



Z – 21-2
Rezoning Request
Parcel ID 3000010F012
Rezone from RL Residential Low Density
to RO Residential Office District

The Planning Department has received a request for rezoning by Ms. Cynthia Peroe for 217 Battery Place, parcel identification number of 3000010F012, lots 11 and 12 of Block F of the Colonial Heights Subdivision.

The applicant is proposing that the property be rezoned from RL Residential Low Density to RO Residential Office to accommodate the proposed office building. This proposed rezoning would also change the Land Use Plan map from Low Density Single-Family to Transitional Office.

Location:

This property is located at 217 Battery Place directly across from the Courthouse parking lot.

The subject lot is .65 acres. The lot frontage along the right-of-way is 100 feet. The lot depth is 194 feet on the southern border and 364 feet along the northern border. The angled back property line is 200 feet.

Land Use Plan:

The land use plan designates this property as Low Density Single-Family. According to the 2044 Comprehensive Plan, the primary use in the Low Density Single-Family classification is single-family detached dwellings at densities up to five units per acre. This category includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. The zoning district that would accommodate this land use category is RL (Residential Low).

Surrounding Land Use Plan:

North – All parcels north of the subject parcel are designated Low Density Single-Family.

South – All parcels south of the subject parcel are designated Low Density Single-Family.

East – The parcel immediately east of the subject property is designated Community Commercial, the remaining parcels east of the subject property are designated Low Density Single-Family. It should be noted that 205 Chesterfield Avenue, located 700 feet from the subject parcel, is designated Transitional Office.

West – All parcels west of the subject parcel are designated Low Density Single-Family.

Existing Zoning:

The existing zoning is currently RL Residential Low-Density District.

Surrounding Zoning:

North – All parcels north of the subject parcel are zoned RL – Residential Low-Density District.

South – All parcels south of the subject parcel are zoned RL – Residential Low-Density District.

East – The parcel immediately east of the subject property is zoned BB – Boulevard Business District, the remaining parcels east of the subject property are zoned RL – Residential Low-Density District. It should be noted that 205 Chesterfield Avenue, located 700 feet from the subject parcel, is zoned RO – Residential Office district.

West – All parcels west of the subject parcel are zoned RL – Residential Low-Density District.

Relationship to Comprehensive Plan:

The Land Use Plan and Map state and show how the intensity of uses should be consistent and minimal between land use areas. The following is excerpts from the Residential – Single Family classification and the Transitional Office classification. The bold text areas in the sections show the compatibility of these two types of land uses relative to this request.

“Low Density Single Family – The primary use in the Low Density Single-Family classification is single family detached dwellings at densities up to five units per acre. This category includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. The zoning district that would accommodate this land use category is RL (Residential Low).”

“The primary use in the Transitional Office classification are low-to-medium intensity professional, business and administrative offices, and medical and dental clinics that are compatible with adjacent residential uses and serve as separation between residential areas and nearby commercial or other higher intensity land uses or features. The scale and intensity of such office uses may vary depending on the density and type of residential uses they are intended to buffer. The zoning district that would accommodate this land use category is RO (Residential Office) and PUD (Planned Unit Development).”

Analysis of Request:

The ownership of the subject property is within the Urma J. Spaight Estate Trust, represented by trustee Ms. Cynthia Peroe since 1982.

The subject property contains a two-story home built in 1915. The home is a total of 3,984 square feet and contains 8 bedrooms, 3 bathrooms, and a living room, dining room, and kitchen. The property also has screened in porches on both floors, and a wraparound porch at the entrance.

The applicant and property owner, Ms. Peroe, requests to rezone the property from RL to RO. The property is currently used a rental housing, but due to the sheer size of the house, the housing is rented by the room rather than as a whole. Due to the large size of the property and the close proximity to the Courthouse, the applicant believes the property would be better suited as an office use. The applicant argues that the impact to the neighborhood would be positive, as offices close in the evening.

