



Z – 21-1
Rezoning Request
Parcel ID 69010700002
Rezone from I Industrial District
to GB General Business District

The Planning Department has received a request for rezoning by Mr. Mike Salem of RWI, LLC for 401 Southpark Boulevard, a parcel identification number of 69010700002. The applicant is proposing that the property be rezoned from I – Industrial District to GB – General Business District. This proposed rezoning would not change the Existing Land Use or Future Land Use Plan. The parcel contains the former Burger King building.

Location:

This property is located at 401 Southpark Boulevard and is bounded by I-95 to the west, 1-95 entrance and exist ramps to the south, a Shell gas station to the east, and Southpark Boulevard to the north. Across Southpark Boulevard is the Dobbs Building, containing the tenants Armed Forces Career Center, Audio Express, and Spencer Dental & Braces. The legal description is Lot 2 of the Sadler Bros Subdivision and the parcel identification number is 69010700002. The parcel is 1.02 acres.

Existing & Future Land Use:

There are no changes in the Existing Land Use and Future Land Use categories associated with the rezoning. The Existing Land Use is Commercial and the Future Land Use of the property is Mixed Use.

Surrounding Land Use:

All surrounding parcels have the existing land use of Commercial and the Future Land Use of Mixed Use.

Existing Zoning:

The existing zoning is currently I – Industrial District.

Surrounding Zoning:

North – The parcel directly across from the subject parcel is zoned GB – General Business. The remaining parcels north of the subject parcel are zoned I – Industrial.

South – All parcels south of the subject parcel are zoned GB – General Business.

East – No parcels are located east as the subject property borders 1-95.

West – The parcel immediately adjacent to the West is zoned I-Industrial.

Relationship to Comprehensive Plan:

The requested rezoning does not impact the Existing Land Use map and the Future Land Use Plan map in the Comprehensive Plan.

Analysis of Request:

The subject property houses the former Burger King fast food restaurant. According to the Assessor's Office, the building was built in 1997. The Burger King franchise relocated to the 501 Southpark Boulevard location in December 2017 and the site has since then remained vacant.

The subject property is zoned I – Industrial District, which does not include restaurant as a permitted use. Burger King was considered a legally non-conforming use. Per City Code, §286-624.04, a nonconforming use may be continued provided the use is not discontinued for more than two years. The business license for Burger King expired December 2017 and therefore the use has been discontinued for more than two years.

Several properties in the area of the subject property have been rezoned from an industrial zoning district to a business zoning district.

- The shopping center directly across the street from the subject property, 400 Southpark Boulevard, rezoned from ML – Limited Industrial District to B-3 General Business (High Density) District in 2006.
- 801 South Avenue, located 800 feet north of the subject property, rezoned from ML – Limited Industrial District to B-3 General Business (High Density) District in 2006.
- Located 1,000 feet east of the subject property, Parcel ID 69011100003, the property that contains the lake on South Avenue, was rezoned from ML – Limited Industrial District to B-3 General Business (High Density) District in 1997. This property has not been developed as it is used for stormwater detention.

RWI LLC, represented by Mr. Mike Salem, purchased the subject parcel in February 2021. RWI LLC would like to lease the building to a restaurant tenant. Since no food establishments are permitted in I – Industrial District, Mr. Salem is requesting the property to be rezoned to GB – General Business District.

Recommendation

The recommendation from staff is for the Planning Commission to approve Planning Commission Resolution 21-1 which recommends passage of Ordinance Number 21-2 to City Council.

