

*City of Alexandria, Virginia*  
*Department of Planning & Zoning*

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## **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 #2017-0078  
Approved by Planning and Zoning: July 21, 2017  
Permission is hereby granted to: Alive! Child Development Center  
to use the premises located at: 2723 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.

July 21, 2017  
Date

KARL MORITZ/AD  
Karl Moritz, Director  
Department of Planning and Zoning

DATE: July 21, 2017

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

FROM: Madeleine Sims, Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0078  
Administrative Review for Minor Amendment  
Site Use: Day Care Center  
Applicant: Alive! Child Development Center  
Location: 2723 King Street  
Zone: R-8 / Residential

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**Request**

Special Use Permit #2017-0078 is a minor amendment for a daycare at 2723 King Street, currently operated by Alive! Child Development Center. The applicant proposes amending SUP #905 to increase the maximum enrollment at the daycare from 45 to 52 children, and increase the number of children permitted on the playground from 15 to 32. The day care currently has operating hours between 6:45 a.m. and 5:45 p.m., and operates out of a wing at the First Christian Church. No other changes to the operation are proposed.

**Background**

A daycare has operated at 2723 King Street since 1961. The subject day care has been operated by Alive! Child Development Center since the 1970s when the daycare changed ownership from the Mothers of Arlandria to Alive! Child Development Center. In 1973, City Council approved SUP #905 which allowed for an increase in enrollment from 30 to 45 children. City Council clarified language recommended by staff in SUP #905 in regards to the fencing of the outside play area and the number of children permitted outdoors for recreational purposes at any given time.

**Parking**

Pursuant to Section 8-200 of the Zoning Ordinance, a day care is required to provide two parking spaces for every classroom. The proposed day care has three classrooms and is thus required to provide six parking spaces. The day care shares an 86-space parking lot with the church at 2723 King Street. The church does not use this parking lot when the day care is operational, therefore the applicant satisfies its six space parking requirement 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 Rosemont Citizen's Association and Taylor Run Civic Association were sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses.

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**Staff Action**

Staff does not object to the minor amendment request. Alive! Child Development Center has operated at this site since 1971, and there have been no complaints or SUP violations. Although additional children on the playground could contribute to outdoor noise levels during the day, staff believes that increased noise would be negligible due to the existing landscape buffer and church parking lot that are located between the playground and adjacent residences. The increase in total enrollment, from 45 to 52 children, is minimal and would not create any new impacts.

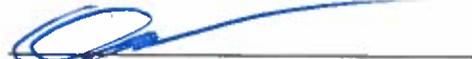
Standard conditions have been added to reflect current language regarding noise, odor, and trash. Conditions #2 and #4 have been amended, increasing the total number of children permitted on the playground to 32. Condition #3 has been deleted and updated to reflect current language regarding licensing.

Staff hereby approves the Special Use Permit request.

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**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: July 21, 2017  
Action: Approve

  
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Alex Dambach, Division Chief

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

**CONDITIONS OF SPECIAL USE PERMIT #2017-0078**

The applicant 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. **CONDITION AMENDED BY STAFF:** That the school enrollment be limited to a maximum of ~~45~~ 52 children. (P&CD) (SUP#905) (P&Z)
2. **CONDITION AMENDED BY STAFF:** That the fenced-in play area be adequately maintained by the applicant and limited in use to no more than ~~45~~ 32 children at any one time. (P&CD)(SUP#905) (P&Z)
3. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 7:** ~~That the applicant obtain current day nursery school licenses for year 1973-194 from City of Alexandria and Virginia State Department of Welfare and Institutions prior to increasing the school enrollment above thirty (30) children. (P&CD)(SUP#905)~~
4. **CONDITION AMENDED BY STAFF:** That no more than ~~45~~ 32 children be outside for recreational purposes at any one time. (CC)(SUP#905) (P&Z)
5. **CONDITION AMENDED BY STAFF** That the fences which are shown on the plat attached to the Special Use Permit #819 running along the South and North boundary be maintained in good condition. (CC) (SUP#905) (P&Z)
6. That the play area not be relocated without the additional permission of Council. (CC)(SUP#905)
7. **CONDITION ADDED BY STAFF:** The facility shall obtain maintain required state, federal, and local licenses and certificates. (P&Z)
8. **CONDITION ADDED BY STAFF:** 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)
9. **CONDITION ADDED BY STAFF:** The applicant shall provide adequate drop off and pick up facilities to create minimal impact on pedestrian and vehicular traffic, specifically, drop off and pick up shall not occur on the public rights-of-way. (P&Z)
10. **CONDITION ADDED BY STAFF:** The use must 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)
11. **CONDITION ADDED BY STAFF:** 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)

12. **CONDITION ADDED BY STAFF:** 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)
13. **CONDITION ADDED BY STAFF:** The hours of operation shall be limited to between 6:45a.m. and 5:45 p.m. Monday through Friday. (P&Z)
14. **CONDITION ADDED 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 report conditions that 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; (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 use must 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)
- R-2 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 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 SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES)
- C-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)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

No comments received.

Health Department:

No comments received.

Parks and Recreation:

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No comments received.

Police Department:

No comments received.

Fire:

No comments or concerns.

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STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0078. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the daycare at 2723 King Street.

Diane L. Charles  
Applicant - Signature

7/27/17  
Date

Diane L. Charles  
Applicant - Printed

7/27/17  
Date