In 2016, 205 Chesterfield Avenue was rezoned from RL to RO. The property is located in the immediate neighborhood, approximately 700 feet away. The property owner had been using the property as clinical psychology office since 2003 and requested the rezoning to come into compliance.

In 2016, the Southern Gateway Land Use Committee explored rezoning Battery Place and Chesterfield Avenue to RO – Residential Office, to accommodate and encourage small offices that would like to co-locate with the Courthouse. A neighborhood meeting was held on August 31, 2016 to pitch the idea of rezoning to Residential Office. The general consensus of the

attendees was against the rezoning of Battery Place and Chesterfield Avenue to RO – Residential Office.

Recommendation

The recommendation from staff is for the Planning Commission to accept Planning Commission Resolution 21-4 and 21-5, which recommends passage of Ordinance Numbers 21-6 and 21-7 by City Council.

The positive recommendation is based on the previous rezoning in the area and the location of the property adjacent to the Boulevard Business District.

Attachments

Application

Plat of Subdivision

Aerial Image

Existing and Proposed Zoning Map

Existing and Proposed Land Use Plan Map

From: noreply@civicplus.com
To: [Brandi Payne](#); [Kelly Hall](#)
Subject: Online Form Submittal: Request for Rezoning
Date: Wednesday, March 3, 2021 9:13:22 AM

Request for Rezoning

Step 1

Date of Request	2/27/2021
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Address of Request	217 Battery Place Colonial Heights, VA 23834
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Applicant Information

Property Owner	Urma J Spaight Estate Trust
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Contact Name	Cynthia Peroe
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Address of Owner	7711 Center Bay Drive, North Bay Village, FL 33141
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Telephone No.	954-234-7635
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Fax No.	<i>Field not completed.</i>
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Email Address	Cperoe@aol.com
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Applicant Information (continued)

Developer (if applicable)	N/A
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Engineer (if applicable)	N/A
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Contact Name	Cynthia Peroe
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Telephone No.	954-234-7635
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Fax No.	<i>Field not completed.</i>
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Email Address	Cperoe@aol.com
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Statement	All information is accurate to the best of my ability. By checking this box, you are agreeing to sign and take responsibility for the work on this permit.
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Site Plan Information

Site Acreage	0.65
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Parcel Identification	Block F Lot 11,12 #3000010F012
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Current Zoning	Residential
Existing Square Footage of Structure(s)	3984
Proposed Square Footage of Structure(s)	No change
Name of Subdivision	N/A
Proposed Land Use Activity	General Office
Vehicles per Peak Hour (VPH)	4
Traffic Impact Analysis	<i>Field not completed.</i>

Attachments

Attachments	Adjacent Property Owners Form, Thirteen Copies of the Plat of the Subject Property and Preliminary Plans, Responses to Questions on following page, Conditional Zoning document (if applicable), Applicants Affidavit, if not owner, Required \$1,500 fee for Zoning Request, Building Elevations, Traffic Impact Analysis Fee (\$500-100VPH or less, \$1,000-more than 100VPH)
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Adjoining Property Owners

All adjacent property owners shall be listed. Adjacent property owners include all property across from roadways, watercourses, railroads, and/or municipal boundaries. The names and addresses below are those of adjacent property owners as listed in the tax records of the City Assessor and County Assessor if applicable.

Parcel ID #	300001E0000
	3000010F014
	3000010F021
	3000010F21A
	3000010F019
	3000010F020
	3000010F010
Name	City of Colonial Heights Foster, Nathan J

