

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 #2024-00049

Approved by Planning and Zoning: August 16, 2024

Permission is hereby granted to: Sandra Berganza

to use the premises located at: 2500 North Van Dorn 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.

August 16, 2024

Date

Karl Moritz (by T. LaColla)

Karl Moritz, Director
Department of Planning and Zoning

DATE: August 16, 2024

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 #2024-00049
Administrative Review for Change of Ownership
Site Use: Day Care Center
Applicant: Sandra Berganza
Location: 2500 North Van Dorn Street
Zone: RC/High Density Apartment

Request

Special Use Permit #2024-00049 is a request to change the ownership of a day care center at 2500 North Van Dorn Street from Zuleima L. Villa to Sandra Berganza. The applicant will continue to operate the day care center as Our First Steps, use the same approved pick-up and drop off plan, and will continue to care for a maximum of 60 children between the ages of three months and five years old. No additional changes to the operation of the business are planned.

Background

The Fort Ward Towers apartment building, the original name for the complex, was constructed in 1965 on the subject parcel. In June 1983, City Council approved SUP #1580 for the conversion of the apartments to condominiums which were served by 552 parking spaces located in a surface lot and parking garage in the C-2 zone. A retail grocery operated in the ground level commercial space for over 20 years. In 1992, the site was rezoned to RC/ High Density Apartment as part of the City wide rezoning efforts. Most recently, in October 2019, City Council approved Special Use Permit #2019-00043 to allow the applicant, Zuleima L. Villa, to operate a day care center for 60 children in a 2,160 square foot commercial tenant space on the ground floor of the building.

In April 2023, the previous business owner was issued a citation notice due to a violation of Condition #4 requiring the operation to obtain all required licenses and certificates prior to opening the day care center and a state license had not been obtained. The applicant subsequently gained the state license approval and no other condition violations have been observed.

Parking

Section 8-200(A)(16)(b) requires day care centers outside of the enhanced transit area to provide a minimum of 0.75 parking spaces per 1,000 square feet of floor area the use occupies. The applicant, therefore, is required to provide a minimum of three parking spaces and may use up to 12 spaces for a 2,160 square-foot tenant space. The applicant provides a total of seven parking spaces which satisfies the Zoning Ordinance requirements. The seven parking spaces would accommodate employee parking and the pick-up and drop off of children.

Community Outreach

Public notice was provided through the City's eNews, via the City's website, and by posting a placard at the site. The subject site does not lie within the boundaries of any Civic Association, so none were provided a notice of the request. Staff has received no public comments regarding the request.

Staff Action

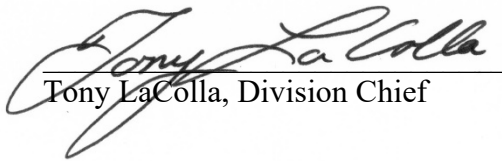
Staff does not object to the request for a change of ownership for the day care center as it provides an amenity for the residents of the condominium complex and a valuable service for others in the vicinity. Conditions have been carried over from the previous SUP approval. Condition #6 has been amended to include the approved pick-up and drop off plan.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: August 16, 2024

Action: Approved


Tony LaColla, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2024-00049

The new 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 business or entity in which the applicant has controlling interest. (P&Z) (SUP #2019-00043)
2. The hours of operation for the day care operation shall be limited to 7 a.m. to 6 p.m., Monday through Friday. (P&Z) (SUP #2019-00043)
3. The maximum number of children permitted at the facility is limited to 60 at any one time. (P&Z) (SUP #2019-00043)
4. The facility shall obtain all required state, federal and local licenses and certificates prior to opening the day care center. (P&Z) (SUP #2019-00043)
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. The applicant shall also inform parents, as part of parent orientations and as annual reminders, of all applicable Special Use Permit provisions and of the pick-up and drop off requirements, including the location of the designated parking spaces. (P&Z) (SUP #2019-00043)
6. **CONDITION AMENDED BY STAFF:** The applicant shall provide adequate drop off and pick-up facilities, consistent with its proposed plan: The peak drop-off hours would be from 7 – 9 a.m. and the peak pick-up hours would be from 3 – 6 p.m. Parents would enter the Park Place Condominium parking lot from either the west or the east entrance and park in one of the three parking spaces, designated for the center use between 7 a.m. and 6 p.m. in front of the tenant space. Parents of younger children would walk them to and from the day care center while staff would escort older children at the pick-up and drop off area to and from the center. Parents would exit the parking lot through either of the two entrances along North Van Dorn Street. The transfer of children shall not occur in the public right-of-way. The Director of Planning and Zoning reserves the right to revisit this agreement and may impose amended or additional requirements to ensure that adequate pick-up and drop off facilities are maintained. (P&Z) (SUP #2019-00043)
7. The applicant shall apply to the Department of Recreation to establish times and schedules to use Fort Ward Park. Permission will be granted to the Applicant with a written agreement between the Department of Recreation and the Applicant. (RPCA) (SUP #2019-00043)
8. Condition deleted. (CC)
9. The applicant shall control odors, smoke and any other air pollution 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.

(T&ES) (SUP #2019-00043)

10. 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 #2019-00043)
11. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2019-00043)
12. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2019-00043)
13. 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) (SUP #2019-00043)
14. 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) (SUP #2019-00043)
15. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, 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)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2024-00049. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the day care center at 2500 North Van Dorn Street.

Sandra Berganza
Applicant - Signature

09/21/2024
Date

Sandra Berganza
Applicant – Printed

09/21/2024
Date