



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2019-135:** To authorize the special use of the properties known as 2417 Royall Avenue, 2420 Webber Avenue, and 2408 Webber Avenue for the purpose of a day nursery for up to 130 children, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** June 3, 2019

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#### **PETITIONER**

Kimara Parker

#### **LOCATION**

2417 Royall Avenue, 2420 and 2408 Webber Avenue

#### **PURPOSE**

To authorize the special use of the properties known as 2417 Royall Avenue, 2420 Webber Avenue, and 2408 Webber Avenue for the purpose of a day nursery for up to 130 children, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The properties known as 2417 Royall Avenue, 2420 Royall Avenue and 2408 Webber Avenue consist of a 20,286 sq. ft. (.47 acre), 25,496 sq. ft. (.585 acre), and a 26,351 sq. ft., (.60 acre) parcels of land, respectively. 2417 Royall Avenue is currently improved with a 3-story brick building with parking and has been used in the past for educational purposes and as an emergency youth shelter.

The Faith Gospel Family Worship Center currently operates a day nursery in the church building located at 2420 Webber Avenue and utilizes the playground located at 2408 Webber Avenue. The applicant wishes to move the day nursery operations from the Webber Avenue location to the 2417 Royall Avenue building location and continue utilizing the playground. A day nursery is not a permitted principal use in the R-5 Single-Family Residential Zoning District. A special use permit is therefore required.

Staff finds that the building at 2417 Royall Avenue has a history of institutional use and is laid out to be conducive to the proposed day nursery use. The special use permit would authorize the day nursery to continue to operate as a neighborhood support use for the community.

Staff finds that the proposed special use permit 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 the special use permit request.

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## **FINDINGS OF FACT**

### **Site Description**

The properties known as 2417 Royall Avenue, 2420 Royall Avenue and 2408 Webber Avenue consist of a 20,286 sq. ft. (.47 acre), 25,496 sq. ft. (.585 acre), and a 26,351 sq. ft., (.60 acre) parcels of land, respectively. 2417 Royall Avenue is currently improved with a 3 story brick building with parking and has been used in the past for educational purposes and as an emergency youth shelter. The Faith Gospel Family Worship Center currently operates a day nursery facility in the church building located at 2420 Webber Avenue and utilizes the playground located at 2408 Webber Avenue.

### **Proposed Use of the Property**

The special use permit would authorize the day nursery facility at 2417 Royall Avenue and the play area at 2408 Webber Avenue. On-site parking for the day nursery would be authorized at 2417 Royall Avenue and 2420 Webber Avenue.

### **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). Primary uses for this category include "...single-family detached dwellings at densities up to seven units per acre. Includes residential support uses such as 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)

### **Zoning and Ordinance Conditions**

The subject property is located in the R-5 Single Family Residential Zoning District. A prior special use permit (Ord. No. 1986-231-224), which has since expired, authorized a youth shelter at 2417 Royall Avenue.

The proposed special use permit would impose development conditions on the property, including:

3(a) The Special Use of the Property shall be as a day nursery for up to 130 children, aged 12 years or less, located at 2417 Royall Avenue, and an accessory play area located at 2408 Webber Avenue, substantially as shown on the Plans and substantially as described in the document entitled "Faith Gospel Family Worship Center," and dated January 2019, a copy of which is attached to and made a part of this ordinance. The church building located at 2420 Webber Avenue may be used as part of the operations of the day nursery. The Property may also be used for other principal or accessory uses permitted in the underlying zoning district.

(b) Up to 11 off-street parking spaces shall be provided for the Special Use at the portion of the Property known as 2417 Royall Avenue, and up to 26 off-street parking spaces shall be provided for the Special Use at the portion of the Property known as 2420 Webber Ave.

(c) 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.

(d) All mechanical equipment serving the portion of the Property known as 2417 Royall Avenue shall be located or screened so as not to be visible from any public right-of-way.

(e) The day nursery shall be licensed by and operated under the requirements of the Virginia Department of Social Services or its successor agency.

(f) Signs shall be permitted on the portion of the Property known as 2417 Royall Avenue and shall be limited to (i) signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2015), as amended, and (ii) one wall sign, awning sign, or canopy sign no greater than 32 square feet in area.

(g) Fencing on the Property shall be substantially as shown on the Plans. At the Owner's request, the Director of Planning and Development Review may approve fencing that is not shown on the Plans and that may exceed the height restrictions imposed by section 30-630.9(b) of the Code of the City of Richmond (2015), as amended, but that is otherwise consistent with this ordinance and the Code of the City of Richmond (2015), as amended. The fence surrounding the play area may be opaque or non-opaque.

(h) The accessory buildings shown on the Plans adjacent to the play area and within the chain link fence may be situated partially within the portion of the Property known as 2420 Webber Avenue and 2408 Webber Avenue, substantially as shown on the Plans.

4(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

### **Surrounding Area**

The subject property and adjacent properties to the north, south, east and west are located in the R-5 Single Family Residential Zoning District. Residential and institutional land uses are present in the immediate vicinity of the property.

### **Neighborhood Participation**

Staff has not received any letters of support for, nor opposition to, this application.

**Staff Contact:** Jonathan Brown, Senior Planner, Land Use Administration 804-646-5734