



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 #2022-00013

Approved by Planning and Zoning: April 22, 2022

Permission is hereby granted to: CPS II, Inc. t/a Creative Play School

to use the premises located at: 100 East Windsor Avenue

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.

April 22, 2022

Date

Karl Moritz (by P. Silva)

Karl Moritz, Director
Department of Planning and Zoning

DATE: April 22, 2022

TO: Tony LaColla, Division Chief, Land Use Services
Department of Planning and Zoning

FROM: Patrick Silva, Urban Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2022-00013
Administrative Review a Minor Amendment
Site Use: Day Care Center
Applicant: CPS II, Inc. t/a Creative Play School
Location: 100 East Windsor Avenue
Zone: RB / Townhouse and R-2-5 / Single and Two-Family zones

Request

Special Use Permit #2022-00013 is a request for a Minor Amendment to amend Condition #2 of approved Special Use Permit #2001-00137 for an existing day care center in the Del Ray United Methodist Church. The applicant is requesting to amend Condition #2 to change the number of children permitted to attend both their preschool and school-aged day care programs at the center. Currently, the applicant is allowed to care for 65 children at its preschool program and 55 children at its school age program for a total of 120 children. The applicant now asks to care for 65 children at its school-aged program for a total of 130 children. The pickup and drop-off plan previously approved as part of Special Use Permit #2001-00137 will remain unchanged as the addition of 10 children is minor and would not require altering the plan.

Background

The applicant has operated a day care center at the subject site since June 1983, when City Council approved Special Use Permit #1574. A condition restricting the location of one- to six-year-olds (Condition #5) was included in the 1983 approval. In March 2001, City Council approved Special Use Permit #2001-00137 to expand the number of children from 60 to 120 at any one time. The condition language added that the number of children that may be cared for at any one time specified that only 60 children be allowed in the preschool program and only 60 school age children in the before or after-school program. Most recently, in October 2013, staff administratively approved Special Use Permit #2013-00061 for a Minor Amendment to increase the number of children permitted to attend their toddler pre-school program as well as to allow children aged five and six to be located on the third floor of the building.

In June 2013, as part of its routine inspection program, staff discovered that the applicant had been operating with more children in its preschool aged program than allowed under existing Condition #2. The applicant worked with staff on the matter to resolve the issue and complied with the approved Special Use Permit conditions. No other issues have been observed since this time.

Parking

Pursuant to Section 8-200(A)(16)(b)(i) of the Zoning Ordinance, 0.75 parking spaces are required per 1,000 square feet of floor area for a day care center use located outside the City's Enhance Transit Area. The 4,235 square foot day care center is therefore required to provide a minimum of five off-street parking spaces. The applicant satisfies this requirement with the provision of 18 off-street parking spaces at the surface parking lot located at the subject site.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff also informed the Del Ray Citizens Association about the current application. Staff has not received any comments from community groups, residents, or adjacent businesses regarding this application.

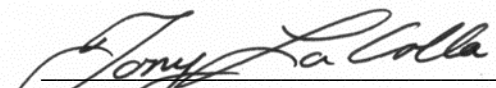
Staff Action

Staff does not object to the applicant's request which is eligible for minor amendment approval pursuant to Section 11-511(A)(2) of the Zoning Ordinance. The proposed change to Condition #2 represents a small increase of 8.3% to the current permitted capacity for its preschool and school aged child programs, which staff believes will not have any impacts on the existing uses located at the subject site nor impact the use of neighboring properties. Condition #4, which was added by City Council to address community concerns regarding potential noise impacts, will remain unchanged. However, Condition #15 has been amended and Conditions #16, #17, and #18 have been added to reflect current standard Special Use Permit conditions.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 4/22/2022
Action: Approved



Tony LaColla, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2022-00013

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 to public hearing by the Planning Commission and City Council.

1. All pick-up and delivery of children by automotive vehicles shall be done from within the off-street parking area located at 100 E. Windsor Avenue and the parents or staff shall be required to escort children either into or out of the center for pick-up or delivery. (P&Z) (SUP2001-00137)
2. **CONDITION AMENDED BY STAFF:** No more than 65 children are permitted to attend the Toddler Pre-School Program. No more than 15 children are permitted to attend the Before School Program for children ages six to twelve during the school year. No more than ~~56~~5 children are permitted to attend the After School Program for children ages six to twelve during the school year. No more than 60 children are permitted to attend the Day Camp Program held during the summer. (P&Z) (~~SUP2013-00061~~)
3. The designated play areas shall be fenced to the satisfaction of the Director of the Department of Planning and Zoning. (P&Z) (SUP2001-00137)
4. No more than 45 children total shall be allowed outside in the on-site play areas at one time. (P&Z) (City Council) (SUP2001-00137)
5. The applicant shall keep children between ages zero and four on the same level as the exit discharge. (Fire) (SUP2013-00061)
6. 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) (SUP2001-00137)
7. The applicant shall obtain all licenses required by the Virginia State Department of Social Services, Division of Licensing Programs. (P&Z) (SUP2001-00137)
8. Condition satisfied and deleted by staff.
9. The applicant shall screen the dumpster located on the subject property to the satisfaction of the Director of the Department of Planning and Zoning. (P&Z) (SUP2001-00137)

10. The applicant shall provide and maintain in good condition landscaping to screen the parking lot and the play area per the City of Alexandria's Landscape Guidelines (adopted 1998) and to the satisfaction of the Director of the Department of Planning and Zoning. (PC) (SUP2001-00137)
11. The hours of operation shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday. (P&Z) (SUP2001-00137)
12. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit twelve months after operation 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, (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) (City Council) (~~SUP2013-00061~~)
13. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES) (SUP2013-00061)
14. 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) (SUP2013-00061)
15. **CONDITION AMENDED 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 picked up at least once a day and at the close of business, and more often, if necessary, to prevent an unsightly or unsanitary accumulation, once each day that the business is open to the public. (T&ES) (~~SUP2013-00061~~)
16. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
17. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
18. **CONDITION ADDED BY STAFF:** The applicant shall encourage patrons to park off-street through the provision of information about nearby garages or lots in the business' advertising and website. (T&ES)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services

- R-1 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-2 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
- R-3 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
- R-4 The applicant shall encourage patrons to park off-street through the provision of information about nearby garages or lots in the business' advertising and website. (T&ES)
- R-5 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 at least once a day and at the close of business, and more often, if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (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, 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

C-1 Number of students shall not exceed occupant load capacity of existing space. (Code)

Recreation, Parks & Cultural Activities

No comments.

Health Department

No comments.

Police Department

No comments or concerns.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2022-00013. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the day care center at 100 East Windsor Avenue.

JH Smalley
Applicant - Signature

4/25/22
Date

Diane Smalley
Applicant - Printed

4/25/22
Date