



## Legislation Details (With Text)

**File #:** ORD. 2016-133    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Adopted

**File created:** 3/28/2016    **In control:** City Council

**On agenda:** 6/27/2016    **Final action:** 6/27/2016

**Title:** To amend and reordain Ord. No. 80-103-90, adopted Jun. 16, 1980, as previously amended by Ord. No. 2003-26-24, adopted Feb. 10, 2003, and Ord. No. 2007-264-231, adopted Oct. 22, 2007, which authorized the expansion of the existing day nursery, in the property known as 1617 Monument Avenue, to authorize expansion of the existing day nursery and accessory parking in the property known as 1617 Monument Avenue, 1627 Monument Avenue, and 1627 Rear Monument Avenue, upon certain terms and conditions. (As Amended)

**Sponsors:** Mayor Jones (By Request)

**Indexes:** Special Use Permit

**Code sections:**

**Attachments:** 1. 20160523 Amendment, 2. Ord. No. 2016-133, 3. Staff Report.pdf, 4. Plans, 5. Plat, 6. Applicant's Report & Application, 7. Map, 8. Community Response Letters.pdf, 9. Letters of Concern\_Opposition.pdf, 10. Letters of Support.pdf

Date	Ver.	Action By	Action	Result
6/27/2016	1	City Council	adopted	
5/23/2016	1	City Council	amended and continued	
5/16/2016	1	Planning Commission	recommended for approval with amendments	Pass
5/2/2016	1	Planning Commission		
4/25/2016	1	City Council	introduced and referred	

To amend and reordain Ord. No. 80-103-90, adopted Jun. 16, 1980, as previously amended by Ord. No. 2003-26-24, adopted Feb. 10, 2003, and Ord. No. 2007-264-231, adopted Oct. 22, 2007, which authorized the expansion of the existing day nursery, in the property known as 1617 Monument Avenue, to authorize expansion of the existing day nursery and accessory parking in the property known as 1617 Monument Avenue, 1627 Monument Avenue, and 1627 Rear Monument Avenue, upon certain terms and conditions. (As Amended)

### O & R Request

**DATE:** March 28, 2016

**EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** Dwight C. Jones, Mayor

**THROUGH:** Selena Cuffee-Glenn, Chief Administrative Officer

**THROUGH:** Peter L. Downey, Jr., Deputy Chief Administrative Officer for Economic Development and

Planning

**FROM:** Mark A. Olinger, Director, Dept. of Planning and Development Review

**RE:** To amend and reordain Ord. No. 80-103-90, adopted Jun. 16, 1980, as previously amended by Ord. No. 2003-26-24, adopted Feb. 10, 2003, and Ord. No. 2007-264-231, adopted Oct. 22, 2007, which authorized the expansion of the existing day nursery, in the property known as 1617 Monument Avenue, to authorize expansion of the existing day nursery and accessory parking in the property known as 1617 Monument Avenue, 1627 Monument Avenue, and 1627 Rear Monument Avenue, upon certain terms and conditions.

**ORD. OR RES. No.**

**PURPOSE:** To amend and reordain Ord. No. 80-103-90, adopted Jun. 16, 1980, as previously amended by Ord. No. 2003-26-24, adopted Feb. 10, 2003, and Ord. No. 2007-264-231, adopted Oct. 22, 2007, which authorized the expansion of the existing day nursery, in the property known as 1617 Monument Avenue, to authorize expansion of the existing day nursery and accessory parking in the property known as 1617 Monument Avenue, 1627 Monument Avenue, and 1627 Rear Monument Avenue, upon certain terms and conditions.

**REASON:** The expanded day nursery would not meet the zoning standards for such a use, particularly the square footage of outdoor play area per child provided on the site. A special use permit is therefore required.

**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its May 16, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The special use permit currently encumbers a 0.448 acre (19,514 SF) parcel of land (1617 Monument Avenue) improved with a three-story building constructed, per tax assessment records, in 1910, an 18-space surface parking area, and an outdoor play area consisting of approximately 2,500 SF. The special use permit also encumbers a portion of 1627 Rear Monument Avenue, which is improved with a surface parking area and is provided access via an alley known as Lombardy Place.

If amended, the special use permit would be expanded to include an adjacent 0.517 acre (22,521 SF) parcel of land (1627 Monument Avenue) improved with a church constructed, per tax assessment records, in 1920. Both 1617 and 1627 Monument Avenue have frontage on Monument Avenue and the alley Lombardy Place, between North Allen Avenue and North Lombardy Street, in The Fan neighborhood of the Near West planning district. 1617 and 1627 Monument Avenue are also located within the Monument Avenue City Old & Historic District.

The properties are zoned in the R-6 - Single-Family Attached Residential District and the day nursery use does not meet the zoning standards for such a use in the R-6 district. As referenced above, 1617 Monument Avenue is subject to a special use permit (Ordinance No. 2007-264-231) which authorized a previous expansion of the day nursery use.

The City of Richmond's Master Plan recommends Single-family (Medium Density) land use for the property. The Master Plan defines the primary uses for this category as single-family and two-family detached and attached dwellings at densities of 8 to 20 units per acre, and includes residential support uses such as schools,

places of worship, and neighborhood parks, among others (p. 133).

All surrounding properties are located within the same R-6 zoning district as the subject properties. A mix of single-, two-, and multi-family residential land uses are present in the area, with commercial, office, mixed-use, and institutional land uses present as well.

**FISCAL IMPACT / COST:** The Department Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**FISCAL IMPLICATIONS:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**BUDGET AMENDMENT NECESSARY:** No.

**REVENUE TO CITY:** \$200.00

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** April 25, 2016

**CITY COUNCIL PUBLIC HEARING DATE:** May 23, 2016

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, May 16, 2016.

**AFFECTED AGENCIES:** Office of Chief Administrative Officer  
Law Department (for review of draft ordinance)  
City Assessor (for preparation of mailing labels for public notice)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** Amend and reordain Ord. No. 80-103-90, adopted Jun. 16, 1980, as previously amended by Ord. No. 2003-26-24, adopted Feb. 10, 2003, and Ord. No. 2007-264-231, adopted Oct. 22, 2007

**REQUIRED CHANGES TO WORK PROGRAM(S):** None.

**ATTACHMENTS:** Draft Ordinance, Application Form, Applicant's Report, Plans & Survey, Map

**STAFF:** Matthew J. Ebinger, AICP, Senior Planner  
Land Use Administration (Room 511)  
804-646-6308

*PDR O&R No. 16-10*

Key Issues:  
Retain on Consent Agenda  
Move to Regular Agenda  
Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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