

DATE: July 24, 2023

TO: Tony LaColla, Division Chief
Department of Planning and Zoning

FROM: Mavis Stanfield, Urban Planner, Land Use Services
Department of Planning and Zoning

SUBJECT: Special Use Permit #2023-00050
Administrative Review for a New Use
Site Use: Child or Elder Care Home
Applicant: Shazia Asim
Location: 1003 North Vail Street
Zone: RA/Multifamily Zone

Request

Special Use Permit #2023-00050 is a request to operate a child care home at 1003 North Vail Street. The applicant would care for nine children from the ages of three months to five years. The proposed hours of operation are 7:30 a.m. to 5:30 p.m. on Monday through Friday. There will be a total of two caretakers, the applicant and her husband, Asim Khan. The drop-off window would occur between 7:30 a.m. to 9 a.m. and the pick-up window would occur between 4 p.m. to 5:30 p.m. The rear yard is fenced and has an area of approximately 560 square feet. The parents/clients would park on the street in the three assigned parking spots on the applicant's and her neighbor's property and walk their child(ren) to the front door.

Background

The subject property is a townhome located on a 2,251 square foot parcel. The site is surrounded by other townhomes. Properties located beyond the townhome development include multifamily development to the south, single family to the east and I-395 to the northwest. Polk Park is located to the northeast of the property and the James K. Polk Elementary School is located further to the southeast. The applicant currently operates a child care facility with an enrollment of five children.

Parking

The Zoning Ordinance does not require child care operations in residences to provide additional parking beyond the residential requirement. It is noted that the applicant has one assigned parking space in front of her house that will be utilized during the day for drop off and pick up of children. The applicant also shares her space with her neighbor, who has two spaces, for drop-off and pick-up. Her neighbor operates a child care home in accordance with SUP #2022-00078 at 1001 North Vail Street. Members of the applicant's household will park along North Vail Street during the drop-off and pick-up periods of the day.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Brookville-Seminary Valley Civic Association was notified by email.

In a June 26, 2023, email to staff, a concern was raised by a resident that the current clients double-park along Vail Street in front of the property, and at times residents have had to wait for parents to pick up children before they could get to their own homes. The resident further expressed concern that some of the parents would park in such a manner that, even when parked, would block access along North Vail Street, because the vehicles were not parked close enough to the curb. An email from another neighbor was received on July 3, 2023, which provided photographs of vehicles associated with the child care home blocking the travel aisle along North Vail Street. No other neighbors contacted staff.

As a result of these concerns, the applicant provided staff with an agreement that she circulated with her clients and required them to sign which clearly specifies that clients may not double park and must park in a manner that does not impede traffic. Staff forwarded this agreement to the two neighbors who had voiced concerns and noted that they may monitor the use for compliance with the conditions and report them via Alex 311 if they notice a violation, or they may submit a notarized affidavit for violations that the inspector does not witness. Further, the applicant provided the neighbors her phone number and offered her assistance for any concerns in the future.

Staff Action

Staff supports the applicant's request to operate a child care home for between six and nine children. The applicant's proposed child care operation would fulfill a need for additional child care options in the City. With the imposition of conditions, the use is not expected to produce adverse neighborhood impacts since the operation proposed is relatively small and it is the expansion of an existing child care. The property would remain primarily residential. The maximum number of children in the applicant's care would be limited to nine as stipulated in Condition #3.

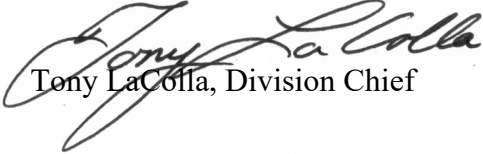
Staff learned that the pick-up and drop off plan has adversely impacted neighbors at times in the past. Four conditions have been included to mitigate these impacts. Condition #9 has been included to limit the time vehicles can remain idle on the street. To ensure that the use does not result in traffic congestion, staff has included Condition #7 which requires the applicant to stagger arrivals and departures and prohibits the double parking of parents' vehicles. Condition #10 requires that vehicles dropping off or picking up children must be parked close to the curb and car doors must be shut when vehicles are left unattended to preclude blocking access along North Vail Street. Lastly, Condition #11 requires the applicant to provide a copy of the SUP to all current and future clients. Staff believes that with the imposition of these conditions, the child care use can be regulated for the benefit of the community.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: July 24, 2023

Action: Approved



Tony LaCoffa, Division Chief

- Attachments: 1) Special Use Permit Conditions
3) Department Comments
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2023-00050

The owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

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 5:30 p.m., Monday through Friday. (P&Z)
3. The maximum number of children, including any resident children under the age of 12, that may be cared for in the home at any one time shall be nine. (P&Z)
4. The applicant shall maintain all required licenses for operation as a child care home. (P&Z)
5. The applicant shall maintain 75 square feet of fenced outdoor play space in the rear yard for each child over age two. (P&Z)
6. The applicant shall apply to the Department of Recreation, Parks, and Cultural Activities for any use of public parks to establish a schedule of use. (P&Z)
7. The applicant shall ensure that no vehicles double park on North Vail Street for pick-up or drop off by staggering the arrival and departure times of children. (P&Z)
8. Vehicles associated with drop off and pick up shall be parked in the assigned space located in the front of the property along North Vail Street or the two spaces immediately adjacent in front of 1001 N Vail Street. (P&Z)
9. Vehicles associated with drop off and pick-up shall be permitted to idle for no more than 10 minutes when parked. (P&Z)
10. Vehicles associated with drop off and pick up shall park close to the curb and car doors shall be closed prior to leaving the vehicles unattended to prevent blocking access along North Vail Street. (P&Z)
11. The applicant shall distribute this report to all current and future clients. (P&Z)
12. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least once during the day and at the close of the business, and more often, if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (T&ES)
13. 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, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed.

CITY DEPARTMENT COMMENTS

Legend C – code requirement R – recommendation S – suggestion F - finding

Transportation & Environmental Services

- R-1 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least once during the day and at the close of the business, and more often, if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (T&ES)
- 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. (T&ES)

Code Department

No comments.

Fire Department

- C-1 Applicant shall submit a fire prevention permit application that will result in an inspection by the Fire Marshal's office. Application can be accessed online at:
www.alexandriava.gov/fire-department/the-fire-marshals-office

Health Department

No comments.

Police Department

No comments.

Recreation, Parks, and Cultural Activities

No comments.

Department of Community and Human Services, Early Childhood Division

Shazia Asim

June 20, 2023

Application for Special Use Permit ZONE: RA/ Multi-Family

TAX MAP REFERENCE: 029.04-03-09

Address: 1003 North Vail Street, Alexandria, VA 22304

Site visit was conducted on 06/20/2023. This home is a three-level town house with three bedrooms, two full bathrooms, and 2 half-baths. The three bedrooms are located on the upper level of the home with the 2 full bathrooms.

The main entrance of the home is located on the middle level. There is a half bath on the left

side in the hallway. In this area the house has the living room/ dining room and the kitchen, with the dining room, nonetheless, converted into a small second living room with a TV on the wall. The main living room area has a slide door that leads to the back yard which is all fenced. In the backyard there are several childcare equipment in the backyard for outdoor activity.

Ms. Shazia Asim is using the basement of the home as her major childcare area space and has a direct exit door with few steps up to the back yard. The childcare area is child friendly, there is an appropriate number of educational toys available. There is a small table with four chairs that is used for eating and for creative activities. The setup of the space offers a variety of activities that encourage learning and creativity for all ages in care. There are 2 cribs that meet crib safety standards. There is a changing table for diapering which has the proper covering as well. There are 2 highchairs. Additionally, in the childcare area, there is a small kitchen, with a refrigerator and a microwave. The kitchen area has a gate for safety. There is another gate in the childcare area as well.

The laundry room is on the right side down the stairs in the basement and separated from the childcare area, and the half bathroom is on the left side of the hallway. The half bathroom is used by children for toileting and hand washing purposes. The childcare area has space for the children's personal belonging. During the home study there were 4 children in care, including her grandson (1-year-old). In the childcare area there is a safety gate that serves as a barrier to prevent children from climbing the stairs. The childcare space is well equipped and distributed. The home was found clean and organized, free of clutter and meets health and safety standards.

Ms. Asim only uses the basement as her major childcare area, and the area is observed to be safe. The electrical outlets are covered. The bathroom does not have any items stored that are hazardous, only the necessary items for hand washing and toileting are present. Fire evacuation plan and an emergency preparedness plan are in place. All smoke alarms and carbon monoxide detectors are in working order and are checked yearly by Fire and Code Enforcement. Fire extinguisher is in proper working order. First Aid Kit is fully stocked. The yard is clean and safe.

The entire home and space for childcare purposes was found to be very well kept, with sufficient space to care for up to 9 non-related children. Ms. Asim's operational hours are M-F from 7:30

am to 5:30 pm. Her program offers services to children ages 2 months-old to school aged children. Ms. Asim is presently a state licensed childcare provider with a capacity for 5 children, nonetheless Ms. Asim wants to increase her capacity to 9 children.

R: Approval recommended for Ms. Shazia Asim's special use permit to allow care for up to (9) non-resident children, pending compliance with other departments recommendations and subject to licensing, registration requirements and other limitations of local and state regulations. Applicant does not have any residential children under the age of 12, which would lower the capacity. Ms. Asim must maintain an assistant for the number of children and ages she plans to provide care for.

SUP #2023-00050
1003 North Vail Street

Rosa M. Chavez, Family Services Specialist Early Childhood Division
Department of Community and Human Services rosa.chavez@alexandriava.gov
703.746.5923 (office)
703 915 8018 (work mobile)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2023-00050. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the child care home at 1003 North Vail Street.

Shazia Asim

Applicant - Signature

07/25/2023

Date

SHAZIA ASIMI

Applicant – Printed

07/25/2023

Date