

***Special Use Permit #2021-00011***  
***3649 Wheeler Avenue***  
***Heritage Montessori School***

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Application	General Data	
<b>Request:</b> Public hearing and consideration of a request for a Special Use Permit to operate a private academic school with over 20 students	<b>Planning Commission Hearing:</b>	May 4, 2021
	<b>City Council Hearing:</b>	May 15, 2021
<b>Address:</b> 3649 Wheeler Avenue	<b>Zone:</b>	CSL/Commercial service low
<b>Applicant:</b> Heritage Montessori Day & Preschool LLC	<b>Small Area Plan:</b>	Seminary Hill/Strawberry Hill

**Staff Recommendation:** APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

**Staff Reviewer:** Ann Horowitz, [ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)  
Rachel Drescher, [rachel.drescher@alexandriava.gov](mailto:rachel.drescher@alexandriava.gov)

**PLANNING COMMISSION ACTION, MAY 4, 2021:** On a motion by Commissioner McMahon, seconded by Commissioner Lyle, the Planning Commission moved to recommended approval of Special Use Permit #2021-00011 with the change to condition #4 and to all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 6-0-1, with Commissioner Brown abstaining.

Reason: The Planning Commission agreed with the staff analysis.

Commissioner Brown had inquired about the suitability of using of Early Street Park by the proposed school. Staff explained this is reviewed by the Department of Recreation, Parks, and Cultural Activities and not in the scope of the Special Use Permit.

Commissioner Brown had inquired about egress and ingress into the building. Staff explained building safety is reviewed during the building permit process by Code Administration, and not in the scope of the Special Use Permit.

Commissioner Brown had inquired about whether there should be a maximum enrollment number. Staff explained enrollment is based on the pick-up and drop-off plan and by the Department of Social Services. If enrollment were to increase, the pick-up and drop-off plan would be re-evaluated.

Commissioner Brown had inquired about whether refrigeration was required for drinks brought by students. Staff explained this is regulated by the Health Department.

Commissioner Brown stated he felt the application was not well documented, there is not a play area on the site, and did not feel the business would succeed at this location, thus does not promote the general welfare of the community.

Chair Macek responded that there are various departments and state requirements that regulate uses, and the role of the Planning Commission is to regulate the land impacts of the use on the neighboring properties. It is not their role to evaluate the success of the business. As to the location of the play area, there are other childcare facilities in the city that use off-site locations for this purpose, and the change in location was a result of the applicant working with the city to find an appropriate location.

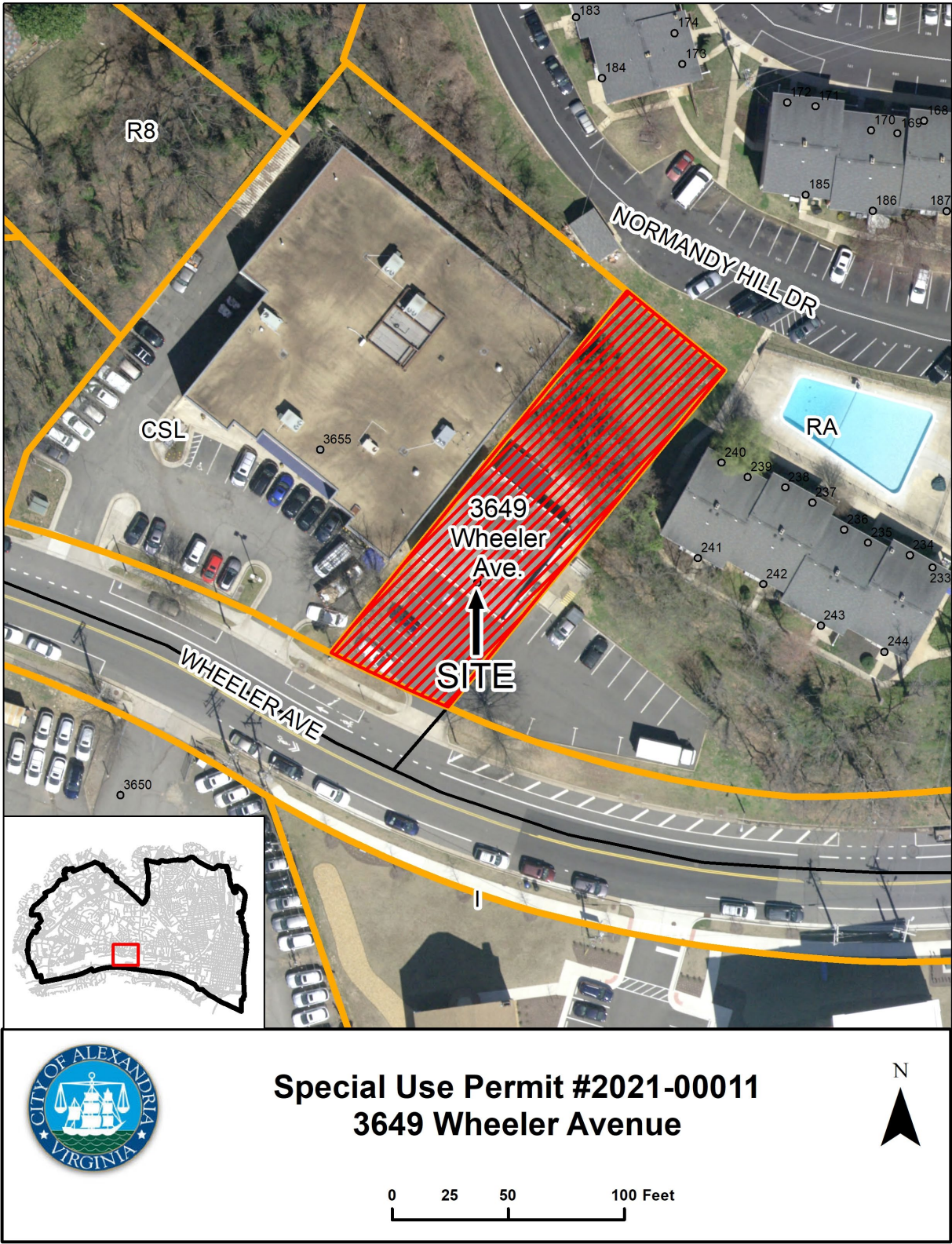
Chair Macek stated he was comfortable with this use at this location.

