

DATE: June 27, 2025

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

FROM: Mavis Stanfield, Urban Planner, Land Use Services
Department of Planning and Zoning

SUBJECT: Special Use Permit #2025-00029
Administrative Review for a New Use
Site Use: Child or Elder Care Home
Applicant: Brittani Spinner
Location: 124 Dale Street
Zone: RB/Townhouse zone

Request

Special Use Permit #2025-00029 is a request to operate a child care home at 124 Dale Street. The applicant would care for up to nine children from the ages of three months to five years. The proposed hours of operation are 7 a.m. to 6 p.m., Monday through Friday, and 8 a.m. to 7 p.m. on two Saturdays a month. There will be a total of three caretakers including the applicant. The drop off window would occur between 7 a.m. and 9 a.m. and the pick-up window would occur between 3:30 p.m. and 6 p.m. The front yard is fenced and has an area of approximately 250 square feet, however, the applicant plans to use nearby parks for most outdoor activities. The parents or guardians would park on the street or in the parking space at the rear of the property and walk their child(ren) to the front or rear door.

Background

The subject property is a townhome located on a 1,248 square foot parcel. The site is completely surrounded by other townhomes and both the Dale Street Community Garden and the Four Mile Run Park are located to the north. The Cora Kelly School is situated to the northeast. The property is roughly 300 feet east of the intersection of W Reed Avenue and Mount Vernon Avenue.

Parking

The Zoning Ordinance does not require child care operations in residences to provide additional parking beyond the residential requirement, which is 0.5 spaces per dwelling unit in the RB townhouse zone outside the enhanced transit area. It is noted that the applicant has one parking space at the rear of her house that may be utilized during the day for drop off and pick-up of children. Street parking is also available on Dale Street.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Hume Springs Civic Association was notified by email. Staff received six email responses from neighbors; five were in opposition and one was in support. The emails in opposition all expressed concerns related to parking availability in the neighborhood and possible conflicts with pick-up and drop off of children. Some stated

concerns that double parking would occur, particularly during the times of the day on Wednesdays and Thursdays when there is no parking on one side of the street for cleaning between 9 a.m. and 12 p.m. Others were concerned about the applicant's intent to offer child care on Saturdays. Several of the emails voiced concern that there would not be an adequate outdoor play area. One neighbor raised concerns that a renter would not be as invested in the community as a homeowner would be. Lastly, one neighbor detailed some inconsistencies in the application related to the space inside the home used for child care and other operational concerns. This neighbor also noted that one of the placards was damaged during recent rain events.

Staff Action

Staff supports the applicant's request to operate a child care home for between six and nine children. The applicant's proposed child care operation would fulfill a need for additional child care options in the City. With conditions, the use is not expected to produce adverse neighborhood impacts since the proposed operation is relatively small and the home would remain residential.

In response to multiple individuals expressing concerns about parking, staff visited the site on June 12 at approximately 8 a.m. Staff found at least six available parking spaces in close proximity to the application property. The neighborhood was quiet with no vehicle activity. Staff from the Early Childhood Division of the Department of Community and Human Services also noted the availability of parking when she performed her inspection on June 13. Conditions have been included to mitigate parking impacts, such as Condition #2 requires that the drop off period must end by 9 a.m., when parking is limited by street cleaning. Condition #7 prohibits double parking and requires staggering arrivals and departures of children. Condition #8 prohibits vehicles associated with drop off and pick-up to idle for more than 10 minutes. Other conditions provide information to encourage the applicant's employees, parents, and guardians to use public transportation.

Condition #5 states that 75 square feet of fenced outdoor play space is required for children over age two, however, if the applicant is able to secure approval from the Department of Recreation, Parks, and Cultural Activities to use local parks, as planned, she will be exempt from the 75 foot requirement per child in accordance with Section 11-513 (R)(4). This exemption applies when child care homes are located within 500 feet of a park or playground, and this property meets that requirement with two parks within a few hundred feet. Staff believes that with these conditions, the child care home use can be regulated for the benefit of the community. Staff has not received complaints from neighbors of other similarly approved child care homes in the City in recent years.

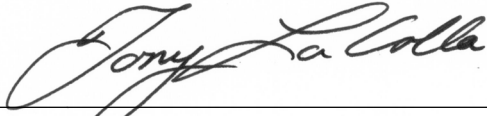
A number of other issues that were raised by neighbors would not preclude approval of the SUP. The child care home use does not require the operator to own their home; it must only serve as the primary residence. The placard in the front of the home was replaced in response to one of the neighbor's concerns, although the placard was found to be legible by staff on June 13. Lastly, the concerns related to the indoor operational aspects of the application have been addressed by the report prepared and included below from the Early Childhood Division of the Department of Community and Human Services, which recommended approval.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: June 27, 2025

Action: Approved

A handwritten signature in black ink, appearing to read "Tony LaColla", written over a horizontal line.

