



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2016-314: To authorize the special use of the property known as 2704 Woodrow Avenue for use as a day nursery for up to 12 children, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: March 6, 2017

PETITIONER

Ms. Sharita Walker, Let's Be a Kid Family Daycare,
2704 Woodrow Avenue, Richmond, VA 23222

LOCATION

2704 Woodrow Avenue

PURPOSE

To authorize the use of the property as a day nursery for up to 12 children, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located near the corner of Woodrow and East Norwood Avenues and consists of a parcel with approximately 8,304 square feet of land area. The property is currently improved with a two story, single-family detached dwelling constructed in 1924.

Under normal zoning requirements, property owners in the R-5 Single-Family Residential district may provide day care for up to five children without special authorization. The applicant will provide a minimum of 600 plus square feet of the existing dwelling to be used as a day nursery for up to 12 children. The remaining portion of the dwelling will be used as the applicant's private residence. In addition, the applicant will provide a minimum of 1200 plus square feet of outdoor space for use by the children. The applicant will also construct a six foot tall opaque privacy fence in the backyard to screen the children from view.

The Zoning Ordinance was amended in 1995 to specifically remove day nurseries caring for more than five children as a permitted use in single-family districts. The proposed special use permit would require the day nursery to be licensed by the by the State of Virginia to provide childcare service. To minimize the impact the proposed daycare may have on the surrounding neighborhood the applicant has set hours of operation for the day nursery from 6:30 a.m. to 6:00 p.m. Monday through Friday and would be closed Saturday and Sunday. The total number of employees present at the daycare at any one time would be limited to two. Two off street parking will be provided within the driveway for the employees. To keep traffic moving at a steady pace along Woodrow Avenue, an employee will meet parents and children at their vehicles and escort the children into the building after they have been dropped off.

All surrounding properties are located in R-5 Single Family Residential district. Properties to the north, south and east have single family detached dwellings. However, located to the west of the property is an unimproved alley which runs along a vacant 1.34 acre lot owned by the City of Richmond Public Works. Staff finds the proximity of this large portion of land which is located to the rear of the proposed daycare would further provide additional privacy.

Staff finds the subject property to be suitable to serve a commercial day nursery use due to its proximity to Richmond Community High School, Overby-Sheppard Elementary School and other nearby institutional uses. Staff further finds that with the proposed use of the property, 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 the special use permit request.

FINDINGS OF FACT

Site Description

The subject property is located near the corner of Woodrow and East Norwood Avenues and consists of a parcel with approximately 8,304 square feet of land area. The property is currently improved with a two story, single-family detached dwelling constructed in 1924.

Proposed Use of the Property

The applicant is requesting the authorization of a day nursery use of the property for the care of up to 12 children. The property is currently being used as a single family home. In addition, if approved the ordinance would authorize the commercial day nursery use of the property for the care of up to 12 children. A portion of the residence with approximately minimum of 600 square feet of floor area would be devoted to the day nursery use and the applicant would reside in the remaining portion of the house. The large existing backyard would be used as an outdoor play area complete with a six foot tall opaque privacy fence.

Master Plan

The City of Richmond's Master Plan recommends Single-Family Low Density land use for the subject property. This category includes single-family detached and attached dwellings at densities up to twenty units per acre and residential support uses such as churches, parks, and recreational facilities (p. 133). Commercial uses such as day nurseries are not recommended as a land use of the property.

Zoning & Ordinance Conditions

If approved, the ordinance would authorize the day nursery use for the care of up to 12 children and require that the day nursery be licensed by the Virginia Department of Social Services. The ordinance would also limit the hours of operations for the day nursery from

6:30 a.m. to 6:00 p.m. daily. The total number of day nursery employees present at the daycare at any one time would be limited to two. Two off street parking will be provided for the use located within the driveway.

Surrounding Area

Properties to the north, south, east and west are all located within the R-5 Single Family Residential district. All surrounding adjacent properties to the subject property are all single family detached dwellings located in the R-5 Single-Family Residential district.

Neighborhood Participation

Staff notified Councilman Chris Hilbert and the Green Park Civic Association regarding the request.

Staff has received five letters of support, a petition of support, one phone call of opposition, two letters of opposition, including one from Councilman Hilbert, and a petition of opposition at this time for the proposal.

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