

DOCKET ITEM #5

Special Use Permit #2012-0045

134 Jasper Place – Child Care Home

Application	General Data	
Consideration of a request to operate a child care home.	Planning Commission Hearing:	September 6, 2012
	City Council Hearing:	September 15, 2012
Address: 134 Jasper Place	Zone:	R-2-5/Single- and Two-Family
Applicant: Carmen Silvia Alvarado	Small Area Plan:	Seminary Hill

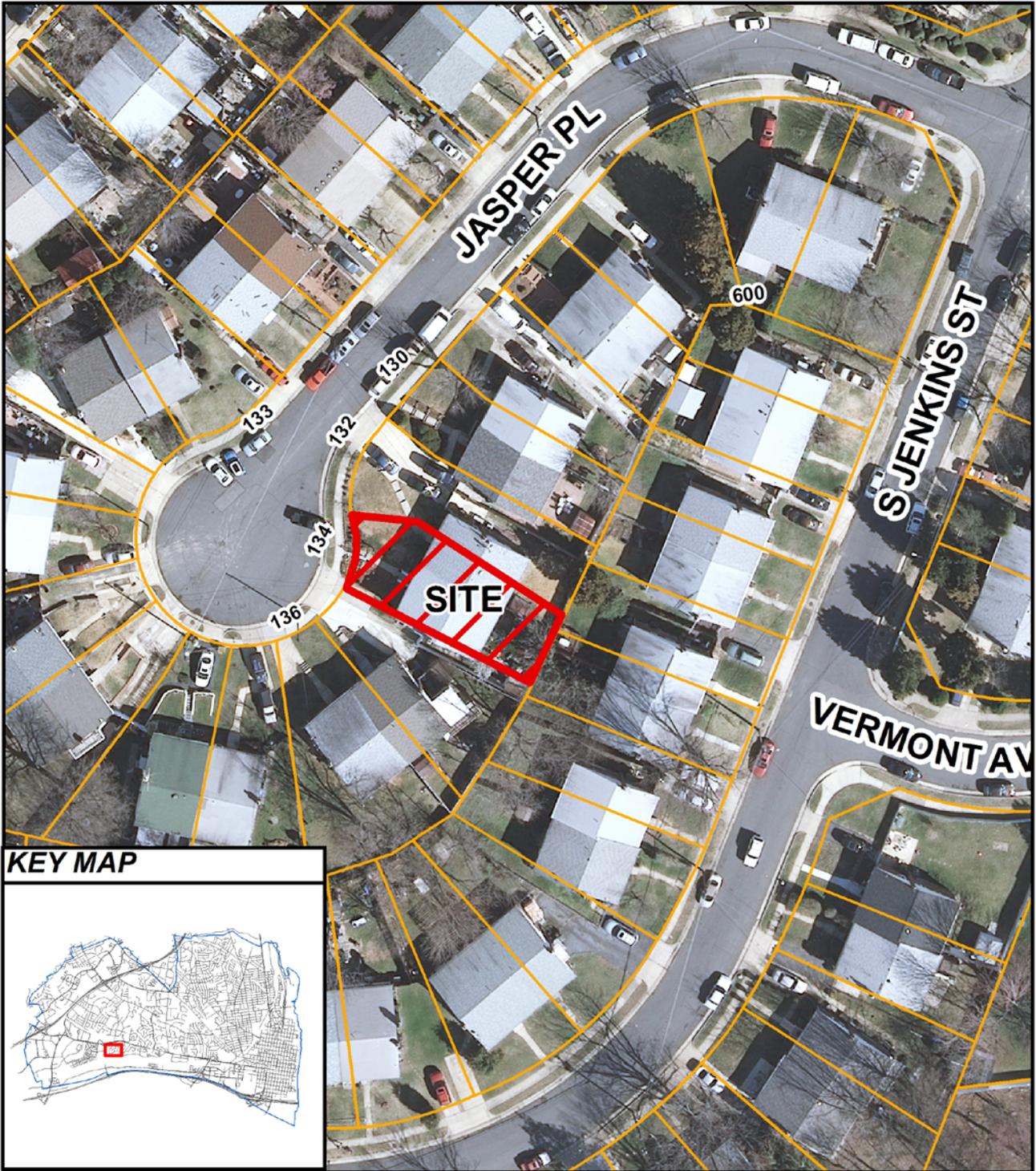
Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov

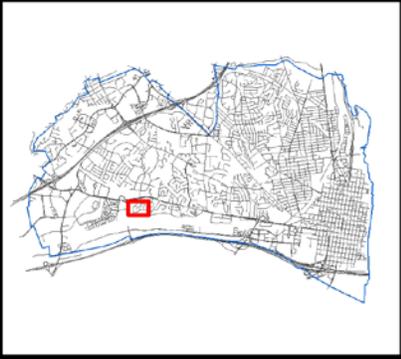
CITY COUNCIL ACTION, SEPTEMBER 15, 2012: City Council approved the Planning Commission recommendation.

PLANNING COMMISSION ACTION, SEPTEMBER 6, 2012: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.



KEY MAP



SUP #2012-0045

9/6/2012



I. DISCUSSION

The applicant, Carmen Silvia Alvarado, requests Special Use Permit approval to operate a child care home at 134 Jasper Place.

SITE DESCRIPTION

The subject site is one lot of record with approximately 35 feet of frontage on Jasper Place, 98 feet of depth and a total lot area of 3,377 square feet. The property is improved with a two-story semi-detached residential dwelling.

The surrounding area is comprised of primarily semi-detached residential dwellings.



PROPOSAL

The applicant proposes to provide child care in her home for up to nine children at one time. At this time she anticipates caring only for children aged three months through five years.

Hours of Operation: 7 a.m. – 6 p.m. Monday-Friday

Number of children: Nine

Play Area: Rear yard provides play area for children

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the R-2-5 / Single and Two-Family Residential zone. Section 7-500(B) of the Zoning Ordinance allows a child care home in residential areas only with a Special Use Permit.

The proposed use is consistent with the Seminary Hill chapter of the Master Plan which designates the property for residential uses.

PARKING

The Zoning Ordinance does not require any additional parking for child care homes than would be required for a residential use. One off-street parking space is located in the applicant's driveway and on-street public parking is available on Jasper Place.

II. STAFF ANALYSIS

Staff recommends approval of the applicant's request to operate a day care home in this location. The operation will provide additional, and much-needed, child care options in the City. The site will retain its primary function as a residence given that the overall scope of the operation is small at a maximum of nine children, which is consistent with zoning requirements and reinforced through recommended Condition #3.

Although the block in which the subject property is located contains several curb cuts leading to short driveways with only one or two off-street parking spaces, staff believes that parking will be adequate for the proposed child care home. The small size of the operation will translate into a low number vehicles arriving at the site each day for pick-up and drop-off. In addition, the applicant or her staff will be required to guide children to or from vehicles in the unlikely event that on-street parking is unavailable for parents (Condition #6). Staff has included similar condition language as a back-up measure in other recent child care home cases.

Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit request.

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 6:00am and 7:00pm, Monday through Friday. (P&Z)
3. The maximum number of children, including any resident children under the age of 14, that may be cared for in the home shall be nine. (P&Z)
4. This Special Use Permit shall not be effective unless and until the child care home is licensed by the Virginia Department of Social Services. (P&Z)
5. Access to adjacent properties along Jasper Place shall be maintained during the drop-off and pick-up process. (T&ES)
6. The applicant or an assistant must be available to escort children to and from the parents' cars in the event that parking is not available on Jasper Place. (T&ES)
7. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)

8. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey and robbery readiness training for employees prior to the child care home opening for business. (Police)
9. 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. (P&Z)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Nathan Randall, 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 The applicant or an assistant must be available to escort children to and from the parents' cars in the event that parking is not available on Jasper Place. (T&ES)
- R-2 Access to adjacent properties along Jasper Place shall be maintained during the drop-off and pick-up process. (T&ES)
- R-3 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (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 Enforcement:

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Plan Review Services Division Chief at ken.granata@alexandriava.gov or 703.746.4193.
- C-1 A building permit is required for this project. Five sets of *construction documents* that fully detail the layout shall be submitted. Detailed dimensional drawings including means of egress shall accompany the construction (building) permit application. If a Virginia licensed design professional prepares drawings for the project, the plans shall bear the seal of the design professional in accordance with the Code of Virginia Section 54.1-410B.
- C-12 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof for a child daycare, in accordance with 2009 VCC §116.1.

Health:

- F-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be Child Care Facility obtained prior to operation, and is not transferable between one individual or location to another.

- F-2 Plans shall be submitted to the Health Department through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.
- F-3 Plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food and Food Handling Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility.
- F-4 A Certified Food Manager shall be on-duty during all operating hours.
- F-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.

Parks and Recreation:

- F-1 No comments received

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a security assessment for the child care center. This is to be completed prior to the child care center opening for business.
- F-1 The Police Department has no objections to the child care facility opening.

Human Services:

A site visit was made on June 25, 2012. This is a two level townhome, with three bedrooms and two full bathrooms. The bedrooms and one bathroom are on the main level; the second bathroom is in the basement. She is using the entire basement as her major child care area. The basement has a direct exit door that leads to the fenced backyard. In the basement, there is a small area (with a door that is kept closed) with a refrigerator, toaster and microwave. There is no stove in the basement. The main level will not be accessible to children. She has a safety gate at the bottom of the basement steps. The parents will use the basement exit door to drop off or pick up children. The electrical plugs were all covered. She has a small table with chairs to be used for daily activities. She prepares meals the night before in her kitchen on the main level and stores it in the basement kitchen refrigerator for the next day. She warms the food before serving the children.

She has two designated napping areas, one for the infants and one for older children, with two cribs and cots for the older children. She has designated areas for manipulative and active play, with appropriate toys, such as puzzles, blocks, dolls, puppets, pretend play toys, arts and crafts accessories, music CD's, and books. All play materials are well organized and accessible to children.

The pathway leading to the fenced backyard is clear. It has abundant space for the children to play, with swings, slides and other equipment. Ms. Alvarado operates her business between the hours of 7 a.m. and 6 p.m., Monday through Friday.

Recommend approval of Mrs. Carmen Alvarado's special use permit to allow her to care for up to nine (9) non-resident children, pending compliance with other departments' recommendations and subject to licensing and registration requirements and other limitations of local and state regulations.