



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

Continue to: