

INTRODUCED: January 12, 2026

AN ORDINANCE No. 2026-032

To amend Ord. No. 2023-174, adopted June 26, 2023, which authorized the special use of the property known as 3601 Seminary Avenue for the purpose of a day nursery for up to 64 children, within a church, to allow for up to 74 children, upon certain terms and conditions. (3rd District)

Patron – Mayor Avula

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 9 2026 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

I. That Ordinance No. 2023-174, adopted June 26, 2023, be and is hereby amended and reordained as follows:

WHEREAS, the owner of the property known as 3601 Seminary Avenue, which is situated in a R-48 Multifamily Residential District and a R-1 Single-Family Residential District, desires to use such property for the purpose of a day nursery, for up to ~~[64]~~ 74 children, within a church, which use, among other things, does not meet the requirements of section 30-416.1(5), concerning yards for day nurseries, of the Code of the City of Richmond (2020), as amended; and

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2020), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other

dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. Grant of Special Use Permit.

(a) Subject to the terms and conditions set forth in this amendatory ordinance, the property known as 3601 Seminary Avenue and identified as Tax Parcel No. N000-1749/011 in the ~~[2023]~~ 2026 records of the City Assessor, being more particularly shown on a map entitled “Special Use Permit,” prepared by the City of Richmond Department of Planning & Development Review, and undated, a copy of which is attached to and made a part of ~~[this ordinance]~~ Ordinance No. 2023-174, adopted June 26, 2023, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a day nursery~~;~~ for up to ~~[-64]~~ 74 children, within a church, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Ginter Park Presbyterian Church, Richmond, Virginia,” prepared by an unknown preparer, and undated, a copy of which is attached to and made a part of Ordinance No. 2023-174, adopted June 26, 2023, the plans entitled “The Cottage School – 3601 Seminary Ave, Richmond, VA, 23227,” prepared by Mary Thornton, and dated July 11, 2025, and the plans entitled “GPPC Education Building – Second Floor,” prepared by an unknown preparer and undated, copies of which are attached to and made a part of this amendatory ordinance, hereinafter referred to, collectively, as “the Plans~~;~~”~~a copy of which is attached to and made a part of this amendatory ordinance].”~~

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors

in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as a day nursery, for up to ~~[64]~~ 74 children, within a church, which may include a preschool program.

(b) The outdoor play area, substantially as shown on the Plans in the area labeled “Playground,” 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 non-opaque, or (iii) a chain-link fence.

~~[(d)]~~ (c) The hours of operation of the Special Use shall be limited to the hours between 6:30 a.m. and 6:30 p.m., Monday through Friday.

~~[(e)]~~ (d) The day nursery shall be licensed by and operated under the requirements of the Virginia Department of Education or its successor agency.

~~[(f)]~~ (e) In addition to signs permitted in all districts, pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended, one sign not exceeding eight square feet in area shall be permitted on the Property for the Special Use. The sign shall not be internally illuminated.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond [~~(2015)~~] (2020), as amended, and all future amendments to such laws.

(e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The [~~Zoning Administrator~~] Commissioner of Buildings is authorized to issue a [~~certificate of zoning compliance~~] building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this amendatory ordinance. An application for the [~~certificate of zoning compliance~~] building permit shall be made within 730 calendar days following the date on which this amendatory ordinance becomes effective. If either the application for the [~~certificate of zoning compliance~~] building permit is not made within the time period stated in the previous sentence or the building permit terminates under

any provision of the Virginia Statewide Building Code, this amendatory ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

II. This amendatory ordinance shall be in force and effect upon adoption.

City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: September 26, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor (by request)
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Odie Donald II, Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Economic Development and Planning

FROM: Kevin J. Vonck, Director of Planning & Development Review

RE: To amend Ord. No. 2023-174, adopted June 26, 2023, which authorized the special use of the property known as 3601 Seminary Avenue for the purpose of a day nursery for up to 64 children, within a church, to allow for up to 74 children, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: The applicant seeks to increase enrollment of childcare from the previously conditioned 64 children to 74, therefore, an SUP amendment is required.

BACKGROUND: The property is located in the Ginter Park neighborhood, on the corner of Walton Avenue and Seminary Avenue. The property is currently a 102,457 sq. ft. (2.35 acre) parcel of land. The City's Richmond 300 Master Plan designates a future land use for the subject property as Corridor Mixed Use, which is defined as "Found along major commercial corridors and envisioned to provide for medium- to medium high-density pedestrian- and transit-oriented development... Primary Uses: Retail/office/ personal service, multi-family residential, cultural, and open space. Secondary Uses: Single-family houses, institutional, and government"

The current zoning for this property is split as R-48 Multi-family Residential and R-1 Single-family Residential. Adjacent properties are within the same respective R-48 and R-1 districts. The primary uses of surrounding area are a mix of single-family homes, multi-family, and institutional.

COMMUNITY ENGAGEMENT: Ginter Park Residents Association was notified of the application; additional community notification will take place after introduction.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$200 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: January 12, 2026

CITY COUNCIL PUBLIC HEARING DATE: February 9, 2026

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission February 3, 2026

AFFECTED AGENCIES: Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: Ord. 2023-174

ATTACHMENTS: Draft Ordinance, Authorization from Property Owner, Applicant's Report, Plans,

STAFF:

Alyson Oliver, Program and Operations Manager, Land Use Administration (Room 511) 646-3709

Madison Wilson, Planner, Land Use Administration (Room 511) 646-7436



CITY OF RICHMOND, VA
Department of Planning and Development Review
Land Use Administration Division
900 East Broad Street, City Hall - Room 511, Richmond, Virginia 23219

AUTHORIZATION FROM PROPERTY OWNER

TO BE COMPLETED BY THE APPLICANT
Applicant must complete ALL items

HOME/SITE ADDRESS: 3601 Seminary Ave APARTMENT NO/SUITE N/a
APPLICANT'S NAME: Mary Thornton EMAIL ADDRESS: [REDACTED]
BUSINESS NAME (IF APPLICABLE): The Cottage School
SUBJECT PROPERTY OR PROPERTIES: Property

APPLICATION REQUESTED

- ☐ Plan of Development (New or Amendment)
☐ Wireless Plan of Development (New or Amendment)
☒ Special Use Permit (New or Amendment)
☐ Rezoning or Conditional Rezoning
☐ Certificate of Appropriateness (Conceptual, Administrative Approval, Final)
☐ Community Unit Plan (Final, Preliminary, and/or Amendment)
☐ Subdivision (Preliminary or Final Plat Correction or Extension)

TO BE COMPLETED BY THE AUTHORIZED OWNER
Owner must complete ALL items

Signing this affidavit acknowledges that you, as the owner or lessee of the property, authorize the above applicant to submit the above selected application/s on your behalf.