Vice Chair McMahon added that the City has a responsibility to provide common public facilities. Public parks and sidewalks should be available to all neighborhoods. It should not be the childcare's responsibility to provide these public facilities.

Commissioner Brown stated the safety of the children walking to a play area is a land use consideration and felt neutral about the proposed use at this location.

Speakers:

Rosemarie Davis and Dr. Charlottes Haynes, applicants, explained Montessori schools are a philosophy and method of teaching. There is no requirement to have a play area on-site. The applicants explained no food preparation would occur on-site because of Covid-19 regulations.



PROJECT LOCATION MAP



## I. REPORT SUMMARY

The applicant, Heritage Montessori Day & Preschool LLC, requests a Special Use Permit approval to operate a private academic school at 3649 Wheeler Avenue. Staff recommends approval of the Special Use Permit request with conditions as described in the report.

### SITE DESCRIPTION

The subject parcel is located at 3649 Wheeler Avenue, and includes approximately 53 feet of frontage along Wheeler Avenue, and 10,334 square feet in total lot area. The property is developed with a two-story building approximately 4,800 square feet of gross floor area and parking area. The parking lot is accessed off Wheeler Avenue.



*Figure 2 – Property from Wheeler Avenue*

Surrounding the subject site is a mix of industrial, residential, and commercial uses. Islamic Relief USA is located to the west of the subject site, residential townhomes are located to the north and east of the subject site, and storage facilities and a vehicle storage yard is located to the south of the subject site. The Alexandria City Police Department is located about 400 feet east of the site on Wheeler Avenue.

### BACKGROUND

Planning Commission approved Development Site Plan #85-002 in February of 1985. The application included approval for the construction of the existing building. The site plan was submitted to operate a furniture restoration and repair shop. The subject property was occupied by



this operation until last year when the space became vacant.

Staff approved a pick-up and drop off plan for a by-right day care center for 70 children of non-compulsory school age on March 1, 2021. The applicant would operate the existing day care establishment in conjunction with the subject of this SUP request, a private academic school. The letter of agreement for the existing day care center states that peak drop off times are 8 a.m. to 9 a.m. and peak pick-up times are from 4 p.m. to 5 p.m. Out of the 16 parking spaces available to the applicant, ten of the spaces are used for pick-up and drop off. After parking, the participants are walked to the main entrance by their guardian, where a staff member meets them at the front door. The agreement covers the day care center, and the application of this pick-up and drop off agreement to the private academic school is evaluated in the analysis section of this report.

### PROPOSAL

The applicant proposes to operate a Montessori school on the subject property. The applicant requests SUP approval of a private academic school use. The school use would occupy the entire building and serve 80 children of compulsory school age between kindergarten to 6<sup>th</sup> grade. There would be 15 employees on site.

Details of the applicant's proposed operation are:

<u>Hours of operation:</u>	8 a.m. to 5 p.m., Monday through Friday.
<u>Pick-up and Drop-off:</u>	8 a.m. to 9 a.m. and 4 p.m. to 5 p.m.
<u>Number of children:</u>	80 kindergarten to 6 <sup>th</sup> grade students
<u>Number of teachers:</u>	15 teachers
<u>Play area:</u>	Schuyler Hamilton Jones Skateboard Park with RPCA approval and in compliance with state requirements for private academic schools
<u>Deliveries:</u>	No regular deliveries expected
<u>Noise:</u>	Minimal noise is expected. Outdoor play will occur twice a day for 30-60 minutes per classroom at an off-site location
<u>Trash/Litter:</u>	Three large trash bags per day is expected to be collected once a week.

### PICK-UP AND DROP OFF PLAN

For transportation of the kindergarten through 6<sup>th</sup> grade students, the applicant proposes the same process as the pick-off and drop-off plan approved for the day care operation. Parents would enter the parking lot off Wheeler Avenue and park vehicles in one of the 10 parking spaces

reserved for pick-up and drop off. Parents would come to the front of the building to drop off and pick-up their children. Morning drop off would occur between 8 a.m. and 9 a.m. and afternoon pick-up would occur between 4 p.m. and 5 p.m.

### PARKING

Section 8-200 (A)(11) of the Zoning Ordinance requires that an elementary school provides one parking space for every 25 classroom seats and a day care within the enhanced transit area must provide 0.25 spaces for every 1000 square feet. The day care portion of the school uses 2,421 square feet of the building and the parking requirement is one space. With 80 students, the private academic school requires four parking spaces. The combined institution would be required to provide a total of five parking spaces. The existing 16-space parking lot meets and exceeds the minimum requirement.

### ZONING/ MASTER PLAN DESIGNATION

The subject site is located within the CSL / Commercial Service Low zone. Private academic school uses require SUP approval in this zone, pursuant to Section 4-303(V)

The proposed use is consistent with the area. The Seminary Hill/Strawberry Hill small area plan designates the parcel for industrial use, however, staff feels this use is transitionally compatible between the storage areas across Wheeler Avenue and the neighboring residential use and nonprofit organization.