Exhibit 1 – Plat of Subdivision

Exhibit 2 – GIS depiction of parcel

Exhibit 3 – Existing Zoning Map

Exhibit 4 – Proposed Zoning Map

Exhibit 5 – Property Card from Assessor's Office

Exhibit 6 – Rezoning Application

COLONIAL HEIGHTS

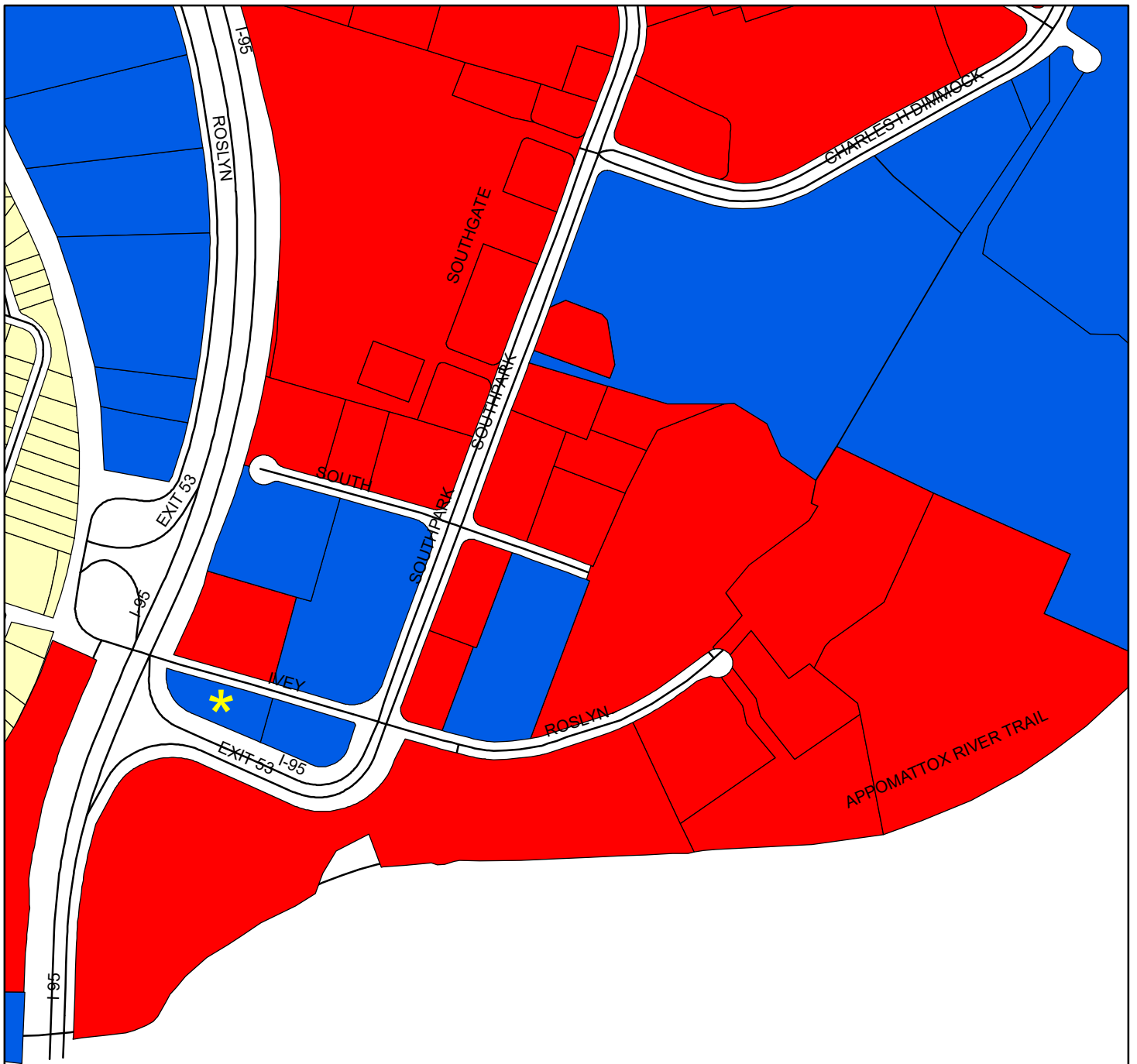
68



- ① ROSLYN FARM CORP. SEC. 1
- ② RESUBDIVISION OF LOT 2, SITE 13 SEC. 3
- ③ ROSLYN FARM CORP. PLS 6 Pgs. 75, 74
- ④ SOUTH GATE SQUARE
- ⑤ EAST ROSLYN FARM SEC. 1
- ⑥ RESUBDIVISION OF LOT 5, SITE 13 SECTION 3 P.B. 6, P. 82
- ⑦ EAST ROSLYN FARM SECTION 2
- ⑧ SADLER SUBDIVISION
- ⑨ EAST ROSLYN FARMS SEC. 2 P.B. 5, P. 80
- ⑩
- ⑪ RESUBDIVISION OF LOT 2 EAST ROSLYN FARM SEC. 3 P.B. 6, P. 80

SECTION 69-1





Existing Zoning: Industrial
 Address: 401 Southpark Boulevard
 Parcel ID: 69010700002