PROPERTY OWNER: Ginter Park Presbyterian Church on behalf of Presbytery of the James

PROPERTY OWNER ADDRESS: 3601 Seminary Avenue, Richmond, VA 23227

PROPERTY OWNER EMAIL ADDRESS: [REDACTED]

PROPERTY OWNER PHONE NUMBER: (804) 359-5049

Property Owner Signature: Ann Thomas Knox, Trustee

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney.

The Cottage School

Department of Planning and Development Review

Land Use Administration Division

City Hall 900 E. Broad Street, Room 511

Richmond, Virginia 23219

July 11, 2025

re: The Cottage School at Ginter Park Presbyterian Church - Special Use Permit

I. Introduction

Mary Thornton and Patricia Moon ("Applicants"), The Cottage School Board Chair and Vice Chair are applying for an amendment to the current special use permit to allow an increase of 10 children to the current occupancy of 64 children. The church's property is bordered by Seminary, Walton, and Chamberlayne Avenues and is zoned as R1 and R48 Single Family Residential. Zoning Ordinance Section 30-402.2 indicates that Day Nurseries that are subordinate to the Church are permitted. The Cottage School is open from 7:00 a.m. to 6:00 p.m. and will employ a maximum of 26 employees. The Applicants are requesting that The Cottage School be approved for an amendment to the current Special Use Permit occupancy increase to meet the needs of the current families in the center.

R-1

Permitted accessory uses and structures:

- Private garages, garden, tool and storage buildings, boathouses, piers and docks;
- Swimming pools, tennis courts and similar recreational facilities;
- Day Nurseries located in churches or other places of worship, community centers or school

buildings;

R-48

Permitted principal uses :

- Any principal use permitted in the R-1 and district as set forth

in section 114-402.1;

- Single-family attached dwellings;
- Two-family detached dwellings;
- Multifamily dwellings;
- Day Nurseries;
- Adult day care facilities. Proposed Development Permit

The Cottage School (a 501[c]3 charitable organization) is open and operating a licensed Child Care Center (Day Nursery per zoning ordinance) serving 64 children and families the church. Infants to 5 year old age children will continue to be cared for at the center.

Note: A Day Nursery previously operated in this same location.

According to zoning ordinance Section 30-433.13 it MAY be deemed that the church and house have two front yards and a playground cannot be placed in a front yard. Our proposal includes the addition of a playground at the rear of the parking lot near the alley at the rear of the church property. In compliance with Section 30-433.14 The Cottage School will provide that the fence on the playground is a minimum of 4 feet high and opaque. It will also ensure that a minimum of 100 square feet of play space is allotted per child on the playground at any given time.

Note: This exceeds the Department of Education Licensing requirement in Section 4.10 Outdoor Areas of 75 square feet per child at any one time.

III. Factors In Section 17.1 of The City Charter and Section 30-433.13 of The Zoning Ordinance

A. Effect on Safety, Health, Morals and General Welfare of the Community

The proposed special use permit amendment will have a positive effect on the Northside community because it will provide additional support for a critical need; quality care for children birth to six years of age. We are fortunate to have 3 Infant and Child Mental Health endorsed professionals on our leadership team. We plan to invite members of the surrounding community to special mentoring and coaching sessions designed to promote positive parenting skills, positive self esteem and confidence building, and positive mental health outcomes for all members of the family with whom we work through reflective practices.

B. Effect on the Streets, Roads, Alleys and Public Ways and Places

This is a church property designed to serve a large number of members consequently there will be no adverse effects on the community

C. Effect on the Hazards from Fire, Panic and Other Dangers

The church is a multi-use facility and is equipped to support safe and effective operations for a large volume of people in both the sanctuary and the adjoining house. Consequently, there will be no adverse effects.

D. Effect of Crowding of Land and Concentration of Population

The proposed special use permit amendment for the Cottage School's 64 children will not significantly change the density of the underlying zoning.

E. Effect on Schools, Parks, Playgrounds, Water Supplies, Sewage Disposal, Transportation and Other

Public Improvements

The property is served by public water and sewer and due to the nature of the property use the City services will not be impacted.

F. Effect on Adequate Light and Air

There will be no adverse effects on the available light and air.

IV. Conclusion

Granting the Special Use Permit for The Cottage School at Ginter Park Presbyterian Church will increase availability of quality infant and Toddler/Preschool care. It will also address a critical need for Northside and City of Richmond residents and parents, allowing them to return to the workforce while ensuring that their child is receiving quality care near their home.

Respectfully Submitted,

Mary Thornton and Patricia Moon



GINTER PARK
PRESBYTERIAN CHURCH

September 10, 2025

Kevin Vonck
Director Department of Planning, Development, and Review
900 E. Broad St. Room 511
Richmond, VA 23219

Dear Director Vonck,

I am writing in support of The Cottage School's request for a Special Use Permit to include ten additional children in their Early Care and Education Center at the Ginter Park Presbyterian Church (3601 Seminary Ave, Richmond, 23227), which I pastor.

The Cottage School has been operating in GPPC's Education Building for a couple of years now, and we are thrilled with the ways they're addressing the need for quality childcare in our Northside community.

Their extensive training and their vision for addressing the practical and mental health needs of children and families in our neighborhood has been a blessing. These leaders use a strength-based approach to honor the gifts and perspectives of each family and child, to encourage creativity and wonder, and to help children appreciate one another and their differences. They welcome all kinds of teachers and families – aiming for equity and building a diverse yet cohesive community.

The church is a multi-use facility and is equipped to support safe and effective operations for a large number of people. The Education Building has ample classroom space and facility requirements to support the ten additional children.

We sincerely hope this Special Use Permit will be granted soon.

Thanks and blessings,

Carla Pratt Keyes, Pastor

5.20.25: Rev. 1 (v1) Not Required.

Per project description the scope of work does not involve public proposed/existing water/sewer/stormwater services.

