



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 #2019-0056
Approved by Planning and Zoning: July 12, 2019
Permission is hereby granted to: Vanessa Gutierrez
to use the premises located at: 5107 Sutton Place
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.

7/12/2019
Date

Karl Moritz (by JLR)
Karl Moritz, Director
Department of Planning and Zoning

DATE: July 12, 2019

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

FROM: Max Ewart, Planner 1, Land Use Services
Department of Planning and Zoning

SUBJECT: Special Use Permit #2019-0055
Administrative Review for New Use
Site Use: Child Care, Home
Applicant: Vanessa Gutierrez
Location: 5107 Sutton Place
Zone: R-8/Residential Zone

Request

Special Use Permit #2019-0055 is a request to operate a child care home operation at 5107 Sutton Place. The applicant is proposing to operate seven days a week and 23 hours a day to accommodate parents who work overnight. The applicant would care for up to nine children, ages three months – 12 years old. The child care operation would operate in two shifts. The first shift would have a drop-off time of 7:30 – 8:30 a.m. and pick-up would occur from 4 – 5 p.m. The second shift drop-off would be from 6 – 6:30 p.m. and pick-up would be from 6 – 6:30 a.m. Three staff members, the applicant, her husband and one additional staff member, would be available for each shift.

The applicant would require parents to use the on-site driveway in front of the house for pick-up and drop-off. The applicant would use the rear yard and nearby Holmes Run Park for outdoor play areas.

Elements of the proposal include:

	Shift 1	Shift 2
Drop-off	7:30 – 8:30 a.m.	6 – 6:30 p.m.
Pick-up	4 – 5 p.m.	6 – 6:30 a.m.
Staff members	Three	Two
Play Area	The applicant has a fenced in backyard that is approximately 3,100 square feet.	
Parking and pick-up and drop off	On-site driveway and along Sutton Place in front of the subject site.	

Parking

The Zoning Ordinance does not require parking for child care homes in addition to the residential requirement. The applicant thus meets the parking requirement.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Brookeville-Seminary Valley Civic Association was sent an email notification of the current application. Staff did not receive any comments regarding the application.

Staff Action

Staff supports the applicant's request to operate an in-home child care operation with up to nine children at this location. The applicant has been operating the child care operation for five children, a permitted use in the R-8 Zone, with similar hours of operation and there have been no complaints or violations. A minimum of 75 square feet of outdoor play area on the lot must be provided for each child above the age of two. The applicant would be caring for four children above the age of two and is required to provide 300 square feet of fenced in play area. The 3,100-square foot fenced in rear yard satisfies the play area requirement.

As the subject site is located in a neighborhood where residents park in driveways and not on-street, the one staff member and parents can use on-street parking without causing parking impacts. Condition #5 requires staff members to be available to assist with pick-up and drop-off if parking in the applicant's driveway is not available.

Staff supports the two-shift, 23-hour operation proposal as it gives the opportunity for parents who work overnight to have a child care option that accommodates their schedules. Staff has included standard conditions for this use in the report in the SUP report including Condition #5 requiring clients to refrain from honking or idling for more than five minutes during child pick-up and drop-off.

Staff hereby approves this special use permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: July 12, 2019

Action: Approved



Tony LaColla, AICP, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2019-0055

The applicant 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 maximum number of children, including any resident children under the age of 12, that may be cared for in the home shall be nine. (P&Z)
3. The applicant shall care for children for no more than 23 continuous hours. (P&Z)
4. The child care home provider must obtain all necessary licenses from the Virginia Department of Social Services. (P&Z)
5. The applicant or an assistant must be available to escort children to and from the parents' cars in the event that parking is not available in the applicant's driveway. (P&Z)
6. As part of the service contract with his/her clients, the applicant shall request that no car honking and/or idling for more than 5 minutes be allowed during children drop-off and pick-up. (T&ES)
7. All loudspeakers shall be prohibited from the exterior of the building. (T&ES)
8. The applicant shall comply with the City of Alexandria's Noise Control Code. (T&ES)
9. 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)
10. 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)
11. 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)

12. 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 As part of the service contract with his/her clients, the applicant shall request that no car honking and/or idling for more than 5 minutes be allowed during children drop-off and pick-up. (T&ES)

- R-2 All loudspeakers shall be prohibited from the exterior of the building. (T&ES)

- R-3 The applicant shall comply with the City of Alexandria's Noise Control Code. (T&ES)

- R-4 The applicant shall require its employees who drive to use off-street parking. (T&ES)

- R-5 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-6 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-7 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 a 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)

Department of Community and Human Services, Early Childhood Division

A site visit was conducted on June 28, 2019 to Ms. Gutierrez's home. She is a State Licensed provider with a capacity for five (5) children but is seeking zoning approval to increase her capacity to nine (9) children. Ms. Gutierrez is living in a two-level single family home (located at 5107 Sutton Place, Alexandria, VA 22304) with her husband and her two sons.

The home consists of two levels. On the first level, the house has a kitchen, with the dining room/living room located to the left of the kitchen. On the right side, there is the master bedroom with a private bathroom and two other bedrooms and a full bathroom in the hallway. In addition, on the first level the house has a back porch with a door that accesses the outside yard, which is all fenced in. Also, the exterior A/C unit has a fence around it.

Ms. Gutierrez is using part of the basement for her child care business. The basement has a door leading to the back yard. The child care area is spacious and is very child friendly. She has two small tables with chairs for the children to eat and to do activities. The child care area has the necessary equipment and toys for the different age groups. There is also a sleeping area with cribs and cots. Next to the child care area, she has a small kitchen with a refrigerator and a microwave. All the permits and other certificates are posted on the kitchen wall. There is a full bathroom in the basement as well for the children to use while in care. All the outlets are covered as recommended by the regulations.

The parents have the option of using the main level front door of the home or they can use the basement for dropping off and picking up the children. The home is very clean, neat and organized. The home appears to be safe for the children.

Code Enforcement:

No comments received.

Health Department:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

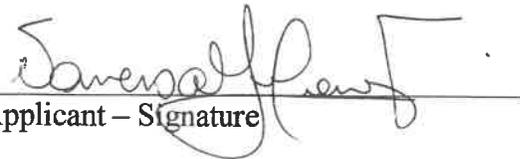
No comments received.

Fire:

No comments received.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0055. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a child care home use at 5107 Sutton Place.


Applicant – Signature

7/17/2019
Date

Vanessa Gutierrez
Applicant – Printed

7/17/2019
Date

