

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 #2024-00031

Approved by Planning and Zoning: May 23, 2024

Permission is hereby granted to: Miryam M. Galarza

to use the premises located at: 4507 Venable 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.

May 23, 2024

Date

Karl Moritz (by T. LaColla)

Karl Moritz, Director
Department of Planning and Zoning

DATE: May 23, 2024

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

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

SUBJECT: Special Use Permit #2024-00031
Administrative Review for New Use
Site Use: Childcare Home for Six to Nine Children
Applicant: Miryam M. Galarza
Location: 4507 Venable Avenue
Zone: R-2-5/Residential

Request

Special Use Permit #2024-00031 is a request to operate an approximately 1,633 square foot childcare home at 4507 Venable Avenue. The applicant will offer childcare services for up to nine children, including any current or future resident children under the age of 12, during the proposed operational hours of 7 a.m. to 6 p.m., Monday through Friday. The childcare home will provide approximately 750 square feet of fenced outdoor play area for the children which is in the rear yard of the property. The proposed pick-up and drop off configuration would have the children picked-up and dropped off either in the dwelling’s driveway or on-street immediately in front of the residence with parents walking their child to and from the home and their vehicles.

Background

The use will be located within a single-family detached dwelling in the Seminary Hill/ Strawberry Hill neighborhood. The subject property has been developed with a detached single-unit dwelling since 1953.

Parking

Pursuant to Section 8-200(A)(1) of the Zoning Ordinance, a single-unit dwelling located within the Enhanced Transit Area is not required to provide parking spaces. The applicant exceeds this requirement by providing two parking spaces in the driveway located in their front yard.

Community Outreach

Public notice was provided through eNews, via the City’s website, and by posting a placard on the site. In addition, the Wakefield Tarleton Civic Association was sent an e-mail with information about the current application. Staff received no comments or concerns regarding the request.

Staff Action

Staff supports the applicant’s request for a childcare home at this location. Pursuant to Section 11-513(R) (3), the outdoor play area at the rear of the home exceeds the requirement of 75 square feet

per child over the age two. In addition, the pick-up and drop off plan allows for the safe transfer of children and would not impact traffic flow in this residential neighborhood.

In order to mitigate any potential issues resulting from the childcare home operations at the subject site, Staff has included standard Special Use Permit conditions for the operation of the use.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: May 23, 2024

Action: Approve


Tony LaColla, Land Use Services Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2024-00031

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. 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. The applicant shall obtain all required state, federal and local licenses and certificates prior to operation (P&Z)
3. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z)
4. The applicant shall control odors, smoke and any other air pollutants from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (P&Z)
5. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (P&Z)
6. 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. (P&Z)
7. The applicant shall require its employees who drive to use off-street parking. (P&Z)
8. 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. (P&Z)
9. 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. (P&Z)
10. 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. (P&Z)

11. The Director of Planning and Zoning shall review the Special Use Permit one year after it has been operational, and then again every three years for compliance with all conditions and may docket the matter for consideration by the planning commission and city council if 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; or the director has determined that new or revised conditions are needed to offset land use impacts not addressed in the City Code. (P&Z)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

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. (T&ES)

Code Enforcement:

C-1 Per VCC sec. 313.3 Family day homes. Family day homes registered or licensed by the Virginia Department of Education shall be classified as Group R-2, R-3, or R-5. For caring over 5 children, family day home children Care shall be registered or licensed by the VDOE.

Community & Human Services, Early Childhood Division

F-1 A site visit was conducted on 5/17/2024. This dwelling is a two-level single-family home with three bedrooms, and two full bathrooms. The entrance of the home is on the ground level and serves as the main area utilized for childcare purposes. This space once served as a living and dining room but has been redesigned for childcare purposes. This area also has a full kitchen for meal preparation. The bedrooms and bathrooms are located on the second level. The main entrance and second level to the home are separated by a short staircase. A bathroom on the second level, located at the top of the short staircase is utilized by the children for toileting and handwashing. The ground level front entrance is where children are dropped off and picked up. This door also serves as one of the two emergency exits. The second exit located at the back of the home, is also on the ground level, accessible through the kitchen. This door leads to a fenced in yard relatively large.