Foster, Jacqueline

Crowder Catherine
Redmond Dale H
Crowder JR Raymond Earl Crowder Catherine

Robertson Marjorie Andrews
Upadhyay Janeshwar/Upadhyay Purnima

Street Address

550 Boulevard

213 Battery Place

218 Marvin Ave
220 Marvin Ave
212 Marvin Ave

216 Marvin Ave

223 Battery Place

Rezoning Questions

Explain how this request is consistent with the Comprehensive Plan

This request is consistent with the Comprehensive Plan as it allows for the furtherance of many of the objectives of the Comprehensive Plan. By allowing this variance, a turn of the century home will be preserved thereby preserving the historical character and cultural resources of Colonial Heights. Another objective of the Comprehensive Plan is to revitalize the neighborhoods. Allowing this property to operate as a law firm office will justify the monetary expenditure to revitalize this property. As set forth in the Comprehensive Plan, Battery Place is one of the top six streets designated for housing rehabilitation. Ensuring the safety of the neighborhood is a key theme in the vision statement of the Comprehensive Plan. In keeping with this vision statement, a law office will improve the safety of the neighborhood. The house is currently rented to impoverished tenants which reduce the safety of the neighborhood.

What is the Land Use and Transportation Plan Map designation of the subject property?

Single Family

Describe in Detail the Proposed Use of the Property.

The existing house will be used as a law firm. As it faces the Colonial Heights Courthouse parking lot, it is perfectly situated to house law offices. The extremely large Victorian living room would house the reception area. There are 8 large bedrooms which would accommodate attorney or paralegal offices. A large

dining room would be used as a conference room. There are 3 bathrooms and a kitchen which would be used in a law firm operation. There is an existing road which leads to the backyard of the two lot property. Gravel will be added to construct a parking lot. Given the size of the land associated with this property, parking should not be an issue.

Explain how this request will impact the surrounding neighborhood and/or the City of Colonial Heights.

As discussed above, the impact of this zoning variance is extremely positive to the neighborhood. It will allow a large turn of the century building to be restored to its former glory which will assist in revitalizing the neighborhood. It will enhance the safety of the neighborhood by removing the impoverished tenants and eliminating the need to seek college students as tenants in this building. Currently the only tenants willing to accept rooms for rent without kitchen privileges are the economically distressed and colleges students. Both these segments of the population reduce the safety and increase the noise level of a neighborhood. We have avoided renting to college students, but given the property's inability to generate any profit, if this request is not accepted we may be forced to rent to college students. Law firms are quiet in the evening which will be a welcomed occurrence for the neighborhood.

List any sensitive environmental or unique features of the property.

None

Have you prepared a conceptual plan of the proposed development, including proposed uses, general lot configurations and road locations?

The only addition to this property would be gravel added to the backyard.

What provisions will be made to provide safe and adequate access to the subject property?

Any and all required to open this as a law firm office space.

Please identify any known or suspected historic resources on both the subject property and adjacent properties.

None known.

Conditional Zoning Application

Approval

The City Clerk on behalf of the City Council will send a letter to the applicant, with the approved ordinance including all proffers approved with the rezoning. Upon consideration of the proposed rezoning, the City Council shall consider the following factors and shall concur therein before acceptance of any of the additional conditions proffered.

Proffered Conditions

Field not completed.

Please explain the manner in which the proposed zoning itself gives rise to the need for the additional conditions, relationship to the rezoning and the physical operation of the property and consistency with the Comprehensive Plan.

Field not completed.

Statement

With the signing of this form, the property owner certifies that no cash contribution to the City has been solicited or offered as part of the proffer; as has no mandatory dedication of real or personal property, on- or off-site, for open space, parks, schools, fire departments or other public facilities.

Email not displaying correctly? [View it in your browser.](#)

