



# City of Harrisonburg, Virginia

Department of Planning & Community Development  
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December 22, 2016

## TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

**SUBJECT:** Public hearing to consider a request from Carletta Walker with representative Karita Burrill for a special use permit per Section 10-3-34 (6) to allow a major family day home in the R-1, Single-Family Residential District. A major family day home can have five to 12 children under the age of 13, exclusive of any children who reside in the home. The 7,840 +/- square feet property is located at 831 Grant Street and is identified as tax map parcel 39-G-5.

## EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: December 14, 2016

Chair Fitzgerald read the request and asked staff for a review.

Mrs. Banks said the Comprehensive Plan designates this area as Low Density Residential. This designation states that these areas consist of single-family detached dwellings with a maximum density of 1 to 4 units per acre. Low density sections are found mainly in and around well established neighborhoods and are designed to maintain the existing character of neighborhoods and to provide traditional areas for home ownership.

The following land uses are located on and adjacent to the property:

- Site: Single-family dwelling, zoned R-1
- North: Single-family dwellings, zoned R-1
- East: Single-family dwellings, zoned R-1
- South: Single-family dwellings, zoned R-1
- West: Single-family dwellings, zoned R-1

The applicant is requesting a special use permit per Section 10-3-34 (6) of the Zoning Ordinance to allow a “major family day home” (MFDH) within the R-1, Single Family Residential District. MFDHs are defined by the Zoning Ordinance as: *A child day care program offered in the residence of the provider or the home of any of the children in care for five (5) through twelve (12) children under the age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation.* The subject property is situated mid-block along the western side of Grant Street, between 4<sup>th</sup> Street and Rockingham Drive, and is part of the Holiday Hills Subdivision.

Presently, the applicant operates a “minor family day home” within the home located on the site. A “minor family day home” is allowed through the home occupation permit process and is defined in the Zoning Ordinance as: *A child day care program offered in the residence of the provider or the home of any of the children in care for one (1) through four (4) children under the age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation. No*

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*conditions more restrictive than those imposed on residences occupied by a single-family shall be imposed on the day home.* The applicant desires to increase the number of children cared for in the home from four to twelve, and is working with the Virginia Department of Social Services (VDSS) to achieve full state licensure.

The applicant opened Rita's Bright Beginnings in March 2014, with hours of operation from 6:00 am until 6:00 pm. The facility is described as a large area for indoor play, with daily learning activities, and lots of back yard space with play areas, swings, bikes, and other activities. Currently, the children, of ages two and above, arrive between 6:50 – 7:30 am. Patrons park their vehicle in the driveway and walk their child to the back of the home for drop-off inside at the day home entrance. The driveway is large enough to fit two vehicles in addition to the applicant's vehicle, and parking is also available along Grant Street. The hours of operation and facility size are not conditions of the SUP and may change at times.

As noted above, the applicant desires to have the maximum of 12 children enrolled in the MFDH. Based upon the number enrolled and their ages, an additional care provider may be required and, if approved and licensed, the applicant hopes to have an assistant in the near future.

Staff does not foresee any negative impact in approving this application and supports approval of the special use permit as requested.

Chair Fitzgerald asked if there were any questions for staff.

Hearing none, Chair Fitzgerald asked if there was anything else before opening the public hearing. Hearing none, she opened the public hearing and asked if anybody would like to speak in favor or against this request.

Hearing none, Chair Fitzgerald closed the public hearing and asked Planning Commission for a motion on the request for the purpose of discussion.

Mrs. Whitten moved to approve the request of the special use permit for 831 Grant Street (Major Family Day Home) as presented by staff.

Mr. Finnegan seconded the motion.

Chair Fitzgerald asked for further discussion on the request.

Mr. Baugh said we have had an increasing number of these over the years. I have been a pretty consistent advocate for this position; there is definitely not an overabundance of quality child care for folks in need. With the special use permit item, you can always review it if there are issues and historically, even times when there were a lot of concerns, to my knowledge we never really had any problems. I am very happy to support this.

Chair Fitzgerald asked if there was anything else. Hearing none, Chair Fitzgerald called for a voice vote on the motion.

All voted in favor (6-0) to recommend approval of the SUP for 831 Grant Street (Major Family Day Home) as presented by staff.

Chair Fitzgerald said this will go forward to City Council on January 10, 2017.

Respectfully Submitted,

*Alison Banks*

Alison Banks  
Senior Planner