

DATE: July 14, 2014

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Staff
Department of Planning and Zoning

SUBJECT: Special Use Permit #2014-0054
Administrative Review for New Use
Site Use: Day Care Center
Applicant: Baptist Temple Church
Location: 700 Commonwealth Ave.
Zone: R-5 Residential

Request

Special Use Permit #2014-0054 is a request to expand Abracadabra Day Care Center into the space previously rented by Valley Drive Day Care that has been operating per SUP #2009-0024. The hours proposed by SUP #2014-0054 would match the current hours of Abracadabra Day Care, Monday through Friday 7:30 am to 6:00 pm. The applicant would then operate a day care spanning both spaces under the name Abracadabra Day Care.

Background

Prior to SUP requirements, Abracadabra Day Care had operated in the church building as a day care center. In 2009, SUP #2009-0024 was granted to allow Valley Drive Day Care to rent a portion of the space to operate a separate day care center with hours from 8:30 am to 2:30 pm Monday through Friday that would serve 44 children. At the time of the 2009 SUP staff felt that there was enough space for both day care establishments to operate with ample facilities. Planning & Zoning staff has not received any complaints about this property.

Parking

Parking for the proposed use is available on site at the church parking lot where there are 20 spaces and two handicap spaces. Forty additional parking spaces are available in a public commuter lot across Commonwealth Avenue if needed.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff has not received any comments from the public regarding this request.

Staff Action

Staff does not object to this new day care center and views it as a reasonable request. Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 7/14/2014
Action: Approved

Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2014-0047

The new 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 business or entity in which the applicant has a controlling interest. (P&Z)
2. The hours of operation shall be limited to between 7:30 am and 6:00 pm Monday through Friday. (P&Z)
3. The maximum number of children permitted at the child care facility at one time shall be 36, subject to approval of the Licensing Division of the Virginia Department of Social Services. (P&Z)
4. The facility shall obtain all required state, federal and local licenses and certificates prior to opening its place of business. (P&Z)
5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all special use permit provisions and requirements. (P&Z)
6. The applicant shall provide information about alternative forms of transportation to access the location of the day care center, including but not limited to print and electronic promotional materials, posting on the day care website, and other similar methods. (P&Z)
7. The applicant shall encourage its employees and customers 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 and transit are sold, and advertising of carpool opportunities. (P&Z)
8. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
9. The applicant shall install signs inside the building indicating the location of off-street parking in the area and shall inform customers about the parking. (P&Z)
10. Trash and garbage shall be store inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash debris shall be allowed to accumulate outside of those containers. Outside trash receptacles shall be screen to the satisfaction of the director. (P&Z)
11. 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 more often if necessary, to prevent an unsightly or unsanitary accumulation,

on each day that the business is in operation. (P&Z)

12. The administrative permit approved by the director pursuant to Section 11-513 of the zoning ordinance shall be displayed in a conspicuous and publically accessible place. A certificate provided by the city shall inform the public of its right to examine a list of standards associated with this permit. A copy of the list of standards with the permit shall be kept on premises and made available for examination by the public upon request. (P&Z)
13. The facility shall provide adequate drop off and pick up facilities so as to create minimal impact of pedestrian and vehicular traffic. (P&Z)
14. Applicant shall ensure that no vehicles double park on public streets for pick-up or drop-off. (P&Z)
15. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible from the property line. (T&ES)
16. The Director of Planning and Zoning shall review the Special Use Permit one year after approval 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 a result of a complaint that rises to the level of a violation, 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)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2014-0054. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the day care center located at 700 Commonwealth Avenue.

Applicant - Signature

Date

Applicant – Printed

Date