

**SPECIAL USE PERMIT 18-04. Precious Moments Playhouse, Inc. - SUP Amendment
Staff Report for August 10, 2004, Board of Supervisors Meeting**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Planning Commission:
Board of Supervisors:

Building F Board Room; County Government Center

July 12, 2004, 7:00 p.m.
August 10, 2004, 7:00 p.m.

SUMMARY FACTS

Applicant:

Ms. Evangelina Crump, Child Care Center Administrator
Precious Moments Playhouse, Inc.

Land Owner:

Evangelina and Timothy Crump

Proposed Use:

Amend the existing special use permit (SUP) conditions to increase the number of allowable children enrolled in the child day-care from 15 to 30; and extend operating hours from 7 a.m. to 6 p.m. from the current hours of 7 a.m. to 5 p.m.

Location:

103 Indigo Terrace, Jamestown District

Tax Map/Parcel No.:

(38-4)(2-02)

Parcel Size:

.51 acres

Zoning:

R-2, General Residential

Comprehensive Plan:

Low-Density Residential

Primary Service Area:

Inside

STAFF RECOMMENDATION

Staff recommends the Board of Supervisors approve this SUP application with the conditions listed in the staff report replacing the existing conditions of SUP-4-80.

Staff Contact:

Karen Drake, Senior Planner

Phone: 253-6685

PLANNING COMMISSION RECOMMENDATION

On July 12, 2004, the Planning Commission voted 6-0 to recommend approval of this SUP.

Proposal Changes Made after Planning Commission Consideration

None.

PROJECT DESCRIPTION AND PROPOSED OPERATION

Ms. Crump has applied to amend the existing SUP to expand the number of allowable children enrolled at Precious Moments Playhouse, Inc., from 15 to 30 and to extend operating hours from 7 a.m. to 6 p.m. from the existing operating hours of 7 a.m. to 5 p.m. Precious Moments Playhouse, Inc., is located at 103 Indigo Terrace and is zoned R-2, General Residential. A SUP is required for a child day-care center on R-2 zoned property.

The James City County Board of Supervisors granted the original SUP-4-80 on September 6, 1980, that permitted the conversion of a portion of the existing house into a child day-care facility contingent on securing the necessary permits and building upgrades. A child day-care facility has operated continuously on the property since 1980 under different ownerships.

Ms. Crump purchased the property in March 2003 and began operating Precious Moments Playhouse, Inc., in July 2003. A relative of Ms. Crump currently lives in the front section of the house at 103 Indigo Terrace, which is accessed by a separate entrance, while the Playhouse occupies the remaining square footage as seen in the attached photographs. Precious Moments Playhouse, Inc., is regulated by the Virginia State Health Department for the kitchen facilities that are used for preparation of snacks only. There is existing playground equipment in the fenced backyard.

Currently, Precious Moments Playhouse, Inc., is licensed by the Virginia Department of Social Services for 15 children, ages 3 to 12 years with no more than five of those children in care under the age of 2½. A letter is attached from the Department of Social Services verifying that the existing child day-care facility where Precious Moments Playhouse, Inc., is located has been licensed in the past with various capacities of children under care, including more than 30 children. While a building expansion is not proposed, Ms. Crump must apply with James City County Code Compliance for a new certificate of occupancy for 30 children. The new certificate of occupancy would then be forwarded to the Department of Social Services. At this writing, Ms. Crump has submitted her request for a new certificate of occupancy to Code Compliance for review.

Ms. Crump wishes to expand the number of children to help maximize the student-teacher ratios and accommodate children currently on the waiting list. Ms. Crump proposes to use five child care slots to increase preschool enrollment, five child care slots to serve school-aged siblings of children already enrolled, and the remaining five slots to accommodate emergency drop-in and respite care services to families and local community service agency referrals. Ms. Crump wishes to extend operating hours to 6 p.m. so that if a parent is late picking up a child after work she will remain in compliance with the proposed SUP conditions.

There are currently four full-time employees and one part-time employee working at Precious Moments Playhouse, Inc., and this number of employees is not proposed to change. Adjacent neighbors support Ms. Crump's application as documented in the attached letter of support.

PUBLIC IMPACTS

Environmental Impacts: The Environmental Division has no comments.

Public Utilities: The site is served by public water and sewer.

Traffic: The traffic impact study requirement for this application was waived. The Virginia Department of Transportation (VDOT) commented that as proposed, the SUP should not have an adverse effect on current or future VDOT right-of-way. Staff concurs with VDOT and notes that due to schedules, children will be picked up or dropped off at varying times. Ms. Crump notes that schedules vary and that several children arrive together in carpools or with siblings.

COMPREHENSIVE PLAN

- ◆ Land Use Map Designation: Low-Density Residential.
 - **Staff Comments:** While child care establishments are not normally consistent with low-density residential development, staff acknowledges that a child day-care center has operated since 1980 at this site, which is relatively close to an arterial road.

CONCLUSIONS & CONDITIONS

On June 22, 2001, the Planning Commission recommended a policy on child day-care centers within neighborhoods. The policy states that if there are significant impacts on a neighborhood as a result of a child day-care center, staff shall recommend denial of any child day-care center. To staff's knowledge, no problems have arisen as a result of Precious Moments Playhouse, Inc., location within the Indigo Terrace subdivision. Also, State and County agencies do not oppose the SUP application. Staff notes that if this application is approved, this SUP with the new conditions would become more conforming to current standards and policies. Of note is Condition No. 3, which places a time limit on the permit in order to allow any future issues to be addressed if necessary. Staff, therefore, recommends the Board of Supervisors approve this special use permit application with the conditions included in the attached resolution that would replace the existing conditions of SUP-4-80.

Karen Drake

CONCUR:

O. Marvin Sowers, Jr.

KD/gs
sup-18-04amend

ATTACHMENTS:

1. Planning Commission Minutes (Unapproved)
2. Location Map
3. Photographs of Precious Moments Playhouse, Inc., June 2004
4. Letter from the Department of Social Services
5. Letter of support from neighbors
6. James City County Planning Commission's Policy Committee: Child Day-Care Centers located in the Interior of Residential Neighborhoods, June 22, 2001
7. Resolution