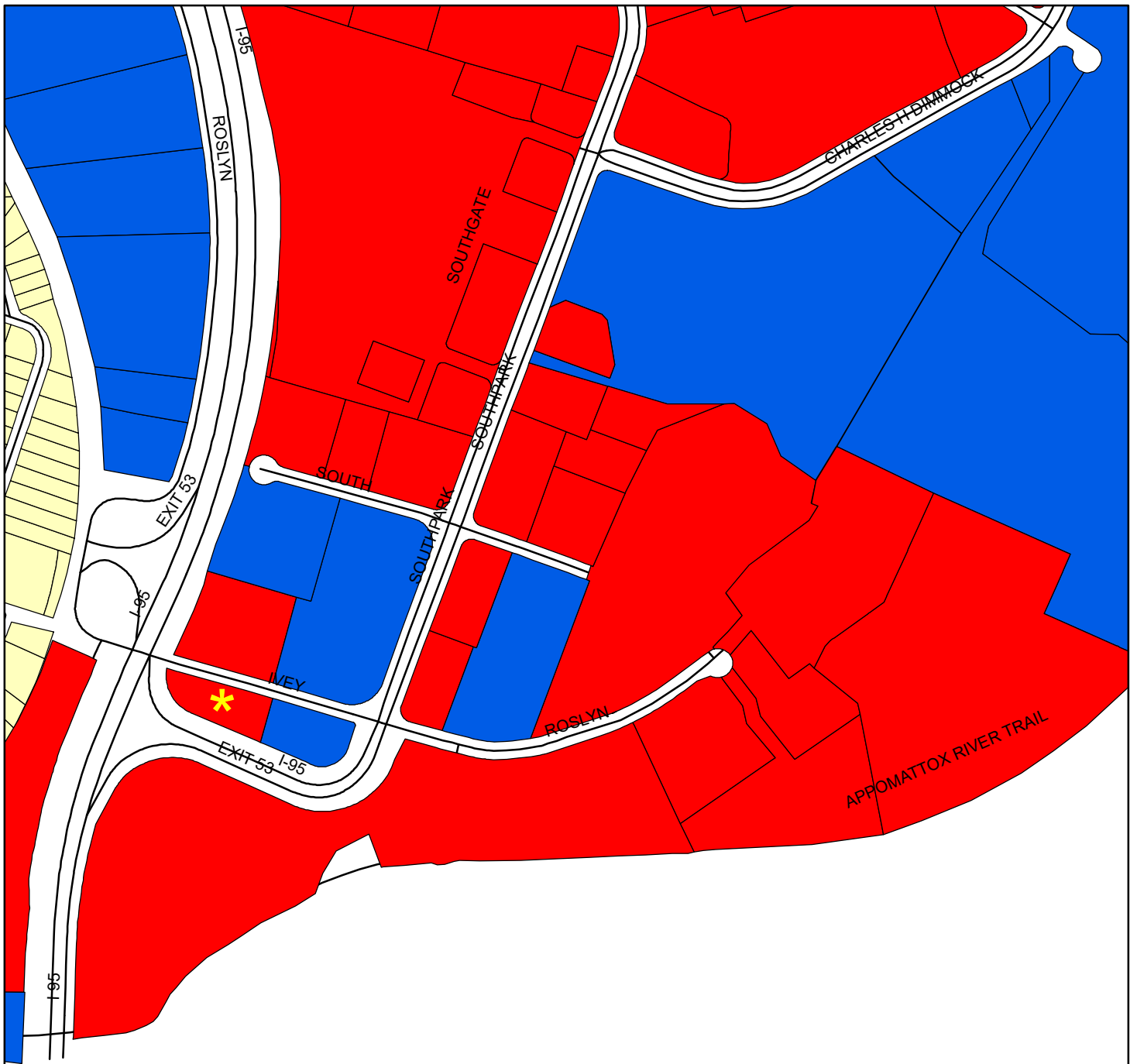
Zoning Classification

- 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 0.0425 0.085 0.17 Miles

Revised 02/2021



Proposed Zoning: General Business
 Address: 401 Southpark Boulevard
 Parcel ID: 69010700002

Zoning Classification

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0 0.0425 0.085 0.17 Miles

Revised 02/2021

PARCELID

Colonial Heights

CARD

17322!



Patriot Properties Inc.

