



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-089: To amend Ord. No. 2014-222-204, adopted Nov. 10, 2014, as previously amended by Ord. No. 2018-328, adopted Jan. 14, 2019, which authorized the special use of the property known as 2319 Grove Avenue for the purpose of authorizing an expansion to an existing day nursery, to modify the fencing requirements for the roof-top play area, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: May 4, 2020

PETITIONER

Joe Cafarella – Ms. Babs' Nursery

LOCATION

2319 Grove Avenue

PURPOSE

To amend Ord. No. 2014-222-204, adopted Nov. 10, 2014, as previously amended by Ord. No. 2018-328, adopted Jan. 14, 2019, which authorized the special use of the property known as 2319 Grove Avenue for the purpose of authorizing an expansion to an existing day nursery, to modify the fencing requirements for the roof-top play area, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting to amend an existing Special Use Permit which allowed for the expansion of an existing day nursery, in order to change a feature requirement of the approved plans. The existing Special Use Permit was approved in 2019 for the purposes of expanding the nursery and to include a non-opaque fence/wall for a rooftop play area located to the rear of the building. The current application to amend the existing Special Use Permit would authorize an opaque fence/wall.

Staff finds that the proposed amendment to the roof-top play area fencing type does not significantly alter the overall scope and goals of the original plan, nor does the change in material significantly impact adjacent properties.

Staff finds that with the ordinance conditions the safeguards contained within the City Charter, relative to the granting of Special Use Permits, will continue to be met. Specifically, staff finds that the proposed amendment 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 Amendment request.

FINDINGS OF FACT

Site Description

The subject property is located on Grove Avenue between North Stafford Avenue and Strawberry Street in The Fan neighborhood. The existing day care facility, known as Ms. Babs' Nursery, is located within a former residential structure.

Proposed Use of the Property

The applicant is requesting to authorize a modification of the fencing requirements for the roof-top play area to the rear of the structure to authorize an opaque fence/wall.

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 property is currently located in the R-6 Single Family Attached Residential zoning district and is regulated by a special use permit ordinance. The existing special use permit was approved in 2019 (Ord. No. 2018-328) for the purposes of expanding the nursery and to include a non-opaque fence/wall on the roof of the approved addition. The current application to amend the existing special use permit would allow for an opaque railing as follows:

3(d) The proposed roof-top play area shall have a [~~non-opaque, four-foot-high~~] fence, substantially as shown on the Plans.

Surrounding Area

All adjacent properties are located within the same R-6 Single Family Attached Residential District as the subject property. A mix of single-, two-, and multi-family residential, mixed-use, office, and commercial land uses are present in the vicinity.

Neighborhood Participation

Staff has received letters of support, and a letter of no opposition from the Fan District Association, for this application. A letter of opposition was received from an adjacent resident, which was subsequently rescinded after an agreement was reached with the applicant regarding additional improvements to the fence.

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