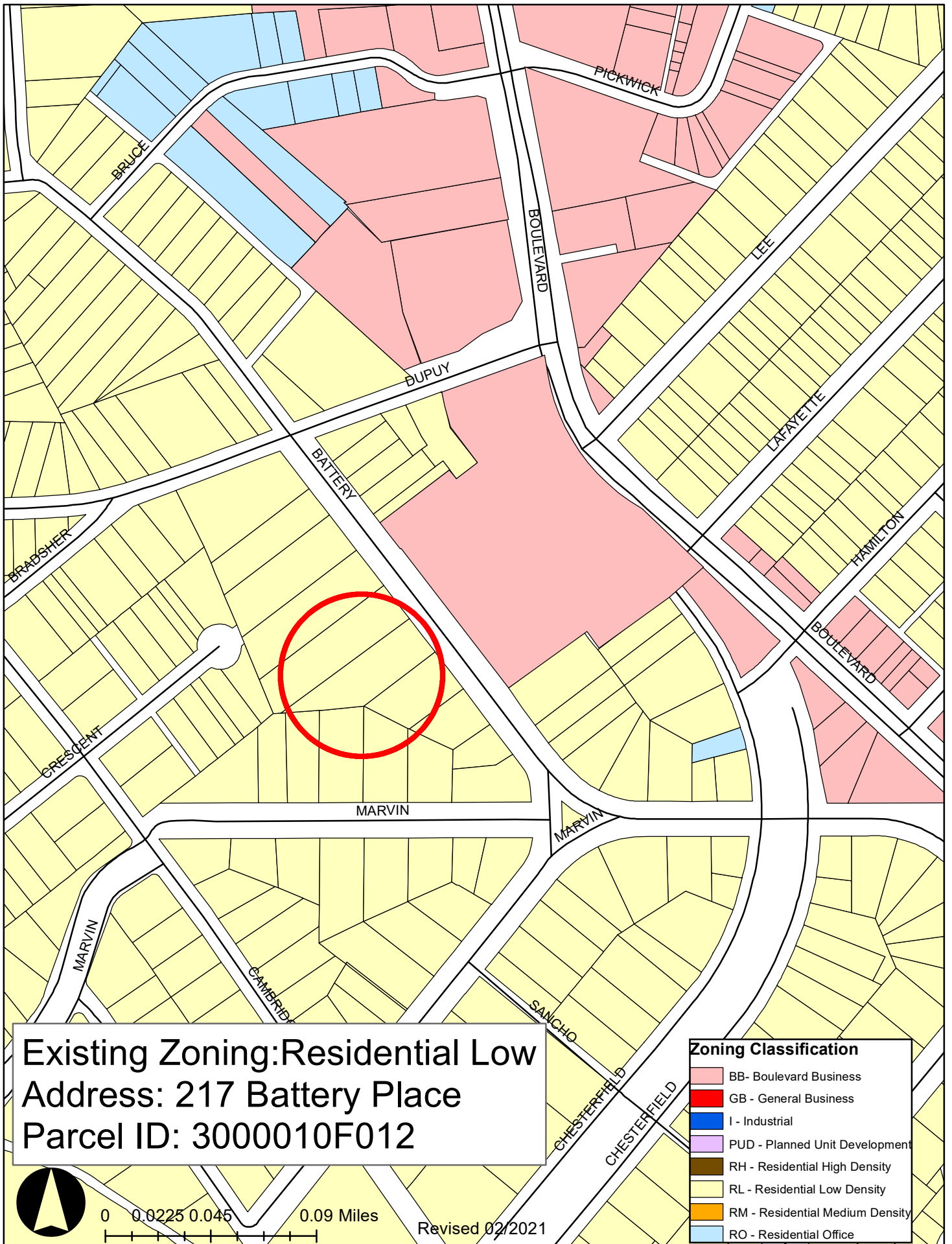
COLONIAL HEIGHTS

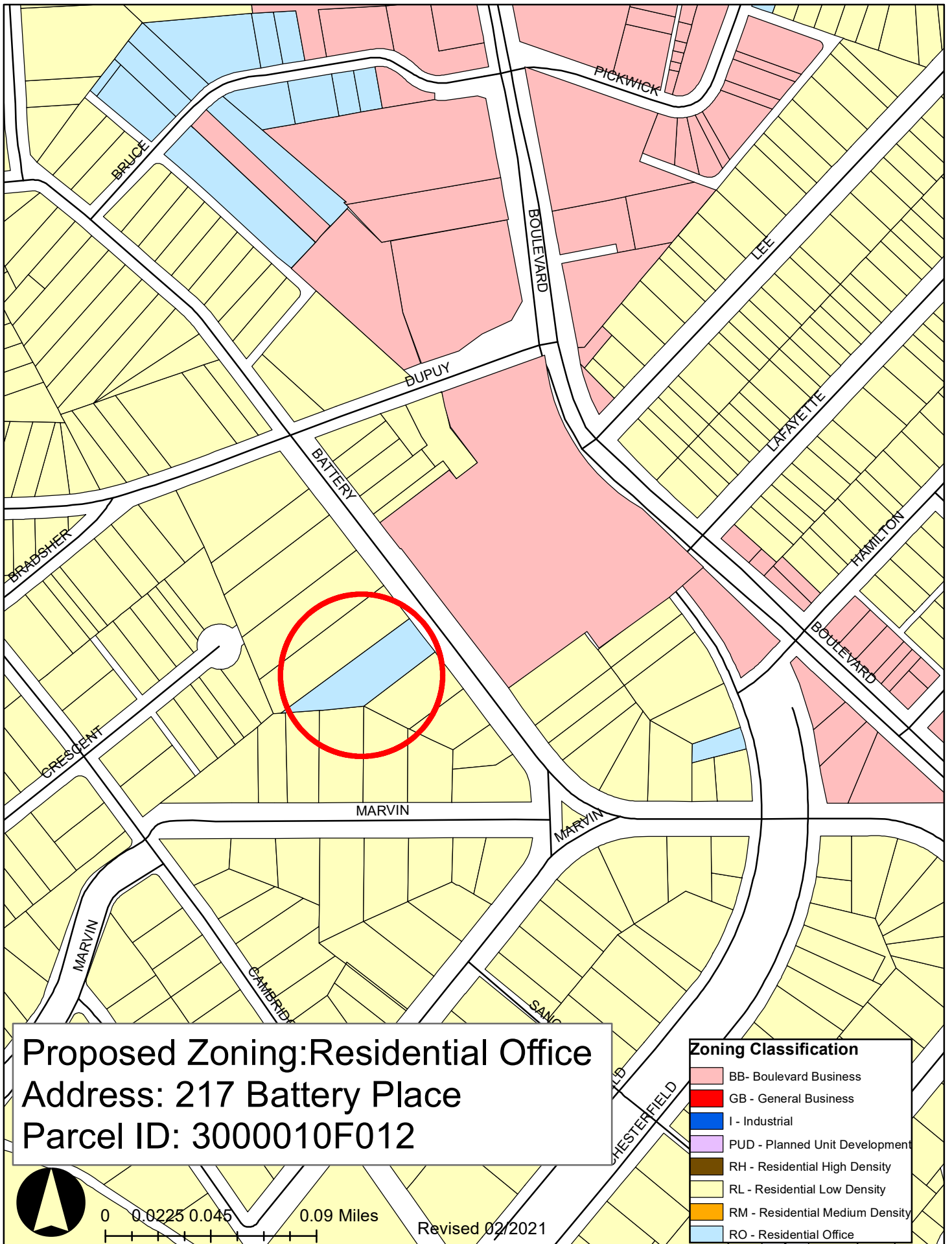


- ① COLONIAL HEIGHTS SUB. — P.B. 3, Pg. 22-25
- ② SMALL ACRESAGE
- ③ FREDRICK PILCHER
- ④ RESUBDIVISION OF COLONIAL HEIGHTS LOTS 3, 4, 5 — BK. 6
- ⑤ CARTERETTE SUBDIVISION