DPU - Utility Review • BLOC-165119-2025 • Due: 06/03/2025 • Pending Review

Location
3601 Seminary Ave Richmond, VA 23227

Project Type / Scope
Building (C) - Alter/Remodel Light

Description
requesting an increase in occupancy by 10 to utilize an existing room for 10 preschool age children. Room 207 is ready for use at the church where the other Cottage School's other classrooms are housed. NO CONSTRUCTION - The Cottage School

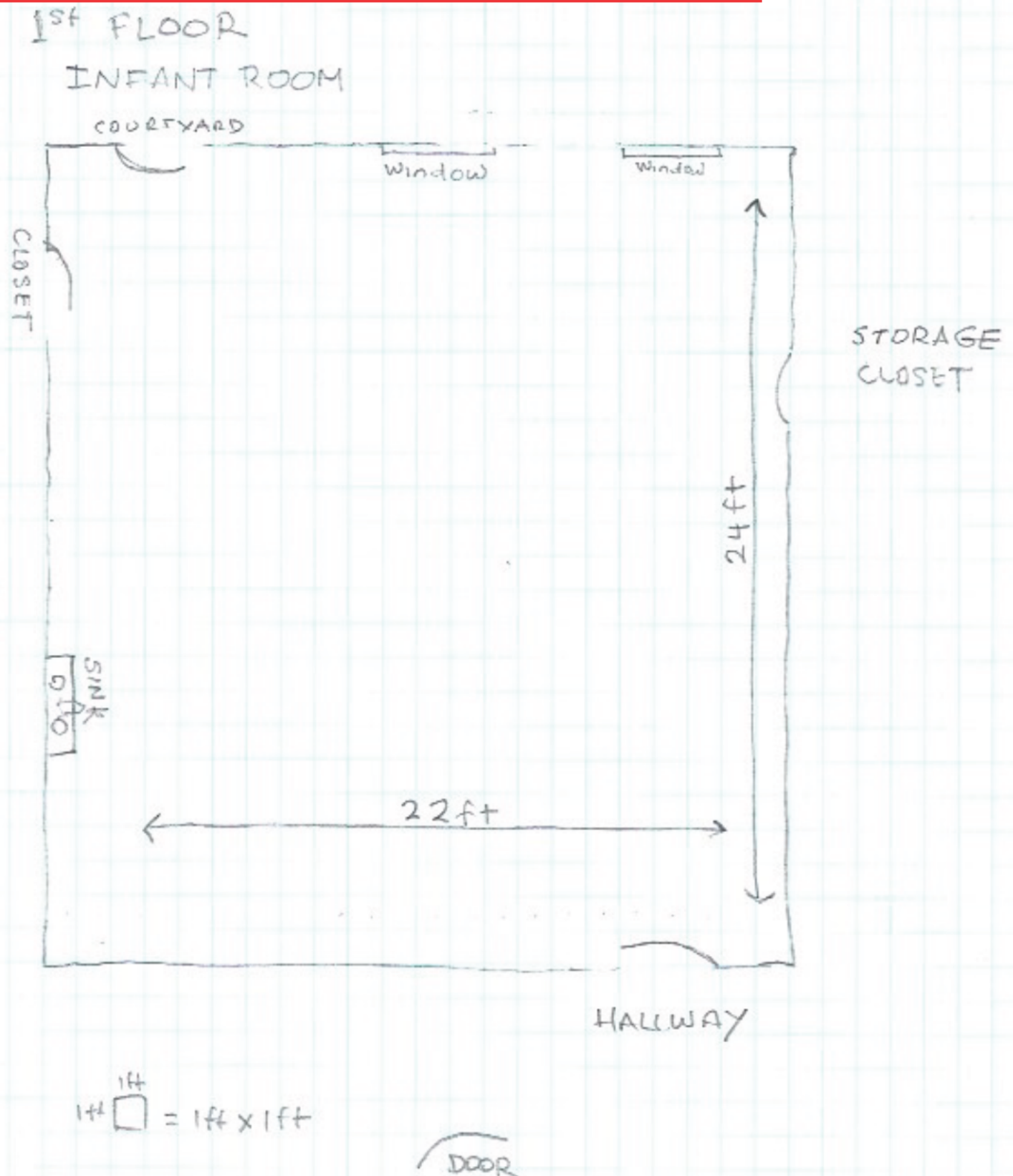
Number of Units
1

Submitted Date
04/23/2025

Building Type
Building (C) - New Addition

Review Status
Pending Review

All DPU-Utility Review Posted Conditions Apply.

