



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-051: To authorize the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: March 19, 2018

PETITIONER

Donna Soyars – Tabernacle Baptist Church

LOCATION

1911 and 1915 Grove Avenue

PURPOSE

To authorize the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is planning to increase the number of children served by the existing day nursery within a church and has therefore requested a special use permit to authorize the continued use of an outdoor play area with decorative fencing, which does not meet the standards of the Zoning Ordinance.

Staff finds that a day nursery within a church is a use permitted by the underlying zoning of the subject property and that the intended increase in children will be accommodated within the existing building and existing outdoor play area.

Staff further finds that the requested authorization to utilize an existing play area with decorative fencing along the street would not be detrimental to the general welfare of the community involved.

Staff further finds that with the ordinance conditions, the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met.

Therefore, staff recommends approval of the Special Use Permit request.

FINDINGS OF FACT

Site Description

The subject property consists of a 10,182 SF, .23 acre parcel of land and a 10,612 SF, .24 acre parcel of land, and contains a day nursery within a church and outdoor play area. Both parcels are located in the Fan District neighborhood of the Near West planning district.

Proposed Use of the Property

The applicant is intending to increase its enrollment from 67 to 90 children and requests the continued use of a 7,100 SF outdoor play area. A portion of the play area is located within the required 15 foot front yard along Grove Avenue and enclosed with concrete block and wrought iron decorative fencing. The play area and fencing do not meet the standards of the Zoning Ordinance.

Master Plan

The City of Richmond's current Master Plan designates a future land use category for the subject property as Single Family Residential at Medium densities. Primary uses for this category "...are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 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-5A, R-6 and R-7. (City of Richmond Master Plan, 133)

Zoning and Ordinance Conditions

The current zoning for this property is R-6 (Single Family Attached Residential). The Zoning Ordinance requires the following for day nurseries located within churches, which would be waived by the proposed special use permit:

-A minimum outdoor play area of 100 square feet for each child enrolled shall be furnished on the premises, but not within a required front yard

-The play area shall be enclosed with a continuous opaque structural fence or wall not less than four feet in height, and such fence or wall shall not be located within a required front yard

-No play equipment or structure shall be located within a front yard or a required side yard

The proposed special use permit includes the following conditions:

3(a) Approximately 7,100 square feet of outdoor play area, including incidental play equipment or structures, shall be provided, substantially as shown on the Plans. The number of children using the outdoor play area at one time shall meet the requirements of the Virginia Department of Social Services or its successor agency.

(b) A concrete block and wrought iron decorative fence not to exceed 75 inches in height and labelled as "A," "B," "C," and "D" on the Plans, shall be permitted. Any future expansion of the fence on the Property along Grove Avenue must first be approved by of the Director of Planning and Development Review.

(c) The fencing labelled as F, G, and H on the Plans shall not exceed 60 inches in height and may be either opaque or non-opaque.

(d) No fewer than 13 off-street parking spaces shall be provided, substantially as shown on the Plans.

(e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

Surrounding Area

All adjacent properties are located within the same R-6 Residential District.

Neighborhood Participation

The City has received a letter of no opposition for this application from the Fan District Association and letters of support.

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