SECTION



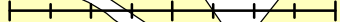




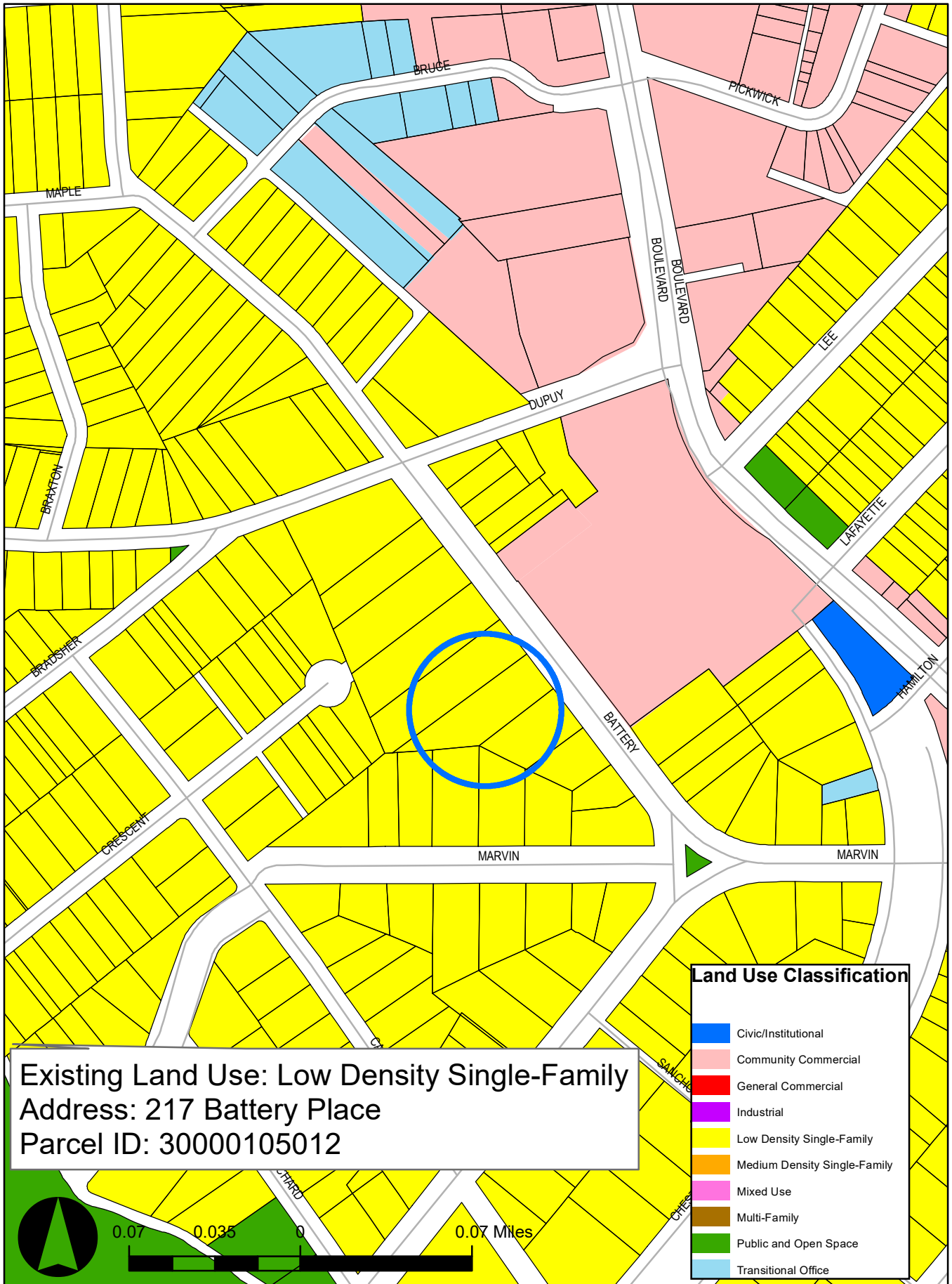
Proposed Zoning: Residential Office
Address: 217 Battery Place
Parcel ID: 3000010F012