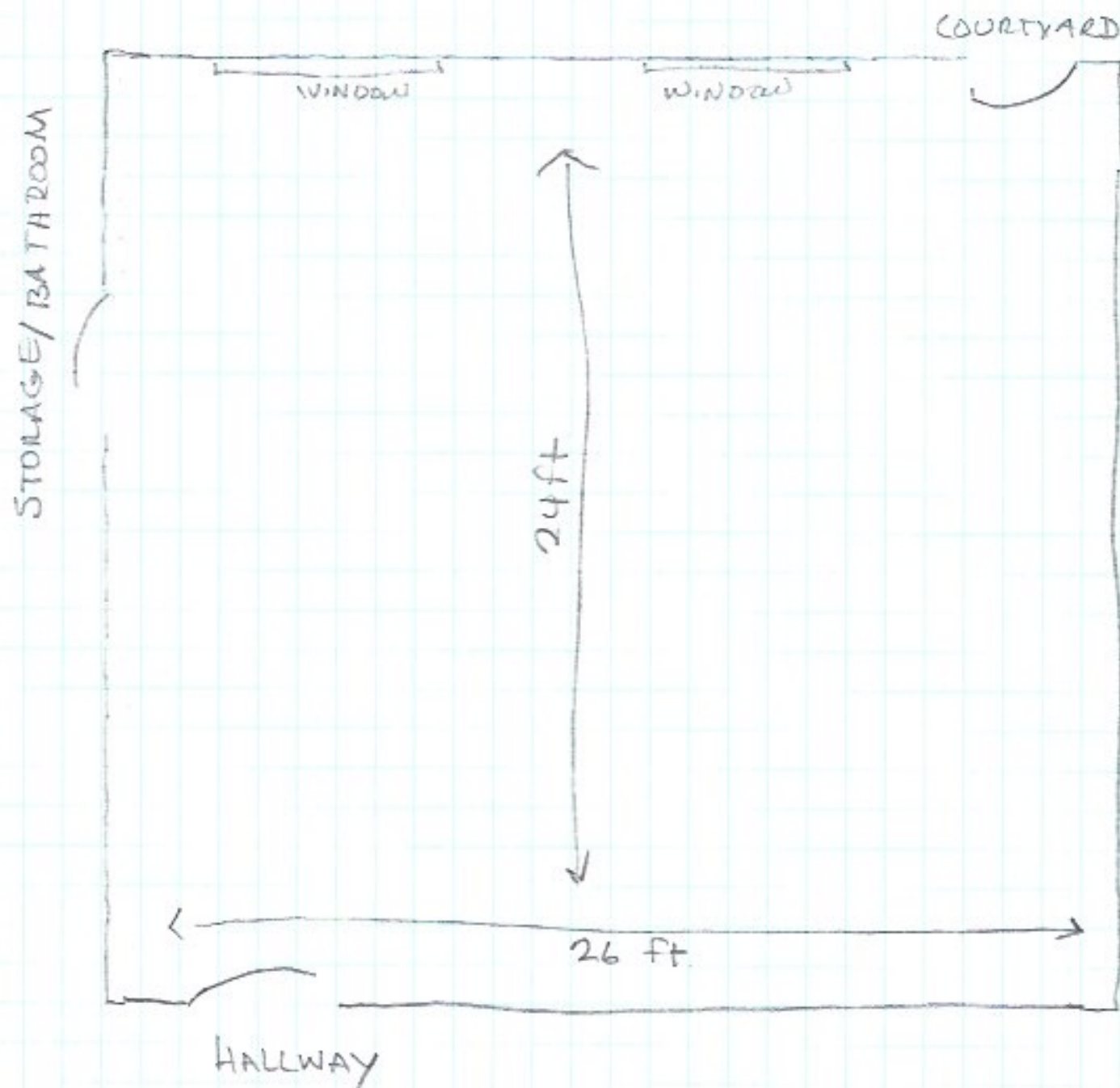



THE COTTAGE SCHOOL - 3601 SEMINARY AVE, RICHMOND, VA 23227
SUBMITTED BY MARY THORNTON, JULY 11, 2025

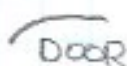
THE COTTAGE SCHOOL
3601 SEMINARY AVE
RICHMOND VA. 23227