USER DEFINED

Map No. 1: 169
Map No. 2: 1
Map No. 3: 7
Year Added 1997
Sketch No.: 16092
Prior Id # 3
Prior Id # 1
Prior Id # 2
Prior Id # 3
ASR Map:
Fact Dist:
Reval Dist:
Year:
LandReason:
BldReason:

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
						SUB: SADLER BRGS SUBD**SECTION: **BLOCK: 1 02 AC**LOT: 2	
Source:	Market Adj Cost		Total Value per SQ unit /Card:	/Parcel:	/Parcel:	Entered Lot Size	GIS Ref
						Total Land: 1.02	
						Land Unit Type: AC	Insp Date

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2020	455	FV	386,500	0	710,900	1,097,400	1,097,400	1,097,400	EFF. 1/1/2020 - APP	2/20/2020
2019	455	FV	544,100	0	710,900	1,255,000	1,255,000	1,255,000	EFF. 1/1/2019	11/26/2019
2018	455	FV	544,100	0	710,900	1,255,000	1,255,000	1,255,000	EFF. 1/1/2018	12/21/2017
2017	455	FV	509,300	0	710,900	1,220,200	1,220,200	1,220,200	EFF. 1/1/2016	1/4/2016
2016	455	FV	509,300	0	710,900	1,220,200	1,220,200	1,220,200	EFF. 1/1/2016	1/4/2016
2015	455	FV	503,100	0	710,900	1,214,000	1,214,000	1,214,000	EFF. 1/1/2014	12/31/2013
2014	455	FV	503,100	0	710,900	1,214,000	1,214,000	1,214,000	EFF. 1/1/2014	12/31/2013
2012	455	FV	473,000	0	710,900	1,183,900	1,183,900	1,183,900	EFF. 1/1/2012	1/4/2012

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
SADLER INVESTME	197/32		7/9/1997	OTHER	956,000	No	No			

TAX DISTRICT

7322

PAT ACCT.

7322

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment	Date	Result
6/15/2017	P-4407	REPAIRS	2,000 C							

ACTIVITY INFORMATION

By	Name

PROPERTY LOCATION

No	Alt No	Direction/Street/City
401		SOUTH PARK BLVD, COLONIAL HEIG

OWNERSHIP

Owner 1:	CAPTEC NET LEASE REALTY INC
Owner 2:	
Owner 3:	
Street 1:	C/O: COMMERCIAL NET LEASE REALTY
Street 2:	450 S ORANGE AVE SUITE 900

PREVIOUS OWNER

Postal:	32801
Owner 1:	
Owner 2:	
Street 1:	
Twn/City:	ORLANDO
St/Prov:	
Postal:	

NARRATIVE DESCRIPTION

This Parcel contains . LOT of land mainly classified as 455 RESTAURA with a(n) FASTED RESTR Building Built about 1997, Having Primarily STUD-STUCCO Exterior and BUILT-UP ROC Roof Cover, with 0 Units, 0 Baths, 0 HalfBaths, 0 3/4 Baths, 0 Rooms, and 0 Bdrms.

OTHER ASSESSMENTS

Code	Descrp/No	Amount	Com. Int

PROPERTY FACTORS

Item Code	Descrp	%	Item Code	Descrp
Z B3	BUSINESS		U	
o			t	
n			i	
Census:			Exmpt	
Flood Haz:			Topo	
s			Street	
t			Traffic	

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Adj	Neigh	Neigh Mod	Neigh Infl	Inf 1	%	Inf 2	%	Inf 3	%	Alt Class	Spec Land	J Code	Fact	Notes	
455	455 RESTAU		44431:19922	SQ FT	SITE			0	1,000	C16														

Sign: _____

Total:	N/A	Spl Credit	N/A	Total:	N/A
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Total AC/Ha:	0.00000	Total SF/SM:	0.00	Parcel LUC:	455	455 RESTAURA	Prime NB Desc:	C16.00
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Disclaimer: This information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

apro

2020

EXTERIOR INFORMATION

Type:	349 - FASTED RESTR
Sty Ht:	1 - One Story
(Liv) Units:	Total: 0
Foundation:	T - TYPICAL
Frame:	1 - STUD FRAMED
Prime Wall:	C10 - STUD-STUCCO
Sec Wall:	%
Roof Struct:	4 - FLAT
Roof Cover:	2 - BUILT-UP ROC
Color:	BURGER KING
View / Desir:	

GENERAL INFORMATION

Grade:	3.5 - AVG/GOOD
Year Blt:	1997 Eff Yr Blt:
Alt LUC:	Alt %:
Jurisdic:	Fact:
Const Mod:	
Lump Sum Adj:	