## **II. STAFF ANALYSIS**

Staff supports the applicant's request for a Special Use Permit to allow a private academic school use at 3649 Wheeler Avenue.

Staff does not anticipate neighborhood impacts, given that commercial and industrial uses surround the proposed institution. Although there is a limited potential for traffic congestion on Wheeler Avenue during pick-up and drop off times, staff believes the reserved ten-space parking area and one-hour window at both times is sufficient to accommodate the morning and afternoon transfer of students for both the day care and school uses. Nonetheless, staff has included Condition #3 for the Director of Planning and Zoning to require revisions to the pick-up and drop off plan if traffic impacts result.

Staff has provided recommended conditions similar to other private educational uses. Recommended conditions #8 and #9 encourage patrons and employees to use alternative transportation such as Metro and bicycle. Recommended condition #8 requires that any odors be controlled to not bother surrounding users. Recommended condition #10 ensures that deliveries do not happen at night to ensure area residents are not affected by late night noise. Recommended condition #12 allows staff and the Planning Director to re-evaluate compliance with all conditions and determine if any negative externalities are provided from the subject use's operation to other surrounding uses that were not anticipated.

Subject to the conditions stated in Section III of this report, staff recommends approval of the applicant's Special Use Permit request.

### III. RECOMMENDED CONDITIONS

Staff recommends *approval* subject to compliance with all applicable codes and ordinances and the following conditions:

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)
2. 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. (P&Z)
3. The applicant shall comply with the drop-off and pick-up agreement signed on March 1, 2021. Drop-off and pick-up shall not occur on public rights-of-way. The applicant shall ensure that traffic does not back up onto Wheeler Avenue. The Director of Planning and Zoning reserves the right to revisit this agreement and may impose amended or additional requirements to ensure pick-up and drop-off facilities are maintained. (P&Z)
4. **CONDITION AMENDED BY PLANNING COMMISSION:** applicant shall apply to the Department of Recreation to establish times and schedules to use ~~Schuyler Hamilton Jones Skateboard Park~~ City parks. (P&Z) (PC)
5. All loudspeakers shall be prohibited from the exterior of the building. (T&ES)
6. Students outdoor (backyard) activities shall be conducted between 9 am and 5 pm. (T&ES)
7. The applicant shall require its employees who drive to use off-street parking. (T&ES)
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](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
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](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
10. 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 twice 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)
11. 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)

STAFF: Tony LaColla, AICP, Division Chief, Land Use Services  
Ann Horowitz, Principal Planner  
Rachel Drescher, Urban Planner

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 All loudspeakers shall be prohibited from the exterior of the building. (T&ES)
- R-2 Students outdoor (backyard) activities shall be conducted between 9 am and 5 pm. (T&ES)
- R-3 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-4 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)
- R-5 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](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
- R-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 twice 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](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:

No comments received

Fire:

No comments received

Health:

No comments received

Recreation, Parks & Cultural Activities:

No comments received

Police Department:

No comments received





## APPLICATION

# SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** \_\_\_\_\_

**PROPERTY LOCATION:** 3649 Wheeler Avenue, Alexandria, VA 22304

**TAX MAP REFERENCE:** 060.04-01-13 **ZONE:** CSL

**APPLICANT:**

**Name:** Heritage Montessori Day & Preschool LLC

**Address:** 625 East Monroe Avenue #148, Alexandria, VA 22301

**PROPOSED USE:** Private Academic School

- ☒ THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- ☒ THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Dr. Charlotte Haynes

Print Name of Applicant or Agent

625 East Monroe Avenue #148

Mailing/Street Address

Alexandria, VA 22301

City and State

Zip Code

Lo. Dany

Signature

2/2/2021

Date

(703) 313-1249

Telephone #

Fax #

heritagemontessorivaa@gmail.com

Email address

### PROPERTY OWNER'S AUTHORIZATION

As the property owner of \_\_\_\_\_, I hereby  
(Property Address)  
grant the applicant authorization to apply for the \_\_\_\_\_ use as  
(use)  
described in this application.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Please Print

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ Required floor plan and plot/site plan attached.

☐ Requesting a waiver. See attached written request.

2. The applicant is the (check one):

☐ Owner

☐ Contract Purchaser

☒ Lessee or

☐ Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent.

See page (3).

PROPERTY OWNER'S AUTHORIZATION

As the property owner, I hereby grant the applicant use of 3649 Wheeler Ave.  
(property address), for the purposes of operating a MONTessorI Dayr Preschool/Use  
business as described in this application. I also grant permission to the City of Alexandria to visit,  
inspect, photograph and post placard notice on my property.

Name: Agnes G. Spicer

Phone: 703-919-0897  
Steve Spicer

Address: 5714 Tremont Ct  
Alexandria, VA. 22303

Email:

Signature: Agnes G. Spicer

Date: Apr. 27, 2021

1. The applicant is the (check one):

Owner

Contract Purchaser Lessee or

Other:

of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner and the percent of ownership.

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

Yes. Provide proof of current City business license

No. The agent shall obtain a business license prior to filing application, if required by the City Code.



# OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Dr. Charlotte Haynes	625 East Monroe Ave. #148, Alexandria, VA 22301	50%
2. Ms. Rosemary Davis	625 East Monroe Ave. #148, Alexandria, VA 22301	50%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 3649 Wheeler Ave., Alexandria, VA 22304 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Agnes G. Spicer	5714 Tremont Ct. Alexandria, VA 22303	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Dr. Charlotte Haynes	None	None
2. Ms. Rosemary Davis	None	None
3. Agnes G. Spicer	None	None

**NOTE:** Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

2/2/2021  
Date

Dr. Charlotte Haynes  
Printed Name

[Signature]  
Signature

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☒ **Yes.** Provide proof of current City business license

☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

## NARRATIVE DESCRIPTION

**3.** The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

This request is for a preferred site for a Montessori school serving families with children ages 20 months to 12 years. This school will operate between 8:00 AM and 5:00 PM Monday through Friday. This school will operate throughout the year. We will be licensed for 150 children. 70 preschoolers and 80 children in grades K-6.

