



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-328: To amend Ord. No. 2014-222-204, adopted Nov. 10, 2014, 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 authorize further expansion of the existing day nursery, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: January 7, 2019

PETITIONER

Joe Cafarella – Ms. Babs' Nursery

LOCATION

2319 Grove Avenue

PURPOSE

To amend Ord. No. 2014-222-204, adopted Nov. 10, 2014, 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 authorize further expansion of the existing day nursery, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting to amend an existing Special Use Permit in order to expand an existing day nursery. The subject property is located on Grove Avenue between North Stafford Avenue and Strawberry Street in The Fan neighborhood.

The proposed amendment would allow for an increase of 876 square feet of classroom space and outdoor improvements, and will accommodate an additional 10 students. The total occupancy would be limited to 90 children. The proposed expansion would be located at 2319 Grove Avenue and would not include additional property in the area.

A special use permit proposal to expand the day nursery to a second location (2318 Grove Avenue) was heard by the Planning Commission and City Council in January 2018, but was not approved.

Staff finds that the proposal would avoid encroachment of a commercial use into a residential neighborhood by expanding the day nursery use within the bounds of the current property without the acquisition of additional property in the area.

Staff finds the Master Plan recognizes the value existing commercial uses bring to the Near West Planning District. This use would continue to provide a service to the community.

Staff also 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.

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. Prior to the 2014 special use permit, the nursery, which is not a permitted use in the R-6 Single Family Attached Residential zoning district, operated as a nonconforming use. The 2014 special use permit authorized an expansion of the day nursery.

Proposed Use of the Property

The current application to amend the existing Special Use Permit would allow for an increase of 876 square feet of classroom space and outdoor improvements, and will accommodate an additional 10 students. The total occupancy would be limited to 90 children. The proposed expansion would be located at 2319 Grove Avenue and would not include additional property in the area.

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 regulated by the 2014 special use permit ordinance.

If approved, the amended special use permit ordinance would impose conditions on the property, including:

3(a) The Special Use of the Property shall be as a day nursery for up to 90 children, substantially as shown on the Plans.

(b) No parking shall be required for the day nursery use.

(c) The ground level play areas shall be enclosed with a continuous opaque structural fence or wall not less than four feet in height, substantially as shown on the survey referred to in section 2(a).

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

(e) The hours of operation for the day nursery shall be limited to the hours between 7:30 a.m. and 7:00 p.m., Monday through Friday.

(f) The number of children using the outdoor play areas at one time shall meet the requirements of the Virginia Department of Social Services or its successor entity.

(g) The day nursery shall be licensed by and operated under the requirements of the Virginia Department of Social Services or its successor entity.

Surrounding Area

All adjacent properties are located within the same R-6 Single Family Attached Residential zoning district.

Neighborhood Participation

The City has received a letter of support for this application from a nearby property owner.

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