



*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 #2022-00010  
Approved by Planning and Zoning: May 11, 2022  
Permission is hereby granted to: Jamila Shah  
to use the premises located at: 5353 Truman 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 11, 2022

*Karl Moritz* (by Patrick C. Silva)

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Date

Karl Moritz, Director  
Department of Planning and Zoning

DATE: May 11, 2022

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 #2022-00010  
Administrative Review for New Use  
Site Use: Child Care Home for Six to Nine Children  
Applicant: Jamila Shah  
Location: 5353 Truman Avenue  
Zone: R-5/Single-family

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**Request**

Special Use Permit #2022-00010 is a request to operate an approximately 1,444 square foot child care home at 5353 Truman Avenue. The childcare home will offer its services for six to nine, including resident children under the age of 12, during the proposed operational hours of 8 a.m. to 4 p.m., Monday through Friday. The child care home will provide approximately 2,000 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 in the dwelling's driveway with parents walking their child to and from the home and their vehicles. The driveway located at the subject site will remain clear of resident vehicles while pick-up and drop-off operations occur. Pick-up and drop-off may not occur on-street, as on-street parking is prohibited 8 a.m. to 5 p.m., Monday to Friday, and 12 a.m. to 6 a.m., every day except holidays.

**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 single-family detached dwelling since 1958.

**Parking**

Pursuant to Section 8-200(A)(1) of the Zoning Ordinance, a single-family dwelling is required to provide two parking spaces. The applicant meets 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 Brookville-Seminary Valley Civic Association was sent an e-mail with information about the current application.

Staff received a comment from a neighbor of the subject property who expressed concerns

regarding the request due to a child care home currently operating out of the residence at 5355 Truman Avenue. The neighbor expressed concerns regarding potential impacts of two child care homes operating side by side and requested that the current application be docketed for consideration at the public hearings of the Planning Commission and City Council. However, upon review of the request by the Director of Planning & Zoning, it was determined that due to the fact that Planning & Zoning has received no resident complaints related to child care homes over the course of the past eight years the quality of life impacts potentially associated with child care homes of six to nine children can be adequately addressed through administrative Special Use Permit conditions and the City Code and, therefore, would not rise to the level requiring Planning Commission and City Council public hearing reviews. Staff received no other comments or concerns.

**Staff Action**

Staff supports the applicant’s request for a child care 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 for nine children over 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 11, 2022  
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 #2022-00010**

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) (T&ES)
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. (T&ES)
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. (T&ES)
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. (T&ES)
7. The applicant shall require its employees who drive to use off-street parking. (T&ES)
8. 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)

## CITY DEPARTMENT COMMENTS

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

### Transportation & Environmental Services:

- R-1 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) (T&ES)
  
- R-2 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. (T&ES)
  
- R-3 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. (T&ES)
  
- R-4 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)
  
- R-5 The applicant shall require its employees who drive to use off-street parking. (T&ES)
  
- R-6 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](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (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:

- C-1 The review by Code Administration is a preliminary review only. If the applicant files for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Lei Fei, Plan Reviewer at [lei.fei@alexandriava.gov](mailto:lei.fei@alexandriava.gov) or 703-746-4200.
- C-2 A manual fire alarm is required per VCC Sec. 907.2.6.
- C-3 If building alterations take place, building and trades permits are required for this project. Construction documents that fully detail the construction as well as layout and schematics of the mechanical, electrical, and plumbing systems shall accompany the permit application(s). If a design professional prepares drawings for the project the plans must bear the seal of the design professional in accordance with the Code of Virginia Section 54.1-410B.
- C-4 Any alterations to the existing structure and/or installation of equipment requires construction/alteration permits. Architectural quality drawings shall accompany the permit applications that fully detail the construction/alteration as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Any proposed future alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-8 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.

Community & Human Services, Early Childhood Division

- F-1 Site visit to Jamila Shah home was conducted on May 10, 2022. This house is a two-level single home with three bedrooms, and two full bathrooms; one bathroom is on the main level, and one is in the basement. The basement will not be used for child-care services since it is rented to a family of 3 (2 adults, and an infant). The entrance of the home is located on the main level, which has access to the kitchen, and living room/dining room area. On the right side of the kitchen, there is a second living room, and the childcare area space which is nicely set up. She has a crib in the childcare area.

The childcare space has a sliding glass door that leads to a back patio and backyard that is large, and all fenced around the property.

The full bathroom is located in the hallway by the bedrooms on the main level. It will also be used for the children in care. Ms. Jamila has a stepstool to be used in the bathroom for hand washing, and toilet use. The kitchen also has a protective door to prevent children from accessing the kitchen. Ms. Jamila has equipped the childcare area well with educational toys. There is a play table that will be utilized for eating and creative activities.

The childcare area has a variety of educational toys that promote learning and creativity for all ages in care. These stations are easily accessible to the children. The space has one crib that meets the safety standards. Ms. Jamila will be using the second living room as the sleeping area. She has a closet in the main level to be used for the children belongings.

The home was found clean, free of clutter and meets health and safety standards. The children will not have access to the kitchen since there is a door that can be closed to prevent access to the kitchen and other parts of the house unless Ms. Jamila take a child to use the bathroom. The outlets are all covers in every area. The bathroom does not have any items stored that are hazardous, only the necessary items for hand washing and toileting are present. In the main living room, there is also a sliding glass door that leads to the back yard which is all fenced. The main area offers 3 exits in the event that there is a need to evacuate during an emergency. The backyard offers plenty of outdoor space for play. The yard is clean and safe. The home has enough space to care for up to 7, but no more than 9 children. The home is very well organized.

Approval recommended for Ms. Jamila Shah's special use permit to allow 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 has three children of her own (10, 8 and 4-year-old), and the family renting the basement has an infant. Ms. Shah must maintain an assistant if she wants to care for more than five children.

Parks and Recreation:

No comments.

Police Department:

No comments received.

Fire:

C-1 This use may require a fire prevention permit and a manual fire alarm system.



STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2022-00010. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the child care home at 5353 Truman Avenue.

Jamila  
Applicant - Signature

05/17/22  
Date

Jamila Shah  
Applicant - Printed

05/17/22  
Date