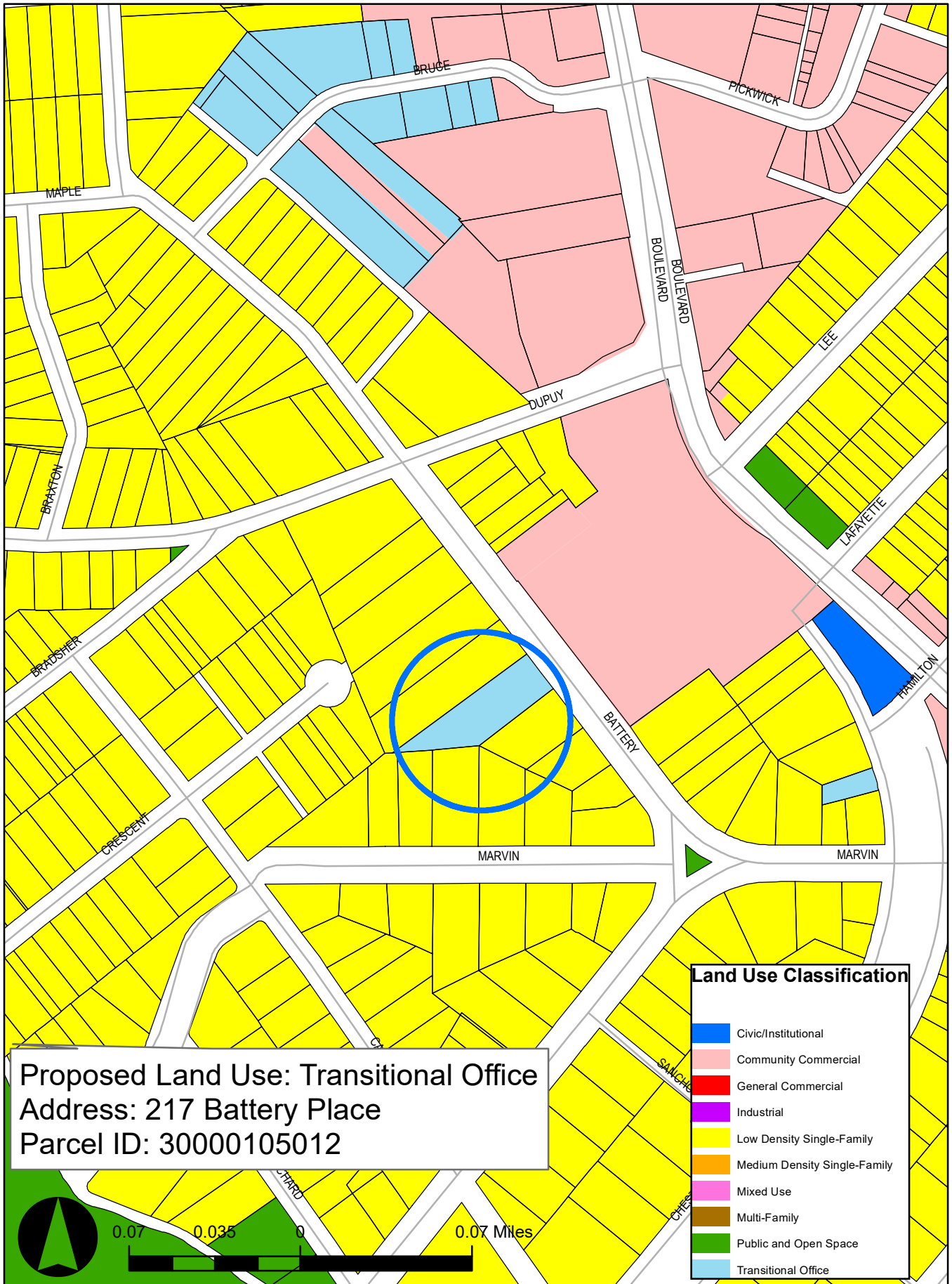
Zoning Classification	
	BB - Boulevard Business
	GB - General Business
	I - Industrial
	PUD - Planned Unit Development
	RH - Residential High Density
	RL - Residential Low Density
	RM - Residential Medium Density
	RO - Residential Office













0 0.0225 0.045 0.09 Miles


Revised 02/2021





Proposed Land Use: Transitional Office
Address: 217 Battery Place
Parcel ID: 30000105012

Land Use Classification	
	Civic/Institutional
	Community Commercial
	General Commercial
	Industrial
	Low Density Single-Family
	Medium Density Single-Family
	Mixed Use
	Multi-Family
	Public and Open Space
	Transitional Office

