



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-159: To authorize the special use of the property known as 1637 Williamsburg Road for the purpose of a day nursery within an existing church, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: June 18, 2018

PETITIONER

Natisha Knight – Fulton Montessori School

LOCATION

1637 Williamsburg Road

PURPOSE

To authorize the special use of the property known as 1637 Williamsburg Road for the purpose of a day nursery within an existing church, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting a special use permit to operate a day nursery within a church. The day nursery would not meet the outdoor play area standards specified by the Zoning Ordinance for such a use. Specifically, the outdoor play area would not meet the square footage requirement and the fence enclosing the outdoor play area would not be opaque. A special use permit is therefore required.

Staff finds the proposed use to be a residential support use consistent with the recommendations of the Master Plan.

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.

FINDINGS OF FACT

Site Description

The subject property consists of a 2.7 acre improved parcel of land, and is a part of the Fulton neighborhood in the City's East Planning District. The existing building, constructed in 1900, is a two story structure that has been historically used as a place of worship.

Proposed Use of the Property

The applicant is requesting a special use permit to authorize a day nursery within the church that does not meet the outdoor play area standards specified by the Zoning Ordinance.

Master Plan

The City of Richmond's current Master Plan designates the subject property for Single-Family Low Density land uses which includes, "...single family detached dwellings at densities up to seven units per acre... (as well as) ...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, p.133)

Zoning and Ordinance Conditions

The current zoning for this property is R-5, Single-Family Residential. The special use permit would impose additional conditions on the property, including:

3(a) The Special Use of the Property shall be as a day nursery for up to 50 children, substantially as shown on the Plans, which may include a preschool program.

(b) The outdoor play area shall be enclosed with a continuous structural fence or wall not less than four feet in height, provided that such fence or wall shall not be located within a required front yard or a required side yard, substantially as shown on the Plans. Such fence may be opaque or non-opaque. A chain-link fence shall not be permitted fencing for the play area.

(c) The hours of operation of the Special Use shall be limited to the hours from 7:30 a.m. to 6:30 p.m., Monday through Friday.

(d) The number of children using the outdoor play area at one time shall meet the requirements of the Virginia Department of Social Services or other applicable licensing agency.

(e) The Special Use shall be licensed by and operated under the requirements of the Virginia Department of Social Services or other applicable licensing agency.

Surrounding Area

Much of the adjacent and nearby properties are zoned R-5, Single-Family Residential. Properties to the west of the subject property, along Williamsburg Road, are zoned B-2 Community Business. A mix of single-family residential, vacant, commercial, mixed-use, office land uses and a cemetery are present in the vicinity of the subject property.

Neighborhood Participation

Staff has received letters of support from the community, including letters from the Greater Fulton Civic Association and Greater Fulton Community Business Association for this application.

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