## USE CHARACTERISTICS

4. The proposed special use permit request is for (check one):

- ☒ a new use requiring a special use permit,  
☐ an expansion or change to an existing use without a special use permit,  
☐ an expansion or change to an existing use with a special use permit,  
☐ other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? 150 students  
Specify time period (i.e., day, hour, or shift).

Monday-Friday from 8:00 AM - 5:00 PM

B. How many employees, staff and other personnel do you expect? 15  
Specify time period (i.e., day, hour, or shift).

All staff work from 8:00 AM - 5:00 PM, Monday through Friday

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

Monday through Friday

Hours:

8:00 AM - 5:00 PM

7. Please describe any potential noise emanating from the proposed use.

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Anticipated noise from outdoor play.

B. How will the noise be controlled?

Noise from outdoor play limited to 30 mins to 1 hour per classroom twice-a-day. At all other times, children are inside.



8. Describe any potential odors emanating from the proposed use and plans to control them:

None

9. Please provide information regarding trash and litter generated by the use.

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

Disposables including food wrappers, utensils & office paper.

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

3 large trash bags per day.

- C. How often will trash be collected?

Once per week

- D. How will you prevent littering on the property, streets and nearby properties?

By encouraging children to put garbage in designated cans and recycling on a daily basis.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☐ Yes.

☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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12. What methods are proposed to ensure the safety of nearby residents, employees and patrons?

Fencing around proposed playground; Children will be supervised at all times; Parents will park in designated parking lot; Student drop-off at the front door.

### ALCOHOL SALES

13.

- A. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes ☒ No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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**PARKING AND ACCESS REQUIREMENTS**

**14.** A. How many parking spaces of each type are provided for the proposed use:

15 Standard spaces  
           Compact spaces  
1 Handicapped accessible spaces.  
           Other.

<p>Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A <u>          </u></p> <p>Does the application meet the requirement? [ ] Yes [ ] No</p>
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B. Where is required parking located? (*check one*)

☒ on-site  
☐ off-site

If the required parking will be located off-site, where will it be located?

\_\_\_\_\_

**PLEASE NOTE:** Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

☐ **Parking reduction requested; see attached supplemental form**

**15.** Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are available for the use?                                 

<p>Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 <u>          </u></p> <p>Does the application meet the requirement? [ ] Yes [ ] No</p>
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- B. Where are off-street loading facilities located? Not Applicable
- C. During what hours of the day do you expect loading/unloading operations to occur?  
Not Applicable
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
Not Applicable

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Yes. Street access is adequate.

## SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No
- Do you propose to construct an addition to the building? ☐ Yes ☒ No
- How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?

4843 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 4843 sq. ft. (total)

19. The proposed use is located in: (check one)

☒ a stand alone building  
☐ a house located in a residential zone  
☐ a warehouse  
☐ a shopping center. Please provide name of the center: \_\_\_\_\_  
☐ an office building. Please provide name of the building: \_\_\_\_\_  
☐ other. Please describe: \_\_\_\_\_