1st FLOOR

YOUNG TODDLER ROOM



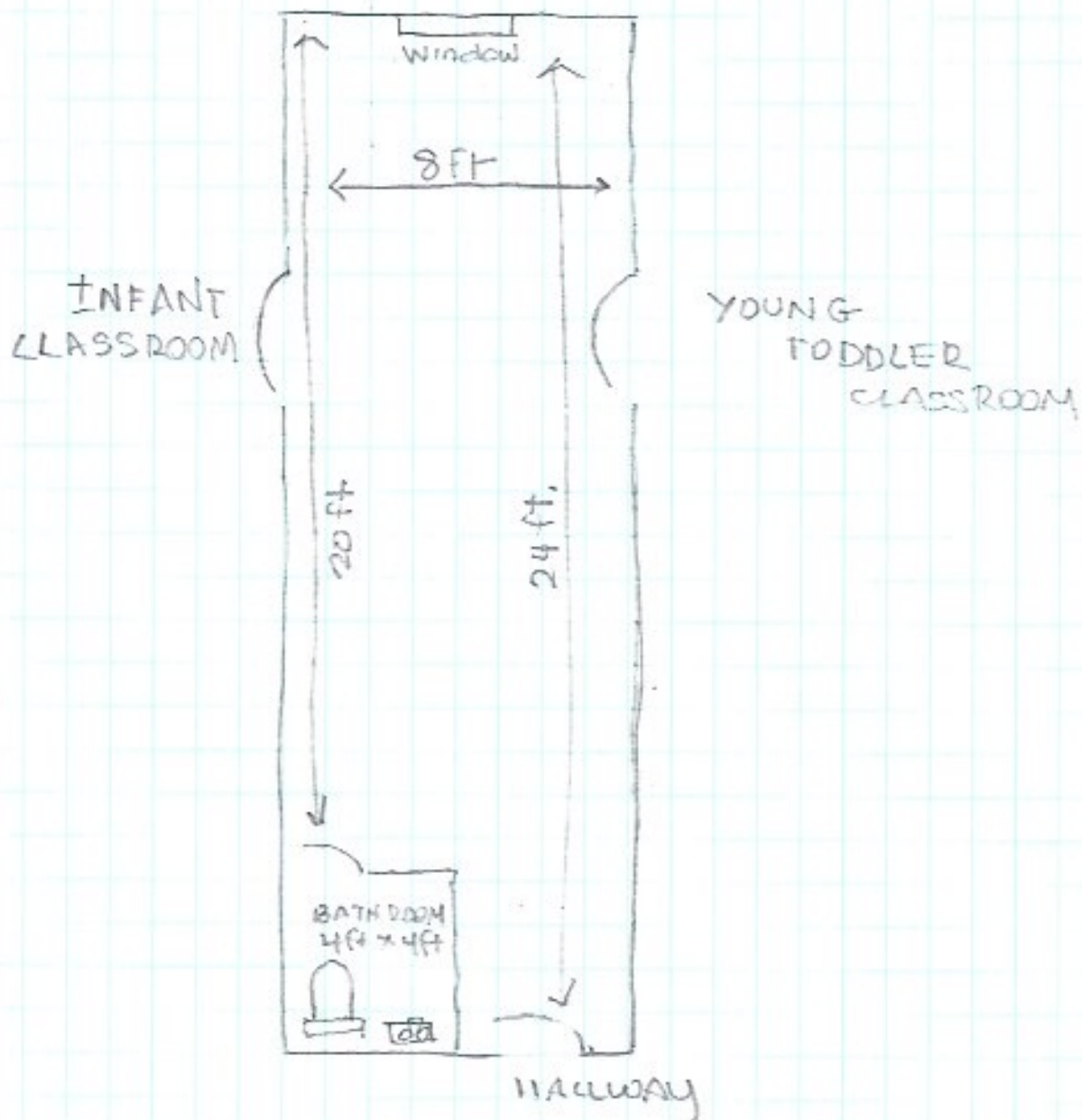
1ft  1ft x 1ft

 DOOR

THE COTTAGE SCHOOL
3601 SEMINARY AVE.
RICHMOND VA. 23227

1ST FLOOR

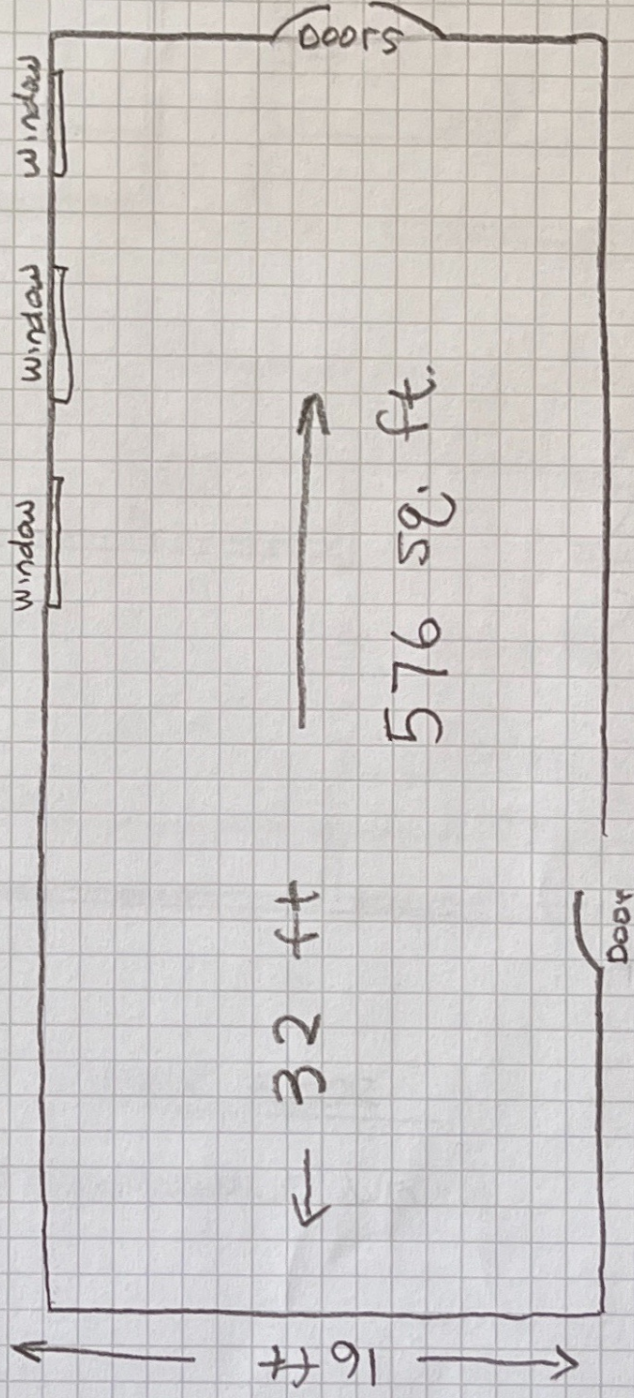
STORAGE CLOSET + BATHROOM.



The Cottage School @ GPPC
3601 Seminary Ave
Richmond Va. 23227.

