



## Legislation Details (With Text)

**File #:** ORD. 2018-051      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 1/17/2018      **In control:** City Council

**On agenda:** 3/19/2018      **Final action:** 3/26/2018

**Title:** To authorize the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, upon certain terms and conditions.

**Sponsors:** Mayor Stoney (By Request)

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. No. 2018-051, 2. Staff Report, 3. Application Form & Applicant's Report, 4. Plan & Plat, 5. Fence Description Key, 6. Map, 7. Letter of No Opposition, 8. Letters of Support, 9. Letters of Support\_additional

Date	Ver.	Action By	Action	Result
3/26/2018	1	City Council	adopted	Pass
3/19/2018	1	Planning Commission	recommended for approval	
2/26/2018	1	City Council	introduced and referred	

To authorize the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, upon certain terms and conditions.

### O & R Request

**DATE:** January 24, 2018

**EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor  
(This is 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

**RE:** To authorize the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of waiving the requirements of Sec. 30-402.2(3) of the Code of the City of Richmond (2015), as amended, upon certain terms and conditions.

**ORD. OR RES. No.**

**PURPOSE:** To authorize the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of waiving the requirements of Sec. 30-402.2(3) of the Code of the City of Richmond (2015), as amended, upon certain terms and conditions.

**REASON:** The applicant is planning to increase the number of children served by the existing day nursery within a church and has therefore requested a special use permit to authorize the continued use of an outdoor play area with decorative fencing, which does not meet the standards of the Zoning Ordinance.

**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 Commission at its March 5, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of a 10,182 SF, .23 acre parcel of land and a 10,612 SF, .24 acre parcel of land, currently used as day nursery within a church and outdoor play area. Both parcels are located in the Fan District neighborhood of the Near West planning district.

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)

The current zoning for this property is R-6 (Single-Family Attached Residential). All adjacent properties are located within the same R-6 Residential Zone.

The applicant is planning to increase the number of children served by the existing day nursery within a church and has therefore requested a special use permit to authorize the continued use of an outdoor play area with decorative fencing, which does not meet the following standards of the Zoning Ordinance:

- 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;

The proposed special use permit also contemplates future expansion of the decorative fence along Grove Avenue if the outdoor play area is expanded, and establishes on-site parking standards for the day nursery.

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

**FISCAL IMPLICATIONS:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**BUDGET AMENDMENT NECESSARY:** No

**REVENUE TO CITY:** \$300 application fee

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** February 12, 2018

**CITY COUNCIL PUBLIC HEARING DATE:** March 12, 2018

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, March 5, 2018

**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 ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Draft Ordinance, Application Form, Applicant's Report, Plans, Survey, Map

**STAFF:** Jonathan Brown, Senior Planner  
Land Use Administration (Room 511) 646-5734

**Key Issues:**

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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