finds that the proposed child care center is a community serving use that is appropriate for this site and that would complement the ongoing activities of the existing church. The Office for Early Childhood Development is supportive of the proposed child care center. For this and all future applications related to child care, staff has arranged a coordinated, multi-departmental site visit to identify potential issues with the child care center proposal.

Sufficient parking is provided on-site for employees and for pick-up and drop-off of the children. Staff does not anticipate that the child care center will create any negative impacts for existing residents as it mostly operates within the building. Staff initially was concerned about the limited size of the playground area provided for the children on-site. The applicant has proposed to provide 1,388 square feet of the playground area for 85 children. To ensure an adequate amount of outdoor play area per child, the applicant proposes a staggered playground schedule for the children. Staff finds that since the applicant proposes a staggered playground time, there will be a sufficient amount of playground space for the children.

Staff has included a number of standard conditions and a condition requiring a review of the child care center one year after approval. Staff also included a condition requiring that the on-site parking lot shall be utilized for pick-up and drop-off of children. 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 center shall be limited to between Monday-Friday 6am- 6pm. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The maximum number of children permitted at the child care facility at any one time shall be 85, subject to approval of the Licensing Division of the Virginia Department of Social Services. (P&Z)
5. The applicant shall require that the on-site parking lot be utilized for pick-up and drop-off of children. (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 SUP provisions and requirements. (P&Z)
8. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)

9. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
10. The applicant shall cover all electrical outlets with socket protectors. (Police)
11. The applicant shall ensure all restrooms visits by the children are supervised due to a stairwell located adjacent to the restrooms. (Police)
12. The applicant shall devise safety measures (devices) on all exit doors that operate with a push-bar mechanism due to the fact that an unattended child could exit without detection by the staff. (Police)
13. The child care center program must complete the state child care licensing process before they begin serving preschool age children at this site.(P&Z)
14. 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: Richard Josephson, Acting Director, Department of Planning and Zoning;
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:

- R-1 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.

- R-2 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132.

- 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.

- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials.(Sec. 5-1-99)

Code Enforcement:

- C-1 The current use is classified as A-3; the proposed use is I-4 and E. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 103.3) and compliance with USBC 103.2 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 occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 103.3.
- C-4 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-5 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of the USBC.
- C-6 Required exits, parking and accessibility for persons with disabilities must be provided to the building.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable
- C-2 Certified Food Managers 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 The 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.
- C-8 If enrollment is kept to a maximum of 12 children at any one time, the facility may use home-style(semi-public restaurant) standards for food service.
- C-5 Permits must be obtained prior to operation.

Human Services:

- S-1 If two year olds will be served on the second floor, a space should be designated for a changing table with running water.
- S-2 Prepare and post a schedule for all bathrooms
- S-3 Develop a plan for the outdoor play area to include:
- Placement of play apparatus
 - Leveling of ground area
 - Ground covering
 - Fencing of basement stairwell and paved play area

- S-4 Identify a qualified center director to oversee the initial setup of classrooms and materials as well as the subsequent implementation of appropriate child care practices.
- C-1 Designate a staff member as a licensed food handler to prepare on-site catered foods and ensure proper handling of perishable items.
- F-1 If the program plans to serve two year olds in a classrooms on the second floor of the building, the two(2) bathrooms identified upstairs in the space plan will only accommodate 40 children.

Police Department:

- R-1 The applicant shall cover all electrical outlets with socket protectors.
- R-2 The applicant shall ensure all restrooms visits by the children are supervised due to a stairwell located adjacent to the restrooms.
- R-3 The applicant shall devise safety measures (devices) on all exit doors that operate with a push-bar mechanism due to the fact that an unattended child could exit without detection by the staff.
- F-1 The applicant contacted the Police Department regarding a security survey for the business. The survey was completed on September 26, 2006.
- F-2 The Police Department has no objections to the child care facility opening.

SUP 2006-0096
409- 413 N. Patrick Street

REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE