



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2015-201: To authorize the special use of the property known as 2519 Mandy Lane for the purpose of a family day home for up to 12 children located within an existing single-family dwelling, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: November 2, 2015

PETITIONER

Josephine Campbell
Joyful Joyful Childcare
2519 Mandy Lane
Richmond, VA 23224

LOCATION

2519 Mandy Lane

PURPOSE

To authorize the special use of the property known as 2519 Mandy Lane for the purpose of permitting a family day home for up to twelve (12) children located within an existing single-family dwelling, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located on a 9,000 square foot site on the northeast corner of Mandy Lane and Orcutt Lane. The property contains a single-family dwelling having a floor area of 1,544 square feet, constructed in 1984. The property was previously authorized for use as a day nursery by special use permit in 2001. This authorization has expired.

The Virginia Department of Social Services (VDSS) regulates childcare facilities, as does the City Code (Zoning). The state regulations allow a provider to care for up to twelve (12) children in the residence of the provider exclusive of children residing on the premises. The City's Zoning Ordinance allows a provider to care for up to five (5) children, exclusive of children residing on the premises.

In 2001, the Planning Commission was concerned with potential changes in the operation of the Family Day Home over time, and thus included the condition containing an expiration date of five years from the date of adoption. That date subsequently arrived and no action was taken by the applicant to submit a new special use permit. Under a new state law, day care providers are now required to ascertain zoning approval as part of their annual licensing renewals with VDSS. When the applicant requested zoning approval from the City, it was determined that the special use permit approved in 2001 had expired.

The proposed special use ordinance requires the operator to reside on the premises and would also limit the hours of operation to 7:00 a.m. to 6:00p.m., Monday through Friday, with a maximum enrollment of 12 children and 4 staff, including the owner. Under normal zoning, 1,200 square feet of outdoor play area is required and approximately 1,607 square feet of outdoor play area is available. The play area is enclosed with an existing chain link fence. Under normal zoning, two parking spaces would be required for four staff. The petitioner is not proposing to add additional parking. The applicant accommodates two vehicles in an existing gravel driveway and has stated that staff assistants do not drive, therefore, no additional traffic will be created by their employment. All proposed conditions, excluding an expiration date, are as they were in the 2001 ordinance.

Staff finds that the family day home would be accessory to the existing single-family dwelling and that the applicant/operator would be required to live on site and be licensed by the VDSS. There is an adequate fenced-in play area and there is little to no anticipated traffic congestion being generated by the family day home use. Furthermore, the hours of operation are limited to avoid conflicts with nearby adjacent residential uses.

Staff finds that the City Charter conditions relative to the granting of special use permits has been met. Therefore, staff recommends approval of the special use permit request.

FINDINGS OF FACT

Site Description

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Proposed Use of the Property

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Master Plan

The Richmond Master Plan designates this property as Single-Family (low density) in the Broad Rock Planning District. "Primary uses are 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 (p. 133).”

Zoning & Ordinance Conditions

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Surrounding Area

The adjacent properties are zoned R-4, and are occupied by single-family residences.

Neighborhood Participation

Staff has contacted 9th District Council Representative, Michelle Mosby, and the Broad Rock Team and Endicott Community Associations. Staff has received no letters of support nor opposition.

Staff Contact: Willy Thompson, Senior Planner, (804) 646-5734