INTERIOR INFORMATION

Avg H/F/L:	12.0
Prim Int Wall:	
Sec Int Wall:	%
Partition:	
Prim Floors:	5 - ALLOWANCE
Sec Floors:	5 - ALLOWANCE 10%
Bsmnt Flr:	
Bsmnt Gar:	
Electric:	
Insulation:	
Int vs Ext:	
Heat Fuel:	
Heat Type:	16 - HVAC
# Heat Sys:	
% Heated:	100 % AC: 100
Solar HW:	NO Central Vac: NO
% Corn Wal:	% Sprinkled

DEPRECIATION

Phys Cond:	AV - Average 28. %
Functional:	P - XS DPR 5.0 %
Economic:	%
Special:	%
Override:	%
Total:	33.8 %

CALC SUMMARY

Basic \$ / SQ:	N/A
Size Adj:	N/A
Const Adj:	N/A
Adj \$ / SQ:	N/A
Other Features:	N/A
Grade Factor:	N/A
Neighborhood Inf:	N/A
LUC Factor:	N/A
Adj Total:	N/A
Depreciation:	N/A
Depreciated Total:	N/A

SPEC FEATURES/YARD ITEMS

Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB	Fa	J	Cod	J	Fact	

BATH FEATURES

Full Bath:	Rating: AVERAGE
A Bath:	Rating:
3/4 Bath:	Rating:
A 3QBth:	Rating:
1/2 Bath:	Rating:
A HBth:	Rating:
Other Fix:	Rating:

OTHER FEATURES

Kits:	Rating:
A Kits:	Rating:
Fprt:	Rating:
WSFlue:	Rating:

CONDO INFORMATION

Location:	
Total Units:	
Floor:	
% Own:	
Name:	

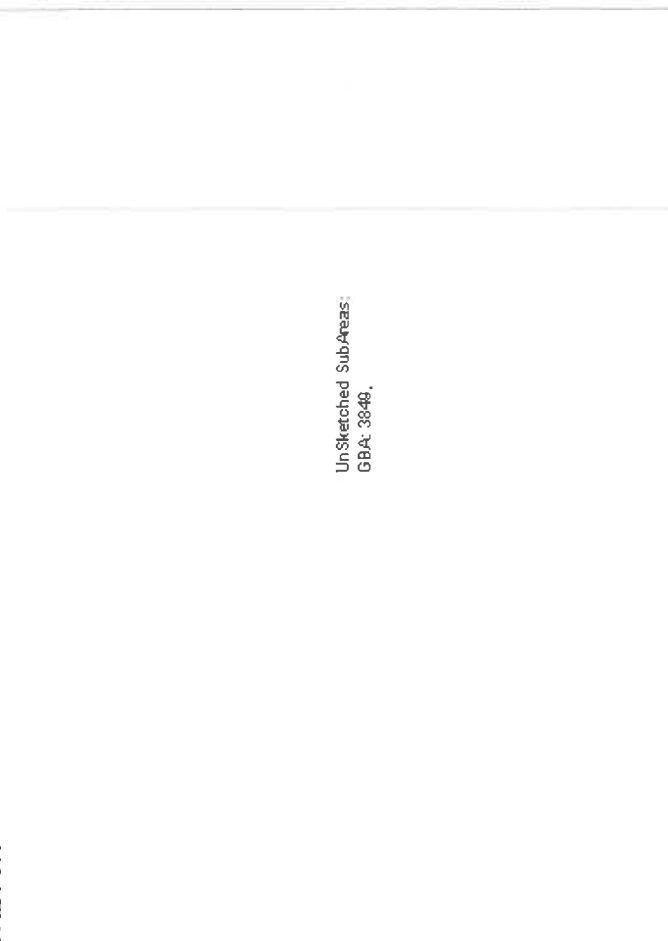
COMMENTS

1st Res Grid	Desc:	# Units		
Level	FY LR DR D K FR RR BR FB HB L O			
Other				
Upper				
Lvl 2				
Lvl 1				
Lower				
Totals	RMS:	BRs:	Baths:	HB

RESIDENTIAL GRID

REMODELING	RES BREAKDOWN
Exterior:	No Unit RMS BRS FL
Interior:	
Additions:	
Kitchen:	
Baths:	
Plumbing:	
Electric:	
Heating:	
General:	
Totals	

SKETCH



Un-Sketched Sub-Areas:
GBA: 3849.

