



Legislation Text

File #: ORD. 2017-186, Version: 1

To authorize the special use of the property known as 3200 Utah Place for the purpose of a day nursery for up to 12 children, upon certain terms and conditions.

O & R Request

DATE: August 15, 2017

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: Levar Stoney, Mayor (Patron: Mayor, by Request)
(This in no way reflects a recommendation on behalf of the Mayor.)

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Peter L. Downey, Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

SUBJECT: Special use permit to authorize the special use of the property known as 3200 Utah Place for use as a day nursery for up to 12 children, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 3200 Utah Place for use as a day nursery for up to 12 children, upon certain terms and conditions.

REASON: The subject property is located in an R-6 Single-Family Residential district which does not permit the proposed day nursery use. The applicant is using the property as a day nursery for up to 12 children and is requesting a special use permit to legitimize the existing use of the property.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Planning Commission at its October 2, 2017 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property is located near the intersection of Utah Place and Burns Street and consists of a parcel with approximately 7,700 square feet of land area. The property is currently improved with a two-story, single-family detached dwelling constructed in 1983.

Under normal zoning requirements, property owners in the R-6 Single-Family Residential district may provide daycare for up to five children without special authorization. The applicant uses approximately 600 square feet of the existing

dwelling as a day nursery for up to 12 children and provides 1,200 square feet of outdoor space for use by the children. The remaining portion of the dwelling is used as the applicant's residence.

The proposed ordinance would limit the hours of operations for the day nursery from 6:00 a.m. to 7:00 p.m. daily. The total number of day nursery employees present at the daycare at any one time would be limited to three. No off-street parking spaces will be provided for the use of the employees.

The City of Richmond's Master Plan recommends Single-Family Low Density land use for the subject property. This category includes single-family detached dwellings at densities up to seven units per acre and residential support uses such as churches, parks, and recreational facilities (p. 133).

All properties surrounding the subject property are located in the R-6 Single Family Residential district. In addition, all the surrounding adjacent properties to the subject property are all single family detached dwellings located in the R-6 Single-Family Residential district.

FISCAL IMPACT: The Department Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

COST TO CITY: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

REVENUE TO CITY: \$300.00 application fee

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: September 11, 2017

CITY COUNCIL PUBLIC HEARING DATE: October 9, 2017

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, October 2, 2017

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORDINANCES: None.

ATTACHMENTS: Application Form, Applicant's Letter, Draft Ordinance, Survey, Map

STAFF: Leigh V. Kelley, Planner II
Land Use Administration (Room 511)
646-6384

DPDR O&R No.17-22