Tony LaColla, AICP, Land User Services Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2025-00029

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 hours of operation of the child care home shall be limited to between 7 a.m. and 6 p.m., Monday through Friday, and from 8 a.m. to 7 p.m. on Saturdays. The drop off period must end by 9 a.m. when street cleaning begins. (P&Z)
3. The maximum number of children, including any resident children under the age of 12, that may be cared for in the home at any one time shall be nine. (P&Z)
4. The applicant shall maintain all required state and local licenses for operation as a child care home. (P&Z)
5. The applicant shall maintain 75 square feet of fenced outdoor play space for each child over age two unless it receives Department of Recreation, Parks, and Cultural Activities approval for park use within 500 feet. (P&Z)
6. The applicant shall apply to the Department of Recreation, Parks, and Cultural Activities for any use of public parks within 500 feet of the residence to establish a schedule of use. (P&Z)
7. The applicant shall ensure that no vehicles double park for pick-up or drop off by staggering the arrival and departure times of children. (P&Z)
8. Vehicles associated with drop-off and pick-up shall be permitted to idle for no more than 10 minutes when parked. (P&Z)
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. 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

- F-1 Based on proximity of residential neighbors, there is a potential for increased noise associated with childcare that may cause noise concerns to neighboring properties. TES/OEQ recommends the applicant consider noise mitigation, such as sound curtains or location of play areas further from property boundaries, to reduce potential for noise concerns. TES/OEQ recommends considering quiet activities on Saturday mornings.

- R-1 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-2 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)

- 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)

- C-2 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)

Code Department

- C-1 Per VCC section 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. The proposed home daycare should be registered or licensed by the Virginia of Department of Education.

Fire Department

- C-1 A fire inspection is required for this use – State Regulated Daycare.

- C-2 Note: State License is required.
- C-3 If not already installed, single station smoke alarms shall be required throughout the home.
- C-4 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.

Health Department

- C-1 Childcare homes with nine or fewer children are exempt from requiring an Alexandria Health Department Permit. The facility shall comply with the following definition to maintain exemption from permitting:

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

Police Department

No comments received.

Recreation, Parks, and Cultural Activities

- R-1 If the applicant chooses to use a City Park for play space, it shall apply to the Department of Recreation, Parks and Cultural Activities (RPCA).
- F-1 If approved, permission will be granted to the applicant with a written agreement between RPCA and the applicant. (RPCA)

Department of Community and Human Services, Early Childhood Division

June 13, 2025
Administrative Special Use Permit #2025-00029
124 Dale St.
Alexandria, VA 22305
Business/ Trade Name: B.B Babies LLC
ZONE: RB
TAX MAP REFERENCE: 015.02-03-12

Site visit was conducted on June 13, 2025. This is a two-level town house. The house is composed of three bedrooms, and one full bathroom on the second floor. On the main floor there is the kitchen, the living room and the one half-bathroom. The home does not have a basement.

The front door of the home is on the main level, leading directly to the living room and the kitchen that has an island, which is used as the dining table. The kitchen has a door that gives direct access to the back part of the house and serves as an emergency exit door that leads to a concrete back of the house. The small front yard of the house is all fenced with no childcare equipment, nonetheless, Ms. Spinner stated that she will take the children to the playground close to the home for outdoor activities.

The laundry room is located on the right side of the kitchen and living room and has a safety lock. The half-bathroom is situated next to the laundry area, there is a small step to be used by children for toileting and hand washing. The bathroom does not have any items stored that are hazardous, only the necessary items for hand washing and toileting are present. Ms. Brittani Spinner specified that the living room will be the childcare space for older children. She is planning to have two groups (Infants and older children group). The living room space is nicely set up with childcare furniture. She has a piece of furniture with labels for the children's belongings. She also has others furniture with cubes to keep toys and books in the living room for easy access. She has enough educational books and toys to plan different activities for the children. In this area, there is a small table with chairs, for children to use for eating and for creating activities.

There is a long gate between the kitchen and the living room to divide the areas and for children not having access to the kitchen area. The kitchen has all the cabinets with safety locks. On the bottom and on top of the stairs there is a safety gate that serves as a barrier to prevent children from climbing or the infants/toddlers going down the stairs. Ms. Spinner has several cots for the older children to nap.

On the second floor, Ms. Spinner has set up two of the three bedrooms as part of the childcare space for infants. The room has a changing table. The room next to it will be the sleeping area for infants or toddlers. The room has one crib that meets the safety standards. All the electrical outlets are covered. The house is small but very well organized for childcare. Fire extinguishers are in proper working order. Smoke alarms and carbon monoxide detectors are present in every room and are in working order. The First Aid Kit is fully stocked. The home was found clean, free of clutter and meets health and safety standards. The area is observed to be safe for the children. The Evacuation Plan is on the wall. There are enough parking spaces in the street for parents to drop and pick up children. Ms. Spinner follows the proper protocol and standards for cleaning and use of supplies as it relates to state and city requirements.

The home and space for childcare purposes were found to be very well kept, clean and organized with sufficient space to care for up to 9 children. Ms. Spinner operational hours will be from Monday to Friday from 7 a.m. to 6 p.m., and Saturdays from 8 a.m. to 6 p.m. Her program will offer services to children ages three months to five-years.

Approval recommended for Ms. Brittani Spinner's special use permit to allow care for up to nine (9) non-resident children, pending compliance with other department recommendations and subject to licensing, registration requirements and other limitations of local and state regulations. Ms. Spinner must have an assistant for the number of children and ages she plans to provide care for.

Rosa Ms. Chavez

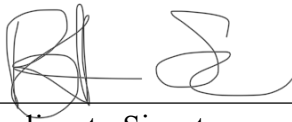
Family Service Specialist

703 746-5923

703 915-8018 (mobile)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2025-00029. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the child care home at 124 Dale Street.



Applicant - Signature

6/27/2025

Date

Brittani Spinner

Applicant – Printed

6/27/2025

Date