End of Application

Google Maps 3649 Wheeler Ave



Map data ©2021 200 ft



3649 Wheeler Ave

Alexandria, VA 22304  
Building



Directions



Save



Nearby



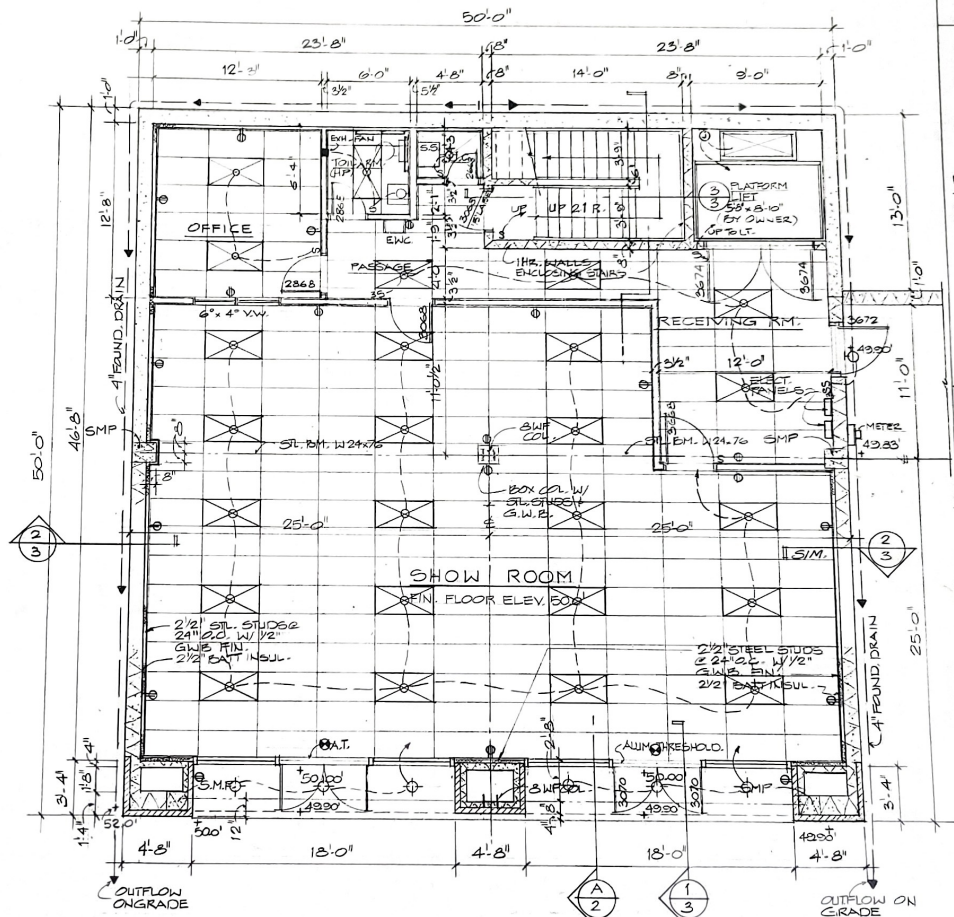
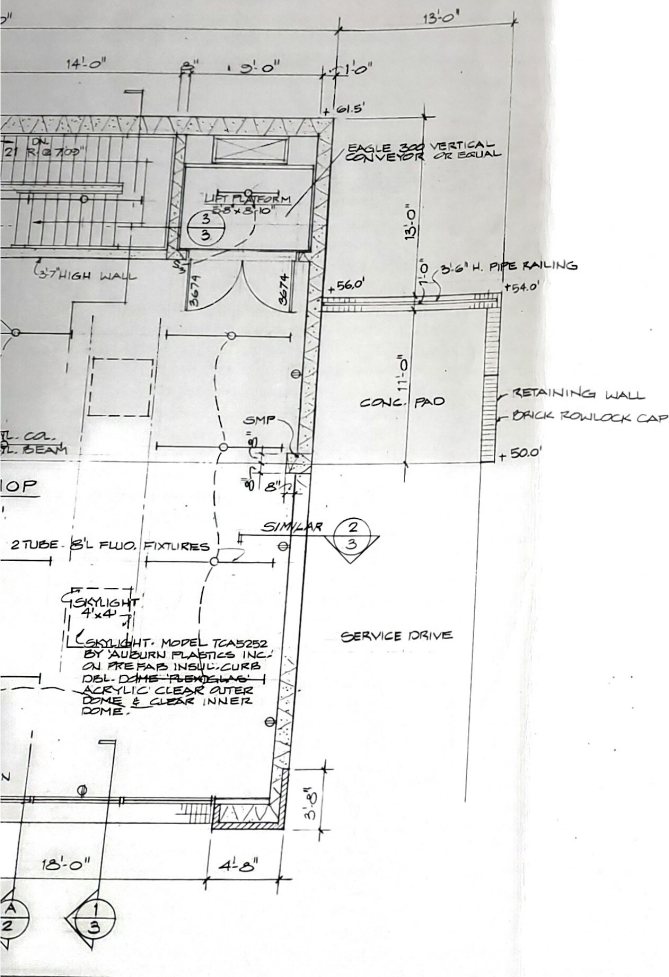
Send to your  
phone