SUB AREA

Code	Description	Area - SQ
GBA	GROSSBLDGARE	3,849

SUB AREA

Code	Description	Area - SQ
GBA	GROSSBLDGARE	3,849

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
73.9	0400010D0002		5/2/2011	555,000
65.9	1900010Y0001		9/30/2011	260,000
65.5	6000010000AD		1/7/2011	220,000
64.8	68034700001		1/3/2011	3,800,000

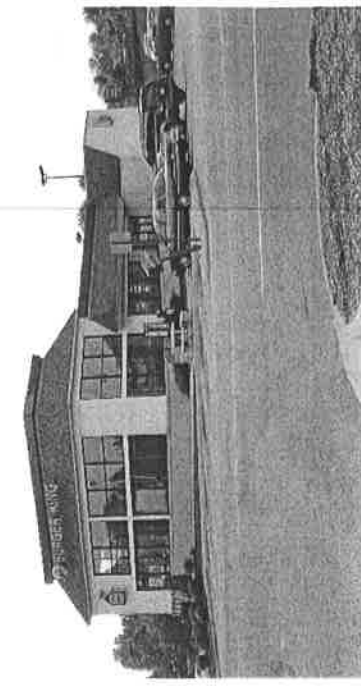
WIAV\$/SQ:	AvRate:	67.52	Ind.Val:	953500.0000
Juris. Factor:	N/A	Before Depr:	N/A	
Special Features:	N/A	Val/Su Net:	N/A	
Final Total:	N/A	Val/Su SzAd:	N/A	

Net Sketched Area:	3,849	Total:	N/A
Size Ad	3849	Gross Area	3849
FinArea			3849

PARCEL ID

Code	Description	Area - SQ
69010700002		

AssessPro Patriot Properties, Inc



From: noreply@civicplus.com
To: [Brandi Payne](#); [Kelly Hall](#)
Subject: Online Form Submittal: Request for Rezoning
Date: Friday, January 29, 2021 9:38:27 AM

Request for Rezoning

Step 1

Date of Request	1/29/2021
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Address of Request	401 Southpark Boulevard, Colonial Heights, VA 23834
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Applicant Information

Property Owner	RWI, LLC
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Contact Name	Mike Salem
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Address of Owner	225 Whitesand Court, Colonial Heights, VA 23834
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Telephone No.	804-605-0632
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Fax No.	804-733-2864
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Email Address	salemr117@yahoo.com
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Applicant Information (continued)

Developer (if applicable)	<i>Field not completed.</i>
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Engineer (if applicable)	<i>Field not completed.</i>
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Contact Name	Mike Salem
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Telephone No.	804-605-0632
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Fax No.	<i>Field not completed.</i>
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Email Address	<i>Field not completed.</i>
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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	<i>Field not completed.</i>
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Parcel Identification	69010700002
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Current Zoning	Industrial
Existing Square Footage of Structure(s)	3820
Proposed Square Footage of Structure(s)	<i>Field not completed.</i>
Name of Subdivision	<i>Field not completed.</i>
Proposed Land Use Activity	General Business (GB)
Vehicles per Peak Hour (VPH)	<i>Field not completed.</i>
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
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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 #	69010700001
	69010400001
	69010100001
	69010100003
Name	SADLER INVESTMENTS CORPORATION
	ARIHANT PETROLEUM LLC
	ROSLYN FARM CORPORATION
	ROSLYN FARMS CORP
Street Address	425 Southpark Boulevard

501 SOUTHPARK BLVD

400 SOUTHPARK BLVD

500-580 SOUTHPARK BLVD

Rezoning Questions

Explain how this request is consistent with the Comprehensive Plan

The property was developed for a Burger King Restaurant site and zoned properly. Colonial Heights rezoned the entire area years ago which changed this property use. Economic Development is aware of this request which is consistent with the current property use and adjacent property use.

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

Industrial

Describe in Detail the Proposed Use of the Property.

Desire to go to General Business (GB) which will allow continuation of this existing use as a Restaurant.

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

This will not change the surrounding neighborhood or City of Colonial Heights. The property has been used for the requested use for many years.

List any sensitive environmental or unique features of the property.

Features include a restaurant site and development.

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

No changes to what currently exist except the zoning to GB.

What provisions will be made to provide safe and adequate access

Already exist and no changes

to the subject property?

Please identify any known or suspected historic resources on both the subject property and adjacent properties.	None known
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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	No changes to the property, so no need for proffers.
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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.	The change of zoning will just allow the present building and use to continue with another occupant.
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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.](#)