DATE: August 3, 2016

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

FROM: Ann Horowitz, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2016-0045
Administrative Special Use Permit – New Use
Site Use: Child care Home
Applicant: Sara Tezera Berhanemeskel
Location: 5201 Dover Place
Zone: RT – Residential Medium Townhouse

Request

Special Use Permit #2016-0045 is a request to operate a child care home that accommodates six to nine children between the ages of 6 weeks to 13 years, in the 408 square foot basement of a townhouse at 5201 Dover Place. Eighteen townhomes surround the subject site on Dover Place. One resident child would be counted in the maximum of nine children proposed at the site. The hours of operation would be 6 a.m. to 7 p.m., daily. Morning drop-off and evening pick up would take place in the applicant's driveway between 6 a.m. and 9 a.m. and between 3 p.m. and 7 p.m., respectively. A fenced 2,000 square foot backyard would be used as outdoor play space. One employee would assist the applicant with the operation.

Parking

The Zoning Ordinance does not require home child care operations to provide additional parking. The private driveway provides two parking spaces and includes space for two additional vehicles behind the applicant's two cars which are typically parked in the driveway. In addition, six on-street parking spaces with no parking restrictions are located adjacent to the residence at the end of the street.

Zoning

Section 3-1302.1 of the Zoning Ordinance permits child care homes with administrative SUP approval. Section 7-500(B)(2) requires child care homes to provide a fenced outdoor play area that measures 75 square feet for each child over age two.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Domain Condominium Unit Owners Association, Seminary Park Community Association, Seminary Heights Condo Association, and the Seminary West Civic Association were notified of the SUP request. The abutting neighbor, who resides at 5203 Dover Place expressed concerns related to child care pick up and drop off occurring in his driveway, to increased street traffic, and to a large number of children on

the property. Staff informed him that an SUP condition could be included in the report that would restrict parents from using his driveway and that the number of non-resident children would be limited to eight, as mandated by the Zoning Ordinance.

Staff Action

Staff supports the applicant's request for a child care home at 5201 Dover Place. The addition of a child care home in the City would support the need for neighborhood child care options. Traffic and noise impacts are not anticipated as the use is relatively small and the semi-detached home would primarily remain as a residence. Sufficient outdoor play area would be provided as the applicant exceeds the Zoning requirement of 675 square feet for nine children over age two.

Morning drop off and evening pick up of children would take place in the applicant's driveway and would not impact neighboring properties. The applicant will ensure that parents do not access the driveway at 5203 Dover Place for drop-off and pick-up as required in Condition 5. In the event that parking spaces are not available in the driveway or on Dover Place, a child care staff member shall escort children to and from parent's cars as mandated in Condition 6.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: August 3, 2016
Action: Approved

Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2016-0045

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 by the Director 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. No more than nine children, including resident children under age 12, shall be cared for on the premises at any one time. (P&Z) (Department of Community and Human Services, Early Childhood Division)

3. The hours of operation for the business shall be limited to between 6 a.m. and 7 p.m., daily. (P&Z)

4. The applicant shall obtain all required state (Virginia Department of Social Services), federal and local licenses and certificates prior to operation. (P&Z) (Department of Community and Human Services, Early Childhood Division)

5. Drop-off and pick-up shall be conducted in the driveway at 5201 Dover Place. The applicant shall inform parents about proper drop-off and pick-up procedures that do not include the use of the abutting driveway at 5203 Dover Place. (P&Z)

6. 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 Dover Place. No stopping or parking is permitted along Seminary Road for drop-off or pick-up. (T&ES)

7. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z)

8. 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)

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)

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 Dover Place. No stopping or parking is permitted along Seminary Road for drop-off or pick-up. (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.

Department of Community and Human Services, Early Childhood Division

The initial site visit was conducted on July 14, 2016. The applicant, Sara Berhanemeskel, was given a checklist of items regarding health and safety and the presentation of her space to make it child friendly. She was advised that she needed to make some minor changes in the area she is planning to use for her child care program. The second visit was conducted on July 25 and it was found that she had made all of the required changes and had designed her main area to offer a very child friendly environment.