Share

Photos





### FIRST FLOOR PLAN

$$\frac{3}{16}'' = 1'-0''$$

	FLOOR PLANS	NOTES
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SPICER'S UPHOLSTREY SHOP

3649 WHEELER AVENUE,  
ALEXANDRIA, VIRGINIA

3649 WHEELER KY 40361  
ALEXANDRIA, VIRGINIA

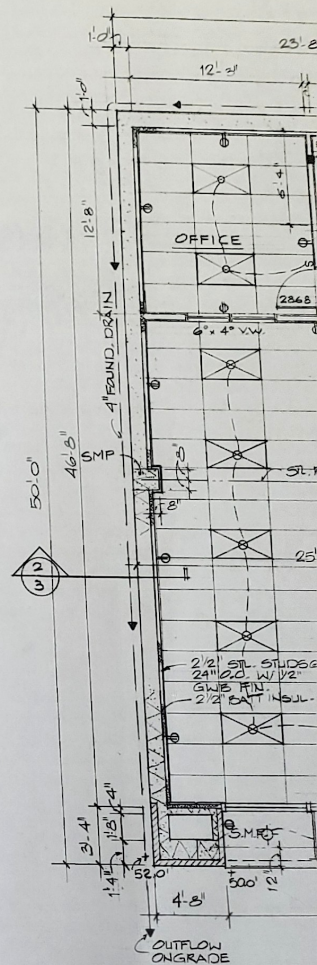
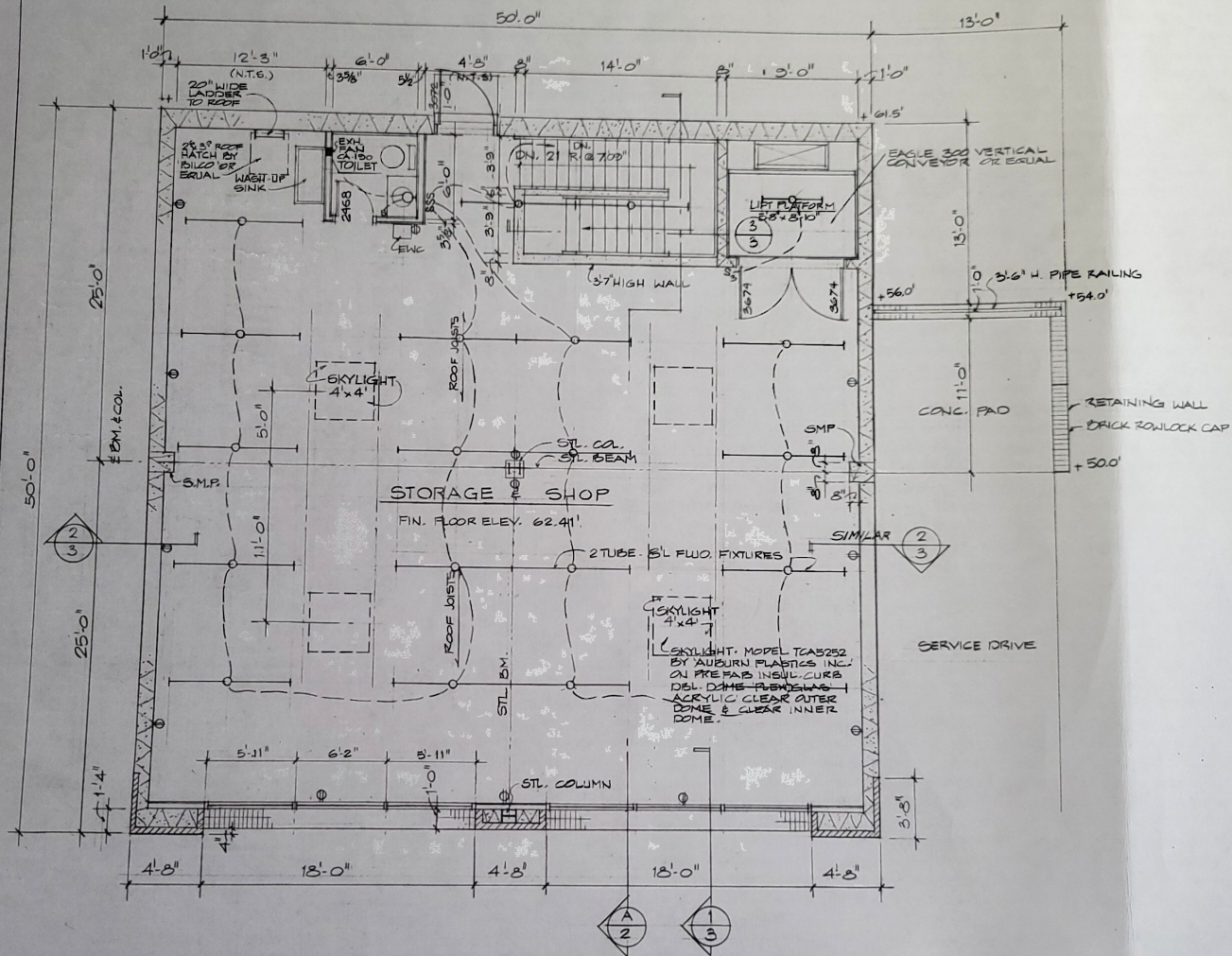
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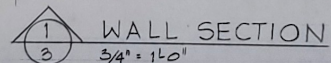
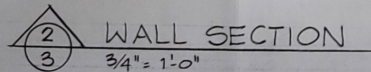
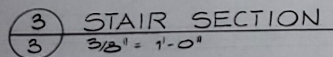
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OF 3













# City of Alexandria, Virginia

## MEMORANDUM

DATE: APRIL 29, 2021

TO: CHAIRMAN NATHAN MACEK  
AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR, DEPARTMENT OF PLANNING & ZONING

SUBJECT: DOCKET ITEM #4 – SPECIAL USE PERMIT #2021-00011,  
3649 WHEELER AVENUE

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The purpose of this memorandum is to recommend an amendment to condition #4 for the Special Use Permit request for a private academic school at 3649 Wheeler Avenue.

Originally, the condition specified only Schuyler Hamilton Jones Skateboard Park as playground space that the applicant could apply to the Recreation, Parks & Cultural Activities to use for the private academic school. To provide the applicant more flexibility, staff recommends changing Condition #4 to allow the applicant to apply for use of any park in the City.

4. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall apply to the Department of Recreation to establish times and schedules to use ~~Schuyler Hamilton Jones Skateboard Park~~ **City parks. (P&Z)(PC)**

Staff continues to recommend approval of SUP #2021-00011.



## DEPARTMENT OF PLANNING AND ZONING

301 King Street  
Room 2100  
Alexandria, VA 22314

Phone (703) 746-4666  
Fax (703) 838-6393

[www.alexandriava.gov](http://www.alexandriava.gov)

### SENT VIA EMAIL

March 1, 2021

Rosemarie Davis  
Heritage Montessori Day & Preschool  
3649 Wheeler Avenue

Re: Day Care Pick-up and Drop-off Plan for 3649 Wheeler

Dear Rosemarie Davis:

The Department of Planning & Zoning has reviewed your request, pursuant to Section 4-307(G) of the Zoning Ordinance, for approval of a pick-up and drop-off plan for Heritage Montessori Day & Preschool at 3649 Wheeler Ave. The day care center's proposal states participants between the ages of 20 months and five years old will be cared for. In addition to the day care center, a private academic school will accompany the day care, providing care to participants up to 12 years old. This letter of agreement covers the day care and pick-up requirements only for the day care establishment. The pick-up and drop off requirement for the private academic school will be evaluated in the Special Use Permit request for this use and may require an amendment of the letter of agreement for the day care establishment. Approximately 80 participants under five years of age will be on-site at the day care establishment at any one time. The business will be open from 8 a.m. to 5 p.m., Monday through Friday. Peak drop-off times will be 8 a.m. to 9 a.m. and peak pick-up times will occur from 4 p.m. to 5 p.m.

The proposed plan identifies up to 16 parking spaces on-site. The Zoning Ordinance requires the applicant to provide a minimum of two parking spaces on-site. Up to 15 employees will be on-site at any one time. Ten parking spaces on-site in the parking lot will be used for pick-up and drop-off. After parking, the participants will be walked to the main entrance by their guardian, where a staff member will meet them at the front door.

The Department of Planning & Zoning finds this arrangement is sufficient for the proposed day care center and hereby approves the pick-up and drop-off plan subject to the following conditions:

1. The applicant shall care for up to 80 participants under five years of age at the day care establishment. If the number of enrolled participants increases, the applicant is required to inform the Director of Planning & Zoning for a reassessment of the pick-up and drop-off plan.
2. Pick-up and drop-off shall occur only in the parking lot on-site.

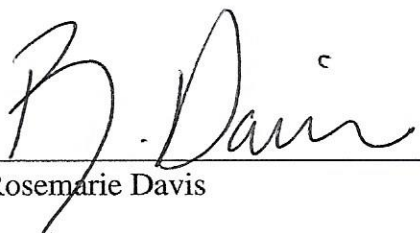


3. The applicant shall regularly monitor the pick-up and drop-off of participants to ensure that the parking area is sufficient for the center's needs, is consistent with this agreement, and that traffic does not regularly back up on Wheeler Ave. The applicant shall take steps to correct problems with parking or backed-up traffic should the need arise.
4. Pursuant to Section 4-307(F) of the Zoning Ordinance, you shall obtain all state, federal, and local licenses and certificates required prior to opening the business.
5. City Council approval of the applicant's private academic school use in May 2021 may require an amendment to this agreement.
6. The Director of Planning & Zoning reserves the right to revisit this agreement and may at any time impose additional requirements to ensure that adequate pick-up and drop-off facilities are maintained.

We ask you to agree to these conditions of approval by signing your name as indicated below.

Sincerely,

Anna Kohlbrenner  
Urban Planner

  
\_\_\_\_\_  
Rosemarie Davis

3/1/2021  
\_\_\_\_\_  
Date



Heritage Montessori Day School  
Elementary - Middle, ages 5-12

Teacher's area/Lounge/Kitchenette  
(No permanent walls)

Exit 1  
(to outside)  
for 50  
Students

Toilet Toilet Toilet Toilet

Girls' Bathroom

Toilet Toilet Toilet Toilet

Boys' Bathroom

Stairs  
Used as  
exit for  
50  
Students

Cabinet  
for storage

Projector Screen or Smart Board

Chair  
Chair  
Chair

Study Table #1  
Study Table #2

4-6  
Area

Chair/  
Flex seating

Large  
Rug for  
Floor  
Activities

P  
O  
L  
E

Chair/  
Flex seating

Large  
Rug for floor  
activities

Science  
Area

Study Table  
#4

Exit 2  
(Not used)

Music  
Table

Piano

Couch/Flex  
seating

Bookshelves  
for library &  
manipulatives

Bookshelves  
for library &  
manipulatives

Bookshelves for  
library & manipulatives

Bookshelves  
for library &  
manipulatives

Large  
Rug

Window

Window

Window

Window

## MEMORANDUM

To: Ann Horowitz, Rachel Drescher, Planning and Zoning  
From: Dave Brown, Commissioner  
Subject: Docket No. 4, SUP 2021-00011 (May 4, 2021)  
Date: May 3, 2021

**Staff responds immediately below and following each of your numbered points in bold.**

I visited the subject site over the weekend and have additional questions. I will ask that this matter be removed from the consent calendar so that you may address them on the record.

1. **Incomplete Application.** The first requirement on the application form is submission of a floor plan and plot or site plan with the parking layout of the proposed use. I asked about the absence of this in my meeting with staff and the omission has yet to be properly cured. I expect the two plans to collectively identify (a) where staff parking and the pick-up-and-drop-off spaces are on site, and the single accessible space (application item # 14); (b) details of the proposed playground and fencing around it (application item # 12); (c) which floor will be day care use and which will be school use; and (d) the expected means of ingress/egress to/from the second floor, internal and external Why did staff send forward an approval recommendation when the application lacked all this prescribed information, or my expectations an overstatement?

**The applicant has provided an updated layout of the site with the parking lot and marked spaces. Please note that ADA requirements are reviewed as a part of the Code Administration, including number of accessible spaces and location. As confirmed again this morning with the applicant, the school is not planning on using an on-site location for a play area. They have been approved to use 48 South Early Street Park, where the applicant had stated that the children and accompanying staff will use the sidewalk to walk down Wheeler Avenue in the morning and make a right on South Early Street. Children and accompanying staff will use the sidewalk on South Early Street to walk to the park which is on the right-hand side of the street. Children and accompanying staff will return to the school using the same route.**

**The by-right day care use is on the first floor and the private academic school is on the second floor.**



The egress and ingress will be addressed by Code Administration if City Council approves the SUP. Code will determine the number of exits required through a building permit plan review. They do not have a full set of architectural plans to come to a conclusion at this point in time. During the building code plan review they will determine how many exits are required through a detailed look at the required egress system from that second floor. Please note building code requirements are reviewed by certified reviewers in Code Administration. Local regulations should not supersede that which are required by VA USBC.

2. **Second Floor Usage.** Is there, or must there be, a separate external entrance for occupants of the second floor? If so, the exit path is down a concrete staircase that lacks railings, a serious safety concern. Yet there is no indication from Code Enforcement or otherwise that any railing is needed. If this problem is obviated by use of internal stairways exclusively, then I take issue with the disruptive effect of the regular comings and goings of the second floor occupants on the first floor occupants. Please provide your appraisal of the situation.

The day care and school occupy the entire building. Code Administration will evaluate the stairways as part of its post-SUP approval site visit and building permit review process. If they determine that an exit is required from the second floor then a guard rail/handrail will be required prior to a building permit being approved. The existing stairs will also be reviewed through the building permit process.

