



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-248: To authorize the special use of the property known as 1731 Leicester Road for the purpose of a day nursery for up to 4 children, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: October 1, 2018

PETITIONER

Pauline Hillsman

LOCATION

1731 Leicester Road

PURPOSE

To authorize the special use of the property known as 1731 Leicester Road for the purpose of a day nursery for up to 4 children, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant has requested a special use permit to legitimize an existing home day nursery operation currently not permitted within the R-3 zoning district. The applicant seeks authorization through a special use permit to operate the day care nursery with up to four (4) children per day within the hours of 7 A.M. to 7 P.M. during weekdays.

Staff finds the proposed use would be licensed by and operated under the requirements of the Virginia Department of Social Services or successor agency. Interior space dedicated to the day nursery use and any outdoor play space dedicated to the day nursery use shall meet the requirements of the Virginia Department of Social Services or successor agency.

Staff finds that the proposed use would not pose an undue burden on the availability of on-street parking in the area.

Staff finds that with the ordinance conditions the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. Specifically, staff finds that the proposed use would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

Therefore, staff recommends approval of this request for a special use permit.

FINDINGS OF FACT

Site Description

The subject property consists of a 14,175 SF, .35 acre parcel of land currently improved with a single family detached dwelling and located in the Westover Hills neighborhood of the Midlothian planning district.

Proposed Use of the Property

The proposed special use of the property is for a home day nursery for up to 4 children.

Master Plan

The City of Richmond's current Master Plan designates a future land use category for the subject property as Single Family Low Density, (SF-LD). Primary uses for this category include "...schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-1, R-2, R-3, R-4, and R-5."(City of Richmond Master Plan, p. 133)

Zoning and Ordinance Conditions

The property is currently zoned R-3 Single Family Residential. If adopted, the special use permit would impose conditions on the property, including:

3(a) The special use of the Property shall be as a day nursery for up to 4 children, not including children residing on the Property. The Property may also be used for other principal or accessory uses permitted in the underlying zoning district.

(b) The operator of the day nursery shall reside on the Property.

(c) No more than two persons employed by the day nursery shall be present on the Property at any one time.

(d) The hours of operation for the day nursery shall be limited to the hours between 6:00 a.m. and 7:00 p.m., Monday through Friday.

(e) No off-street parking shall be required for the Special Use.

(f) The day nursery shall be licensed by and operated under the requirements of the Virginia Department of Social Services or successor agency. Interior space dedicated to the day nursery use and any outdoor play space dedicated to the day nursery use shall meet the requirements of the Virginia Department of Social Services or successor agency.

(g) Signage on the Property shall meet the requirements of the underlying zoning district.

Surrounding Area

The property is currently zoned R-3 Residential Single Family as is much of the neighboring and nearby community. Single family land use predominates the area.

Neighborhood Participation

Staff has received no letters of support, nor opposition, from the community for this application.

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