



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2024-087:** To authorize the special use of the property known as 5224 Bryce Lane for the purpose of a day nursery for up to 12 children, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** April 2, 2024

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#### **PETITIONER**

Brenda Redding – Camp Redding Preschool LLC

#### **LOCATION**

5224 Bryce Lane

#### **PURPOSE**

The applicant is requesting a special use permit to authorize a day nursery for up to 12 children in the R-4 Single-Family Residential District. Day nurseries are not allowed in the R-4 District, per Section 30-408.3 of the City's Zoning Ordinance.

#### **RECOMMENDATION**

Staff finds the proposed special use permit would be consistent with the Richmond 300 Master Plan which recommends Residential Uses for the property. This designation notes that institutional uses are appropriate as secondary uses along Major Streets. While Bryce Lane is not a Major Residential Street, the proposed use would be secondary and incidental to the primary residential use and would not be disruptive to the overall residential character of the area.

Staff finds that the proposed use would not pose an undue burden on the availability of on-street parking due to the provision of on-site parking and the staggered, temporary nature of the parking demanded by this use.

Staff 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 and would not create congestion in the streets in the area involved.

Therefore, staff recommends approval of the special use permit request.

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#### **FINDINGS OF FACT**

##### **Site Description**

The property is located in the South Garden neighborhood on Bryce Lane between Fernbrook Drive and Tignor Road. The property is currently a 26,136 square foot (0.6 acre) improved parcel of land, with a one-and-a-half story single-family dwelling, constructed in 2005.

### **Proposed Use of the Property**

A daycare facility for up to twelve children as an accessory use to a single-family detached dwelling

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as the "Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature."

### **Development Style**

Houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings.

### **Ground Floor**

Not applicable.

### **Mobility**

Bicycle and pedestrian access are prioritized and accommodated. Low residential density means that it is not possible to provide frequent transit within these areas; however, frequent transit may be found at the edges of these areas within more intense future land use designations. Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present.

### **Intensity**

Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

### **Primary Uses:**

Single-family houses, accessory dwelling units, and open space.

### **Secondary Uses**

Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets (see Street Typologies Map)

### **Zoning and Ordinance Conditions**

The current zoning for this property is R-4 Single-Family Residential. The proposed use does not conform to the following sections of the Zoning Ordinance:

#### **30-408.2. - Permitted accessory uses and structures.**

Day nurseries when located within churches, or other places of worship, community centers or school buildings, provided:

- 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 applicant requests to operate a day nursery as an accessory use within a single-family dwelling. Due to the configuration of the lot, the play area must be located within the*

*required side yard. Additionally, the applicant wishes to use the existing fencing on the site, which while continuous, is not continuously opaque.*

The special use permit would impose conditions on the property, including:

- The Special Use of the Property shall be as a day nursery for up to 12 children, not including children living on the Property.
- Two off-street parking spaces shall be required for the Special Use.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- The hours of operation for the day nursery shall be from 7:00 a.m. to 6:00 p.m., Monday through Friday.
- The day nursery shall be licensed by and operated under the requirements of the Virginia Department of Education or its successor agency.
- The day nursery shall be operated by the owner or occupant residing on the Property.
- The outdoor play area, substantially as shown in the area labeled “Swing Set” on the Plans, shall be enclosed within a continuous fence or wall not less than four feet in height, which may be (i) located within a required front yard or a required side yard; (ii) opaque or nonopaque, or (iii) a chain-link fence.

### **Surrounding Area**

The surrounding area primarily consists residential uses, with Broad Rock Sports Complex located to the northeast.

### **Neighborhood Participation**

Staff notified nearby residents and property owners of the proposed Special Use Permit. Staff has not received any letters of support or opposition to this application.

**Staff Contact:** Alyson Oliver, Planner, Land Use Administration, 804-646-3709