3. **Enrollment Cap.** The application states that the facility “will be licensed for 150 children, 70 preschoolers and 80 children in grades K-6.” These numbers are repeated in the Staff Report (at 4). Do they constitute caps on enrollment enforceable as SUP requirements? If so, how will this be monitored? If not, are you depending on an enrollment limitation in the licensure process? I have been unable to find any requirement that this school be licensed by the Virginia Department of Education, at least with respect to enrollment. Please provide a citation to this regulatory control. If you are not depending on a licensure requirement, then it appears enrollment is not limited at all (subject to one-time Director review in condition 11(c)), in that there is no condition of approval reflecting the numbers in the Staff Report or a condition that the applicant is bound by the representations in the application.

The SUP does not limit the number of students. However, the pick-up and drop off agreement is based on 150 students and designed to mitigate potential pedestrian and traffic impacts from the proposed use. Should the student number increase, the Director could revisit the letter of agreement and amend it if he can ensure that any impacts would be mitigated.

**If the City Council approves the SUP, Code Administration will review the overall occupant load to determine how many people can occupy the space based in its square footage and building analysis. Annual inspections by the state Fire Marshalls office typically occur in use groups like this after a certificate of occupancy has been issued to determine and sustain compliance.**

**As a child day program, the facility is required to be licensed through the Department of Social Services by Title 63.2 of the Code of Virginia for the care of children and set any applicable enrollment caps. The school has received a license for the care of children from 20 months to 12 years of age. However, these reviews are outside the scope of the land use analysis.**

4. **Play Area.** The application says that the play area is on the property, whereas the Staff Report (at 4) says it will be “at an offsite location.” Which is it, and why isn’t the inconsistency explained? There is reference in the conditions to use of the Schuyler Hamilton Jones Skateboard Park “with RPCA approval and incompliance with state requirements for private academic schools” Again, I have been unable to find any state requirements for private academic schools regulating play areas for students. Please provide a citation to this regulatory control, and explain how it relates to RPCA control of parkland it controls. More recently, the apparent changed expectation on the play area location has itself been imprecisely expanded to simply all “City parks.” How is this generic dispensation an acceptable substitute? Should not the location of the play area be specified in the application? If in some circumstances it is appropriate to have an off-site play area, should not the route of safe travel to the site be specified and its practicality and safety be evaluated? Would you consider approving a private K-6 school with no play area at all? My inexpert impression is that there is no City park closer than the Skateboard Park, which is hardly a suitable place for open-field play, and a daunting quarter-mile trek uphill, especially for the younger among the K-6 students. And, of course, its use requires traversing, presumably rain or shine, the truck-laden Wheeler Avenue twice for each recess, with no controlled intersection between the two locations.

**As confirmed again this morning with the applicant, there is no plan to use an on-site location for a play area. If a play area is constructed on-site in the future, then Staff has recommended the condition the private academic school should only use the play area on site between 9 a.m. and 5 p.m. Please note that the day care portion of the operation is by-right and would not be subject to any condition of the private school, if approved. A play area can be added on the property by-right. Given that state license requirements address operational guidelines and the Zoning Ordinance does not require play areas, SUP conditions for play areas are limited to RPCA’s interest in balancing public and commercial use of park land by asking for an application from the SUP applicant, should SUP approval occur.**

5. **Food Service.** The application states “Not Applicable” for off-street loading/unloading operations and the Staff Report (at 4) likewise states: “No regular deliveries expected.” Yet the application (question 9) specifies an anticipated three large trash bags per day, including “food wrappers and utensils.” Given the specified hours of operation (8:00 am to 5:00 pm), it is quite apparent that the children will have lunch on the premises, if not a snack break in addition. Where will the food and drink be coming from? Hand carried in by individual students each day? If any the food or drink is school-supplied, how can it be that no regular deliveries are expected? And whether school-supplied or not, where will food or drink requiring refrigeration (e.g. half-pint milk cartons) be stored? I see no indication from the information provided to date that there will be any food or drink preparation facilities in the building. Please advise in detail of the food service plans for the K-6 school.

**The applicant states that the children will bring their own lunches. Pre-packaged snacks will be purchased and brought by staff from Costco and other stores. The applicant states no preparation of food will occur on-site, and also noted that the Health Department does not permit preparation food on-site at this time because of Covid-19 regulations. If the SUP is approved, the local office of the state Health Department will regulate food service and preparation, if any is offered, at the time of Building Permit review and/or Occupancy Permit review.**

6. **SUP Scope of Review.** Does staff regard any of the issues raised above as outside the purview of Planning and Zoning? Obviously, I do not think so. But if staff disagrees, I will need to have staff or counsel explain why, considering that among the considerations the City Council may take into account in evaluating an SUP is “whether the proposed use will adversely affect the safety . . . of pedestrians using the facility . . .” 11-504(B)(1), or adverse effect on “other matters affecting the public health, safety and general welfare. . .” 11-504(B)(10).

**The staff provided a recommendation for SUP approval consistent with past reviews for private academic schools. Aside from the need to update the floor plan, which was sent to you on Thursday, for other applications the same information has been provided by applicants.**

**Planning and Zoning and other departments evaluated the application and recommend approval pursuant to the staff report and conditions therein. The staff report is based on analysis of the SUP criteria under the Zoning Ordinance, including those you cite to under Section 11-504.**

**Other matters such as building suitability, occupancy and food safety are evaluated by relevant City Departments after City Council approval of an SUP request as detailed below. Play space location is not planned to be on-site. Other operational matters fall under the purview of state licensure and are outside SUP review.**



Staff

Staff

Staff

Staff

Staff

3649 Wheeler Avenue

Staff

Drop off/  
pick up

Drop off/  
pick up

Drop off/  
pick up

Drop off/  
pick up

Drop off/  
pick up

Parents exit

Parents enter

Entrance &  
Exit to  
Wheeler Ave.

Drop off /pick  
up

Drop off /pick up

Drop off /pick up

Drop off /pick up

Drop off /pick up