The main childcare area has many windows to allow in natural sunlight. The restroom at the top of the short staircase is easily accessible to the main child-care area. The bathroom is properly equipped with a child safe stepstool for use during hand washing and offers a child size safety toilet seat cover, as well as a training toilet. The staircase has a safety gate that serves as a barrier to children accessing the stairs. The kitchen also has a safety gate to prevent children from accessing the kitchen.

Ms. Galarza has decorated the play area with an awesome educational theme that is bright and colorful. There is a play table that is utilized for eating and creative activities. The walls are decorated with various posters that promote learning, such as ABC's, 123's and days of the week. The set up offers a variety of activities that promote learning and creativity for all ages in care. These stations are easily accessible at children's eye level. There are 3 cribs that meet crib safety standards. There are also 3 sleep mats that are utilized for napping for children 19 mos. to 5 years old. The play table is moved at sleep time which allows the proper floor spacing that is required between mats. The changing table for diapering has the proper covering and is located a good distance from the food

preparation area. Children's personal belongings are stored in a designated cubby space. Ms. Galarza currently has 5 children enrolled, 2 infants, 1 toddler and two preschoolers.

The home was found clean, free of clutter and meets health and safety standards. All cabinets have safety locks in the kitchen, doors have safety knob covers and sockets in all areas of the main child-care space are covered. The trashcans located in the bathroom and the kitchen area are equipped with a foot pedal for proper sanitation use. The bathroom does not have any items stored that are hazardous, only the necessary items for hand washing and toileting are present. The main area offers 2 exits in the event of the need to evacuate during an emergency as mentioned. A fire evacuation plan and an emergency preparedness plan are in place. Ms. Galarza has the proper items required in the event there is a weather-related emergency or need for evacuation. The home has a battery-operated radio, flashlight, and a fully packed emergency preparedness bag. All smoke alarms and carbon monoxide detectors are in working order and are checked yearly by Fire and Code Enforcement. Fire extinguisher is in proper working order. First Aid Kit is fully stocked. Ms. Galarza is following the proper protocol and standards for cleaning and use of supplies as it pertains to current CCD, City and State requirements for COVID-19. The back door that leads to a fenced in back yard offers plenty of outdoor space for play. The yard is clean and safe. A nearby playground located at Brenman is also utilized for outdoor activity and is within safe walking distance. The entire home and space for childcare purposes was found to be very well kept, clean and organized with sufficient space to care for up to 7, but no more than 9 children, which requires an assistant.

Ms. Galarza's operational hours are M-F 7am to 5pm. Her program offers services to children ages 2mo's to 12 years old. The provider has hired an assistant to help her with the operations of her childcare business. Her assistant was present during the site visit. Ms. Galarza reports that The Virginia Department of Licensing and Licensing inspector approved of this assistant who has adhered to State Licensing's approval process.

Approval recommended for Ms. Miryam M. Galarza's special use permit allows care for up to (7- 9) non-resident children, pending compliance with other departments recommendations and subject to licensing, registration requirements and other limitations of local and state regulations. Applicant does not have any residential children under the age of 12, which would lower the capacity. Ms. Velasco must maintain an assistant for the number of children and ages she plans to provide care for..

Parks and Recreation:

No comments received

Police Department:

No comments received

Health Department:

C-1 2022 FDA Food Code 1-201.10

(3) "Food establishment" does not include:

(f) A kitchen in a private home, such as a small family daycare provider; or a bed-and-breakfast operation that prepares and offers FOOD to guests if the home is owner occupied, the number of available guest bedrooms does not exceed 6, breakfast is the only meal offered, the number of guests served does not exceed 18, and the CONSUMER is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the FOOD is prepared in a kitchen that is not regulated and inspected by the REGULATORY AUTHORITY

Fire Department:

C-1 A fire prevention permit will be required for this use.


Application can be accessed online at:

www.alexandriava.gov/fire-department/the-fire-marshals-office.

F-1 A State License is required for this use.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2024-00031. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the child care home at 4507 Venable Avenue.



Applicant Signature

05/24/24
Date

MIRYAM GALARZA
Applicant – Printed

05/24/24
Date