

**CONSENT AGENDA ITEM**

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Docket Item #3  
SPECIAL USE PERMIT #2007-0072

Planning Commission Meeting  
October 2, 2007

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

**APPLICANT:** Roberta M. Jackson

**STAFF:** Allison Anderson  
Allison.anderson@alexandriava.gov

**LOCATION:** 816 Madison Street

**ZONE:** RB/Residential

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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.



**SUP #2007-0072**

**10/02/07**



## I. DISCUSSION

### REQUEST

The applicant, Roberta M. Jackson, requests special use permit approval for the operation of a child care home located at 816 Madison Street.

### SITE DESCRIPTION

The subject property is one lot of record with 248 feet of frontage on Madison Street, 352 feet of depth and a total lot area of 54,018 square feet. The site is developed with townhomes which are part of the James Bland public housing project. The subject property is an interior townhouse. Access to the property is from Madison Street.

The surrounding area is occupied by a mix of residential and recreation uses. Immediately to the north and south are residential townhouses. To the east and west are residential townhouses and the Charles Houston Recreation Center.



### PROPOSAL

The applicant proposes to expand her child care home at 816 Madison Street. Currently the applicant is caring for five children and wishes to increase her capacity to nine children. The applicant will have one assistant present during operating hours. The applicant has been a registered family child care provider since June 2004. She worked for six years at the Flagstone Child Care Center and one year at Hopkins House and became an Approved Child Care Provider in January 2005.

The home is a clean, neat, well-maintained two level, three-bedroom home. There is a 1,200 square foot play area located behind the home and the Charles Houston Recreation Center is located one block to the west of the home.

- Hours: Monday – Friday; 5:30 a.m. – 6:00 p.m.
- Number children: 9
- Age of children: 2 months – 10 years
- Noise: Children’s noise level will be controlled by the applicant.
- Trash/Litter: City trash service.

PARKING

Madison Street provides on street parking on both sides of the street for the entire block containing the applicant's home. A parking survey completed on September 17 at 6:15 p.m. showed that there is adequate on street parking available.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the RB/Residential zone. Section 7-500 of the Zoning Ordinance allows a child care home in the RB 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 use.

**II. STAFF ANALYSIS**

Staff has no objection to the proposed child care home located at 816 Madison Street. 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), recommends approval of the application.

Staff anticipates that there will be parking available at staggered times when parents drop off and pick up children. Staff has included a condition requiring children to be escorted to and from the parent's vehicles if no parking is available. This will keep parents from double-parking their cars on Madison Street. An occupancy permit and State license are both required for the facility before opening.

With the following 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 between 5:30 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 or an assistant must be available to escort children to and from the parent's cars in the event that parking is not available on Madison Street. Parents shall not be permitted to double-park their cars on Madison Street while dropping off or picking up children. (P&Z, T&ES)
5. 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 home. This is to be completed prior to the child care home opening for business. (Police)
6. The applicant shall have the help of assistants who have successfully been trained and certified in First Aid and CPR procedures whenever more than five children, including the applicant's own grandchildren, are in her care. (DHS)
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: Richard Josephson, Acting Director, Department of Planning and Zoning;  
Allison Anderson, 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 The applicant or an assistant must be available to escort children to and from the parent's cars in the event that parking is not available on Madison Street. Parents shall not be permitted to double-park their cars on Madison Street while dropping off or picking up children.
- 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 This review is based on the assumption that this facility will be licensed 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 objection, in that this department has no regulations governing child care homes.

##### Human Services:

- F-1 Ms. Roberta Jackson of 816 Madison Street has been a registered family child care provider since June 2004. Her current child care permit expires on June 30, 2008. She is allowed to care for five children with her permit.

Ms. Jackson wishes to expand her child care business and be able to care for up to nine children. She has begun the process to qualify for a state license and she will attend the next orientation to begin State licensed on October 18, 2007.

Ms. Jackson worked for six years at flagstone Child Care Center and one year at the Hopkins House center before becoming a home-based child care provider. Ms. Jackson completed provider training in January 2005 and became an Approved Child Care Provider. Her current First Aid Certification is valid until May 2009.

Ms. Jackson lives in a clean, neat, well-maintained tow level three-bedroom home That is an ARHA public housing unit. She will use all areas of her home for child care. Outside her back door is an on-site playground and to the right of her backyard is the Charles Houston Recreation center. Her backyard is usable with proper and constant supervision by Ms. Jackson and an assistant.

Her assistant will be her adult daughter Ms. Khamena Jackson. Ms. Jackson is a graduate of TC Williams High School and she has enrolled in training workshop and in First Aid/CPR classes sponsored by the Office for Early Childhood Development. They plan to offer child care services on weekdays from 5:30 am until 6:00 pm.

- R-2 Approval of the Special Use Permit for no more than nine children, pending compliance with other department's recommendations and the licensing and registration requirements and other limitations of local and state regulations, and on the condition that she always have the help of assistants who have successfully been trained and certified in First Aid and CPR procedures whenever more than five children, including her own grandchildren, are in her care.

Parks and Recreation:

- F-1 The Charles Houston Recreation Center will begin renovation in the Fall of 2007 and the entire site will be closed to the public. The playground will not be available for use during that time.

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 home. This is to be completed prior to the child care home opening for business.

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