DATE: September 14, 2016

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

FROM: Sara Brandt-Vorel, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2016-0058
Administrative Review for Minor Amendment

Site Use:	Day care center & private academic school
Applicant:	Northern Virginia Waldorf Initiative, Inc.
Location:	3846 King Street
Zone:	RA/Residential Multi-Family

Request

Special Use Permit #2016-0058 is a minor amendment request to SUP #2015-0010 to add an additional classroom to the day care center and private academic school operated by the Northern Virginia Waldorf Initiative located at 3846 King Street. The applicant requests permission to expand into an additional elementary school classroom within the existing church building, for a total of seven classrooms. No additional changes to the operation are proposed.

A summary of the applicant's existing operations as approved through SUP #2015-0010 is as follows:

Hours of Operation:	7 a.m. – 6 p.m., Monday – Friday (School) 7 a.m. – 12, noon, Saturdays (Occasional day care classes) 7 p.m. – 9 p.m., Five times a month (School-related meetings) 9 a.m. – 4 p.m., Twice a year (Festivals)
Drop-off and Pick-up Hours	7:50 a.m. – 8:20 a.m., Monday – Friday 12:30 p.m. – 1:15 p.m., Monday – Friday 3 p.m. – 3:30 p.m., Monday – Friday 5 p.m. – 5:45 p.m., Monday – Friday
Child Ages:	2.5 years to 12 years old
Number of Children:	24 students in day care 54 students in school **78 total students**
Staff:	Approximately 12 staff members

Background

Over the years, City Council has granted Special Use Permit approvals to accommodate day care facilities and private academic schools in the education wing of the Fairlington Presbyterian Church. In 1954, City Council approved SUP #145 which approved a half-day day care and private school. By 1968 the school received permission from City Council to expanded the operations to allow a full-day program through SUP #743. Approval for a half-day, three-day, day care operation for up to 75 children was granted in 1989 through SUP #2223. City Council subsequently amended SUP #2223 in 1995 to expand the existing operations to a five-day program through SUP #1995-0147. In 1998, City Council approved SUP #1998-0013 to amend the hours of operation. On May 12, 2007, City Council approved SUP #2007-0022 which approved a private school to teach computer and job skill classes to adults in a portion of the education wing. On May 16, 2105 City Council approved SUP #2015-0010 to allow a combined day care and private academic school with up to 78 students from pre-school age through the fifth grade level to operate in six classrooms on two floors of the education wing at the Fairlington Presbyterian Church.

A site inspection and one year review in August 2016 found no violations of the Special Use Permit conditions.

Parking

Section 8-200(A)(11) of the Zoning Ordinance requires an elementary school to provide one parking space for every 25 students and a day care to provide two parking spaces per classroom. With 54 elementary aged children and one day care classroom the applicant is required to provide five off-street parking spaces. The applicant exceeds their parking requirement by providing 12 dedicated off-street parking spaces for employees in the church's surface parking lot and access to all 117 spaces in the church parking lot.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Seminary Hill Association and the Park Place Condominiums were sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses.

Staff Action

Staff supports the applicant's request for a minor amendment to add a classroom within the education wing to be used as a classroom for elementary aged children. The applicant proposes to maintain all other operating conditions, such as hours and the total number of students and staff, and as such does not create the potential for additional impacts on the nearby residential community.

Staff has carried forward prior SUP conditions regulating the hours, the number of children, trash storage, and other standard SUP conditions. Staff amended Condition #10 related to off-street parking requirements for staff and added Condition #14 which encourages the use of alternative forms of transportation for staff to reflect standard

condition language. Staff also modified Condition #12 to update conditions related to adherence to the City's noise ordinance.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: September 14, 2016
Action: Approved

Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2016-0058

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. This 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) (SUP#2015-0010)

2. The hours of operation for the combines day care center and private school shall be limited to between 7 a.m. and 6 p.m., Monday through Friday and between 7 a.m. and 12 noon, Saturday (P&Z) (SUP#2015-0010)

3. The maximum number of children permitted at the combined day care center and private school at any one time shall be 78. (P&Z) (SUP#2015-0010)

4. The facility shall obtain all required state, federal, and local licenses and certificates prior to opening its place of business. (P&Z) (SUP#2015-0010)

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) (SUP#2015-0010)

6. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash or debris shall be allowed to accumulate outside of those containers. (P&Z) (SUP#2015-0010)

7. The applicant shall provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic, specifically, drop off and pick up shall occur in the parking lot associated with the facility; drop off and pick up shall not occur on the public rights-of-way. (P&Z) (SUP#2015-0010)

8. The applicant shall provide information about alternative forms of transportation to the day care/school, including but not limited to print and electronic promotional materials, posting on the day care/school website, and other similar methods.(P&Z) (SUP#2015-0010)

9. Prior to the school/day care center opening for business, the applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a security survey for the business and a robbery readiness program for all employees. (P&Z) (SUP#2015-0010)

10. **CONDITION AMENDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking ~~and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.~~ (T&ES) ~~(SUP#2015-0010)~~

11. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up to prevent an unsightly or unsanitary accumulation once each day that the business is open to the public. (T&ES) (SUP#2015-0010)

12. **CONDITION AMENDED BY STAFF:** The use shall comply with the City's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES) ~~(SUP#2015-0010)~~

13. **CONDITION AMENDED BY STAFF:** 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 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)(~~SUP#2015-0010~~)

14. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact Local Motion at localmotion@alexandriava.gov for information on establishing an employee transportation benefits program.(T&ES)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

Conditions:

6. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash or debris shall be allowed to accumulate outside of those containers. (P&Z) (T&ES) (SUP#2015-00010)

7. The applicant shall provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic, specifically, drop off and pick up shall occur in the parking lot associated with the facility; drop off and pick up shall not occur on the public rights-of-way. (P&Z) (T&ES) (SUP2015-00010)

8. 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)(T&ES) (SUP#2015-00010)

10. **CONDITION AMENDED BY STAFF**: The applicant shall require its employees who drive to use off-street parking ~~and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.~~ (T&ES)(SUP#2011-0062)

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. (T&ES) (SUP#2015-00010)

12. **CONDITION AMENDED BY STAFF**: The use shall comply with the City's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP#2015-00010)

14. **CONDITION ADDED BY STAFF**: The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact Local Motion at localmotion@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)

City Code Requirements:

1. If disturbance for the improvements exceeds 2,500 square feet, a grading plan must be submitted and approved per Section 5-6-224 of the City Code. (T&ES) (SUP2015-00010)

2. 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) (SUP2015-00010)

3. 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). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES) (SUP2015-00010)

Fire Department:

C-1 A fire prevention permit will be required for the day-care and school.

Code Enforcement:

No comments received.

Health Department:

Private Academic School:

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

C-2 Construction plans shall be submitted to the Health Department located at 4480 King Street and 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.

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.

C-6 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.

C-7 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packing, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

Child Care Facility:

C-8 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-9 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-10 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-11 A Food Protection Manager shall be on-duty during all operating hours.

C-12 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.

Department of Community and Human Services

Report for site visit SUP 2016 – 00058
Northern Virginia Waldorf Initiative, Inc.
3846 King Street, Alexandria, VA 22302
Date of visit: August 29, 2016

F-1 This visit was made in response to a request by Northern Virginia Waldorf Initiative, Inc. to add an early childhood class that meets five days a week, and to use Classroom #8, located on level 2 of the education wing, as a grades classroom.

This program currently operates a combined childcare and private academic school. The childcare program offers an early childhood preschool class that meets three days per week and a parent—child preschool class that meets two days a week. The proposed five days per week preschool class would meet in an existing early childhood classroom located on level 1 of the education wing. The proposed grades classroom which would be located on level 2 in Classroom #8, has an accessible restroom. The space is sufficient to meet the maximum enrollment of seven students.

The proposed changes do not exceed the approved number of children in the current Special Use Permit which is 24 students in daycare and 54 students in school.

Recreation, Parks and Cultural Activities:
No comments received.

Police Department:
No comments received.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2016-0058. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the day care center and private academic school use at 3846 King Street.

Applicant - Signature

9/30/2016
Date

Claire Tran
Applicant – Printed

9/30/2016
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	#2016-0058
Approved by Planning and Zoning:	September 14, 2016
Permission is hereby granted to:	Northern Virginia Waldorf Initiative, Inc.
To use the premises located at:	3846 King Street
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.

9/14/16
Date

Karl Moritz, Director
Department of Planning and Zoning