



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2022-372: To authorize the special use of the property known as 2235 Perry Street for the purpose of a day nursery for up to 10 children, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: January 3, 2022

PETITIONER

Carmen Stewart Cruz, Carmen Child Care

LOCATION

2235 Perry Street

PURPOSE

To authorize the special use of the property known as 2235 Perry Street for the purpose of a day nursery for up to 10 children, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located in the R-6 - Residential (Single Family Attached) zoning district. R-6 district. A day nursery with up to five children is a permitted use. In order to provide services for six or more children the approval of a special use permit is required.

Staff finds the proposed special use permit would be consistent with the Richmond 300 Master Plan which recommends Residential for the property. This designation encourages institutional uses and the proposed use is a neighborhood support use.

Staff finds that the proposed use should not pose an undue burden on the availability of on-street parking, due to the provision of on-site parking, availability of mass transit in the area, and the staggered, temporary nature of the parking demanded by this use.

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 property is located in the Swansboro neighborhood at 2235 Perry Street, between West 24th and West 22nd Streets. The property is 4,111sq.ft. (0.094 acres) in size and currently consists of a single family detached dwelling.

Proposed Use of the Property

The request will authorize a daycare facility for up to 10 children as an accessory use to a single-family detached dwelling.

The Applicant states in their applicant report the following information:

Age Range: newborn to 12yrs

Employees: Applicant and Applicant's Family

Hours of Operation: 6am to 6pm

Pickup/Drop Off: No specific transportation is provided, parents will drop off and pick up using the street in front of the subject property.

Play Area: Roughly 4000 square feet in the rear and side of the dwelling. A opaque fence is provided around the outdoor area.

Master Plan

The City's Richmond 300 Master Plan designates the property as Residential, which is described as a Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.

Development Style: Houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings.

Ground Floor: Not applicable.

Mobility: Bicycle and pedestrian access are prioritized and accommodated. Low residential density means that it is not possible to provide frequent transit within these areas; however, frequent transit may be found at the edges of these areas within more intense future land use designations. Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present.

Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets

Zoning and Ordinance Conditions

The Zoning Office has reviewed the project and offers the following comments.

"The subject property is located in the R-6 - Residential (Single Family Attached) zoning district. R-6 district. Day nurseries with more than 5 children is not permitted by right. Where allowed, the following is required:

a. 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.

b. 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.

c. No play equipment or structure shall be located within a front yard or a required side yard."

If adopted, the Special Use Permit would impose conditions on the property, including:

(a) The Special Use of the Property shall be as a day nursery for up to ten children, not including children living on the Property, substantially as shown on the Plans.

(b) No less than two off-street parking spaces shall be provided for the Special Use.

(c) The hours of operation for the day nursery shall be from 6:00 a.m. to 6:00 p.m., Monday through Friday.

(d) All mechanical equipment serving the Property 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 Education or its successor agency.

Surrounding Area

The property is located in the R 6 Residential (Single Family Attached) zone. Adjacent properties are zoned the same R 6 zone to the north and south with R 48 to the west. Surrounding uses consist of residential uses. The subject property is located roughly two blocks from Semmes Avenue, which includes GRTC Bus service.

Neighborhood Participation

Staff notified area residents and property owners, as well as the Woodland Heights Civic Association and Swansboro Neighborhood Association.

Staff Contact: Ray Roakes, Planner, Land Use Administration, 804-646-5467