The property is a three-level town house with three bedrooms and two full bathrooms. On the top floor of the home, there are two bedrooms and one full bath. The third bedroom is in the basement, which is the area in which Ms. Berhanemeskel plans on using as the main child care area. The basement has 408 square feet of available space, including the bedroom. This exceeds the minimum City requirement of 315 square feet for nine children. The full bathroom in the basement area will be used for toileting and hand-washing for children. It is equipped with a step stool to allow young children to reach the sink, a potty training seat and a regular size toilet. There is a sliding glass door that allows for plenty of light. Outside the glass door is a small patio area that leads to a fenced 2000 square feet back yard that is clean and well maintained. There is a swing set, a hot tub that is not being used and is covered and secured, and a shed for storage that remains locked. The basement has a mini kitchen that is also a laundry area; the door has a safety knob on it. The mini kitchen will be used to prepare food for children. The 3rd bedroom in the basement has four standard-size cribs that meet safety requirements and a closet to store the children's belongings. There are also three preschool-age mats to be used for sleeping purposes for the older preschoolers.

Ms. Berhanemeskel has decorated the play area with two toddler tables with chairs, a large colorful rug that is a puzzle with the alphabet and numbers. The provider will use the tables for play, arts and crafts and meal time. Items in the space are bright and

colorful. Her wall hangings offer learning opportunities for young children. There is a toy box with a variety of age-appropriate toys and a bookshelf with children's books. There is also a changing mat for diapering purposes. There is a shelving unit with cubbies for each child that is equipped to hang coats or other clothing. The staircases in the home have retractable safety gates to protect from falling. The staircase leading from the first floor to the basement is carpeted and fully accessible as an emergency exit. The basement has a safely mounted flat screen TV and a refrigerator that has the emergency numbers posted. There is also a fire place that is never used and is fully blocked by the new shelving unit.

On the first floor of the home is the kitchen, living and dining room space. The provider does not plan to utilize any of this space for child care purposes. All cabinets have safety locks in the kitchen and doors have safety knob covers and sockets in all areas of the home. The home does not have a front yard, just a drive way, and will not be used for outdoor play because it is not fenced in and does not offer a safe space for children to play because it leads right into the street. Ms. Berhanemeskel's operational hours will be M-F from 6am to 7pm. She also has an assistant, her husband, who is participating with her in the state licensing process and plans to assist her with her family child care business. This home was found to be very well kept, clean and organized with sufficient space to care for children.

F-1 Recommend approval of Sara Berhanemeskel's application for a special use permit to allow her to care for up to (8) non-resident children. Her own infant is being included in determining the number of children she can be approved for. If she cares for more than four infants, including her own, she must have a state license and an assistant. This recommendation is pending the provider's compliance with other departments recommendations.

R-1 Subject to licensing and registration requirements and other limitations of local and state regulations.

<u>Health</u>

Child Care Facility:

C-1 An Alexandria Health Department Permit is required for all regulated facilities that are serving and/or preparing food. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another.

C-2 Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Construction 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.

C-3 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety 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, including the hot water heater.

C-4 A Food Protection Manager shall be on-duty during all operating hours.

C-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.

Code Enforcement
No comments

Fire
C-1 An inspection of the facility by the fire marshal's office is required prior to facility opening. No fire prevention permit will be issued.

Police
No comments received.

Recreation, Parks, and Cultural Activities
No comments received.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2016-0045. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a child care home at 5201 Dover Place.

Applicant - Signature

08/05/2016
Date

Endalkachew Asfaw
Applicant – Printed

08/05/2016
Date

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	SUP#2016-0045
Approved by Planning and Zoning:	August 3, 2016
Permission is hereby granted to:	Sara Tezera Berhanemeskel
to use the premises located at:	5201 Dover Place
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

Karl Moritz for Alex Dambach ABH

August 3, 2016
Date

Karl Moritz, Director
Department of Planning and Zoning