2 year old
room
1st floor
The Chapel room

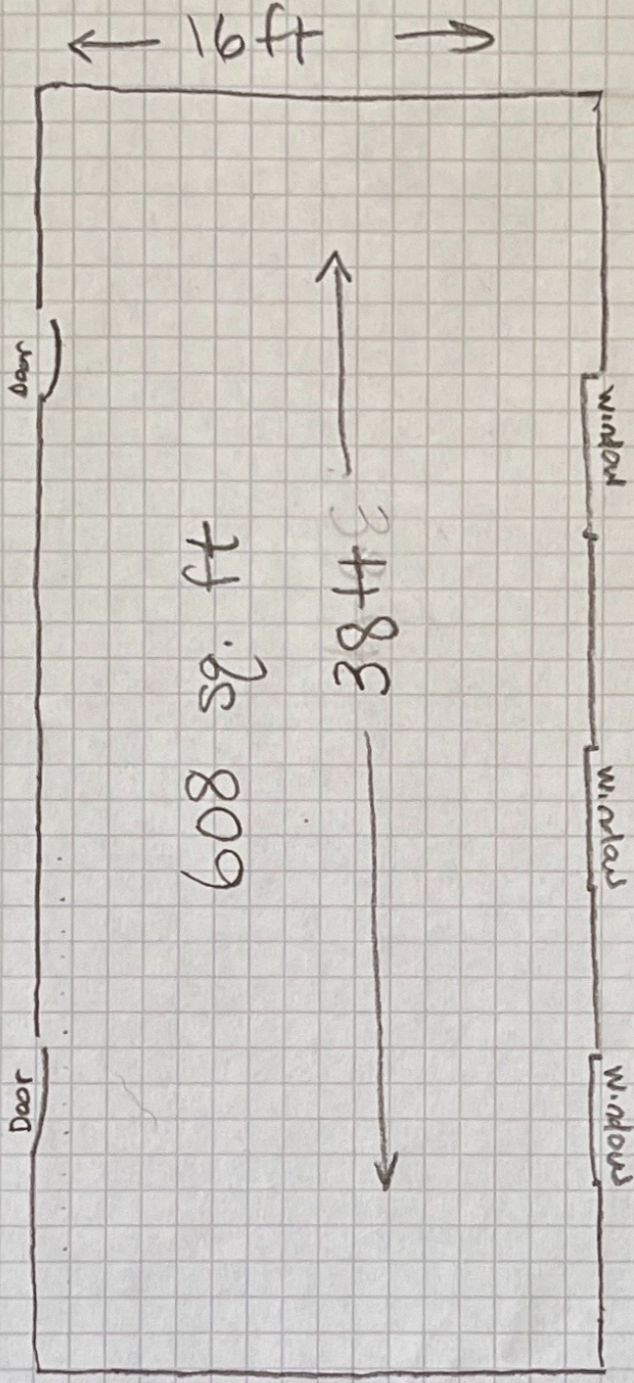
12 children



The Cottage School @ GPPC
3601 Seminary Ave.
Richmond Va. 23227

15 children

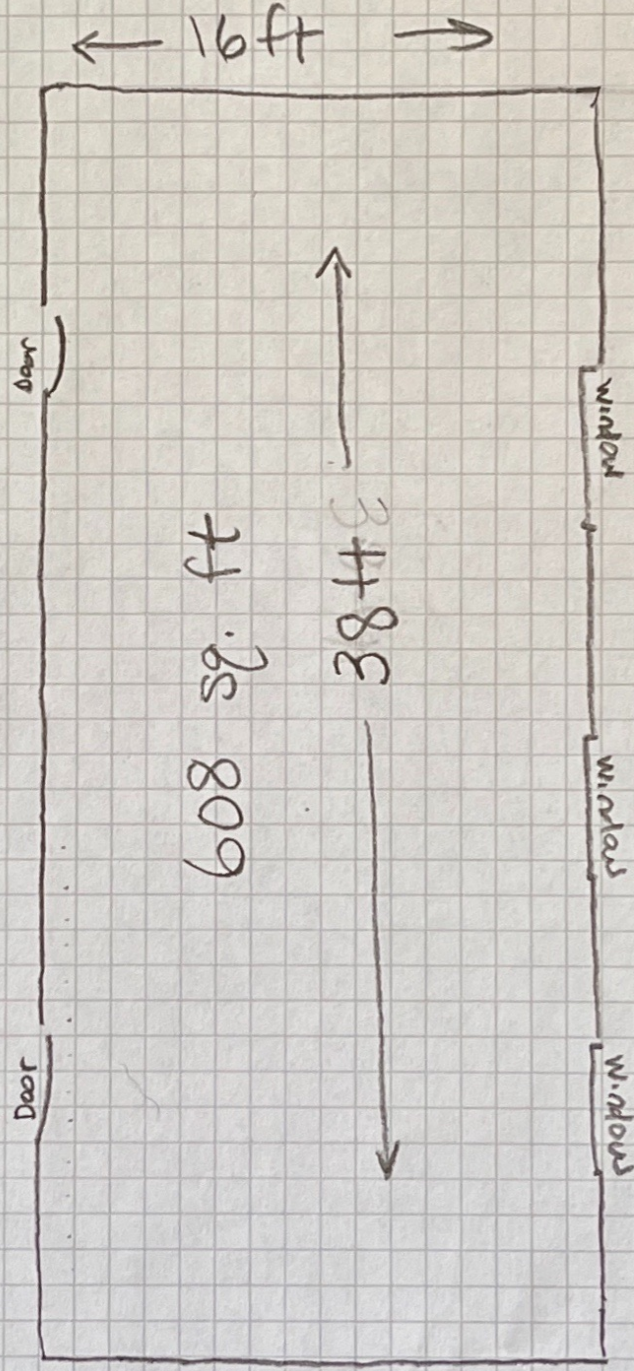
Preschool room
2nd floor
room 206



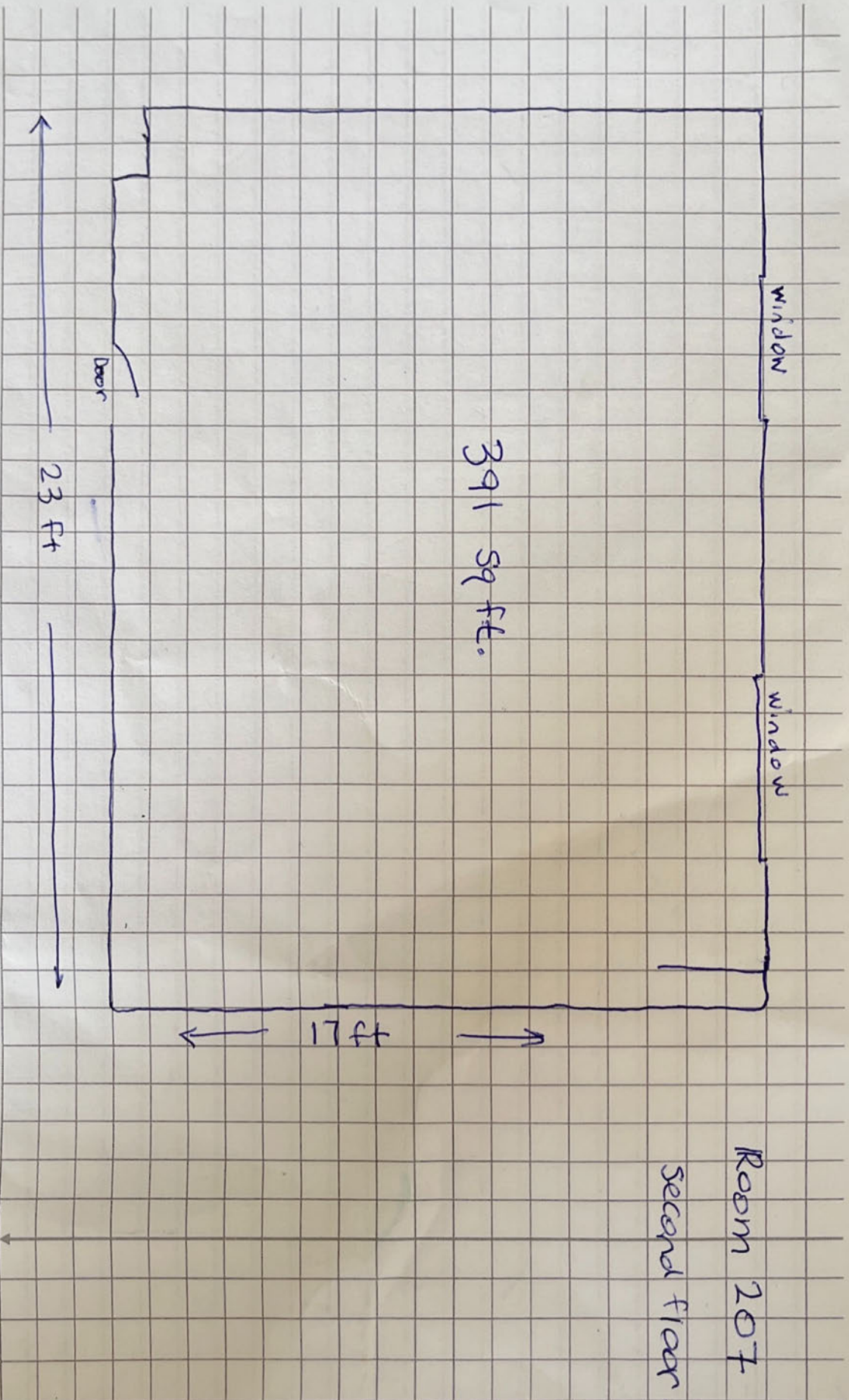
The Cottage School c GPPC
3601 Seminary Ave.
Richmond Va. 23227

15 children

Preschool room
2nd floor
room 206

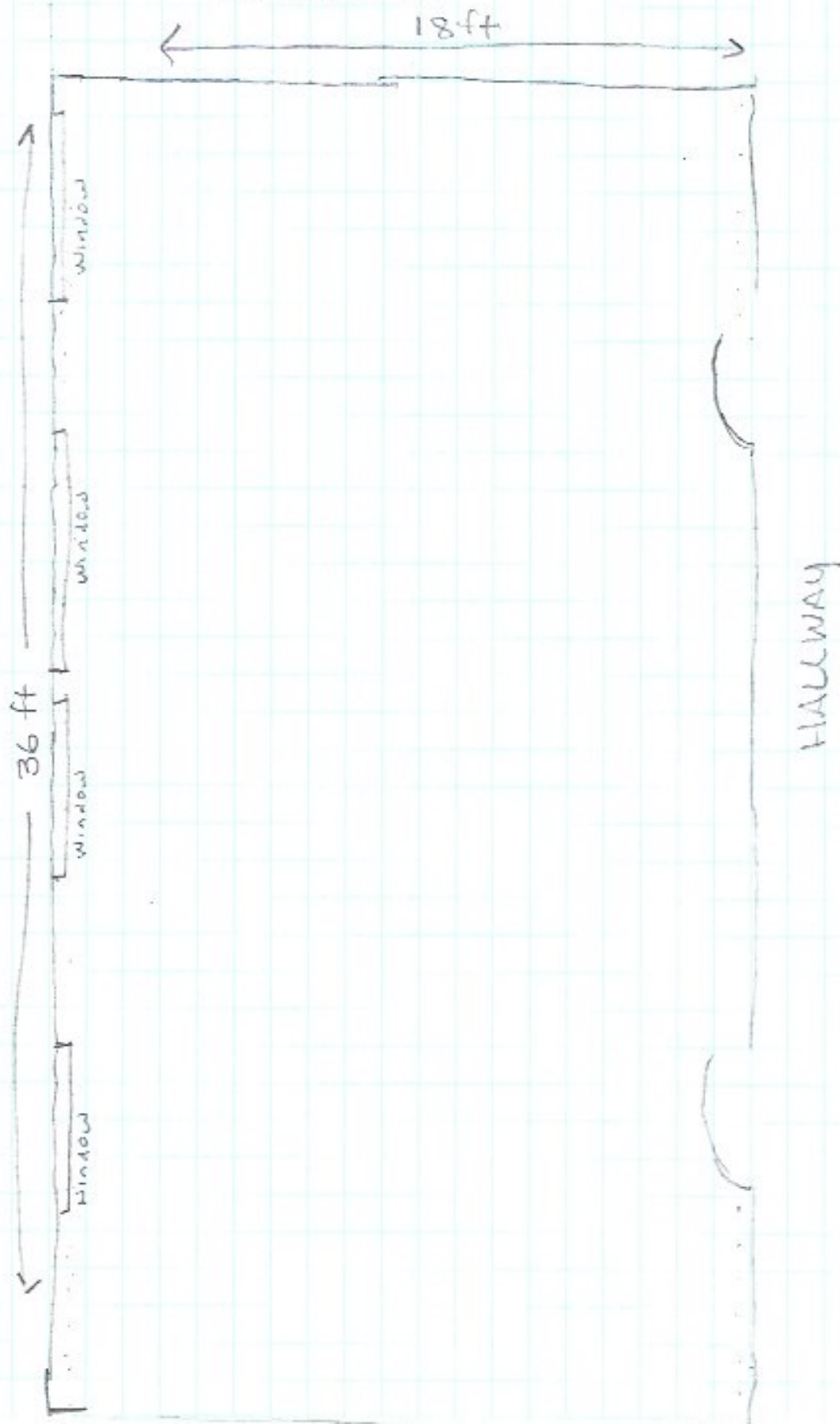


The Cottage School @
Ginter Park Presbyterian Church
3601 Seminary Ave
Richmond Va. 23227



THE COTTAGE SCHOOL
3601 SEMINARY AVE
RICHMOND VA. 23227

2ND FLOOR
ROOM 213
CLASSROOM

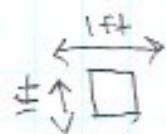
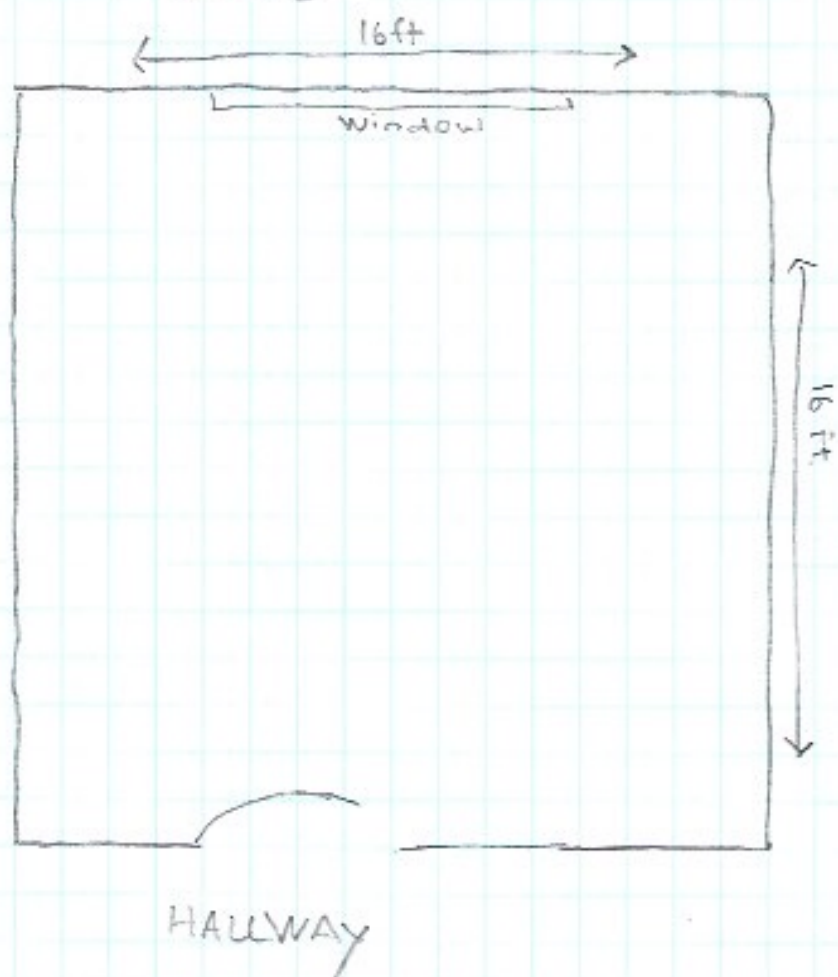


doors

5

The Cottage School
3601 SEMINARY AVE
RICHMOND VA 23227

2ND FLOOR
ROOM 212
office

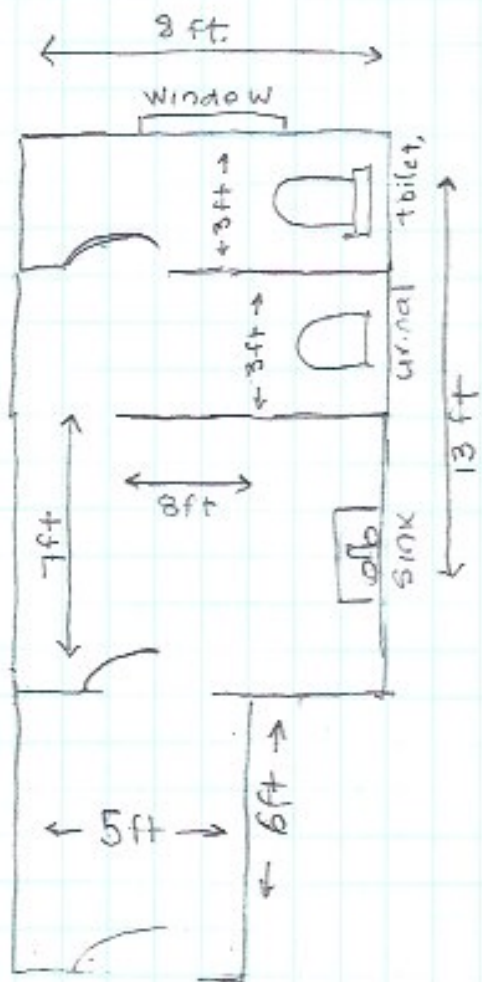


door

THE COTTAGE SCHOOL

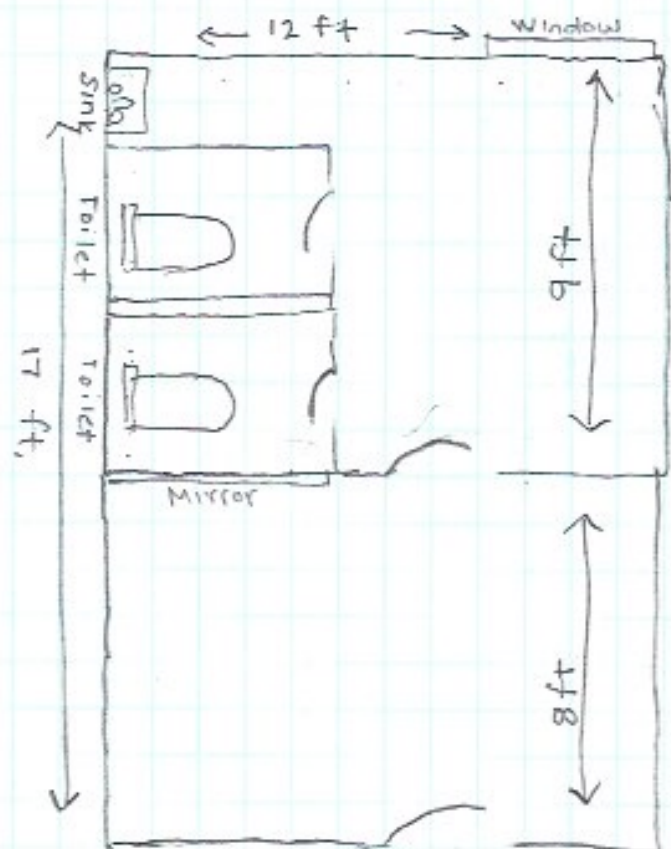
2ND FLOOR MEN'S ROOM

3601 SEMINARY AVE
RICHMOND VA. 23227



HALLWAY

2ND FLOOR LADIES ROOM

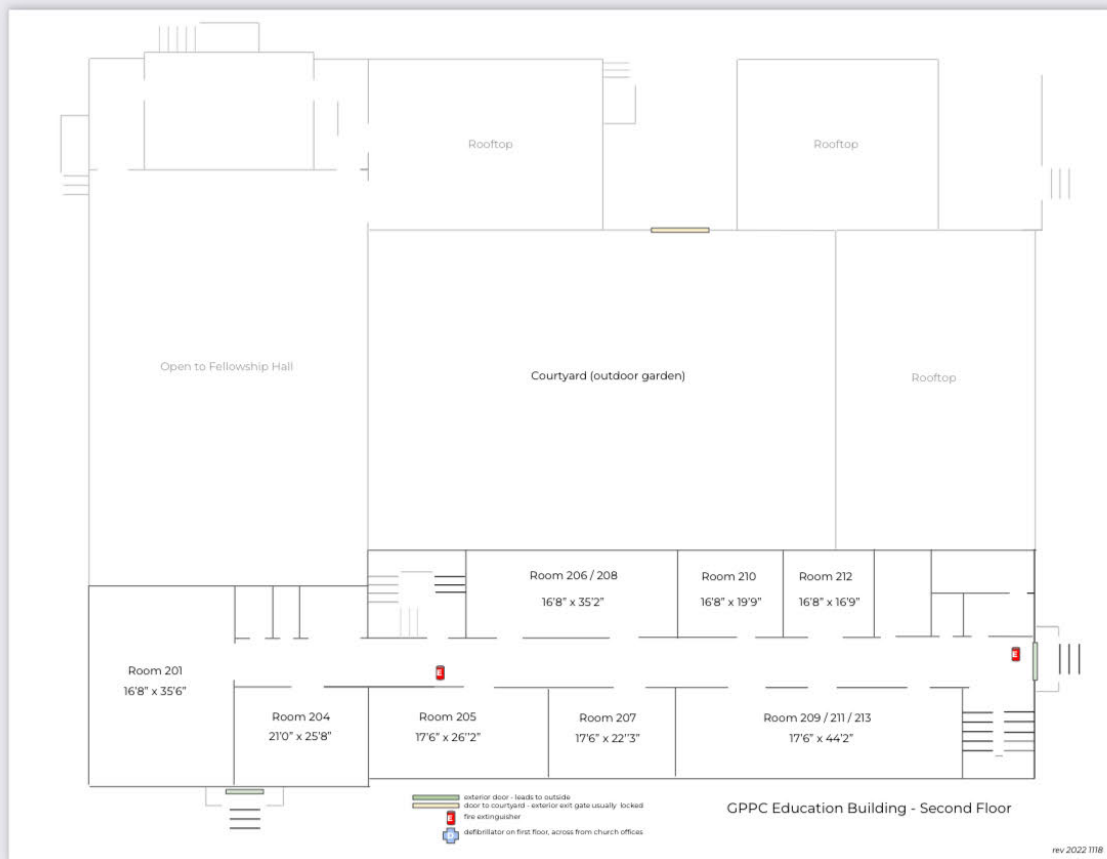


12 ft,
HALLWAY

Doors
1 foot
□ = 1 foot ↑



Floor plan, dimensio...



The children using this room will all be 2 1/2 years of age.