



**City of Petersburg
Virginia**

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**Special Joint Meeting with
Petersburg Planning
Commission**

**September 2, 2025
Petersburg Library
201 W. Washington Street
Petersburg, VA 23803
5:00 PM**

City Council

Samuel Parham, Mayor – Ward 3
Darrin Hill, Vice Mayor – Ward 2
Marlow Jones, Councilor – Ward 1
Charles Cuthbert, Jr., Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
Annette Smith-Lee, Councilor - Ward 6
Arnold Westbrook, Jr., Councilor – Ward 7

City Administration

John "March" Altman, Jr. - City Manager
Anthony Williams - City Attorney
Tangi R. Hill - City Clerk

-
- 1. Roll Call**
 - 2. Determination of the Presence of a Quorum**
 - 3. Official Public Hearings**
 - a. Public Hearing and Consideration of an Ordinance to Approve a Request by Chris Winslow of Winslow, McCurry & MacCormac, PLLC, on Behalf of SP-Thirteen Properties, LLC, for a Special Use Permit to Operate an Assisted Living Facility at 36 West Fillmore Street, Parcel ID 022360001, in the R-B Office-Apartment Zoning District – Pages 2-49
 - 4. Adjournment**



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 2, 2025

TO: The Honorable Mayor and Members of City Council

THROUGH: Jared Crews, Manager of Planning and Community Development

FROM: March Altman, Jr.

RE: **Public Hearing and Consideration of an Ordinance to Approve a Request by Chris Winslow of Winslow, McCurry & MacCormac, PLLC, on Behalf of SP-Thirteen Properties, LLC, for a Special Use Permit to Operate an Assisted Living Facility at 36 West Fillmore Street, Parcel ID 022360001, in the R-B Office-Apartment Zoning District**

PURPOSE: For Planning Commission to make a recommendation and City Council to take action on a special use permit request to operate an assisted living facility at 36 West Fillmore Street.

REASON: The applicant is seeking to reestablish the assisted living facility at 36 West Fillmore Street; the Board of Zoning Appeals determined the use is not legally nonconforming, meaning a special use permit is required.

RECOMMENDATION: Approval with conditions.

BACKGROUND: The following is a general timeline of the request:

1. 1950s-2022 - Assisted living facility constructed and operated at 36 West Fillmore Street.
2. August-September, 2022 - Fillmore Place facility ceased operation following decision by Department of Social Services to deny license renewal.
3. October, 2022 - Current owner, SP-Thirteen Properties, LLC purchased the property.
4. November, 2022 - October, 2024 - Property owner completed renovations of the existing facilities to reestablish assisted living facility use.
5. March 21, 2023 - City Council adopted an ordinance requiring a special use permit for the operation of an assisted living facility.
6. October-December, 2024 - Property owner filed a request for a business license to reestablish the assisted living facility use; the request was approved by the Zoning Administrator after determining the use was considered legal nonconforming.
7. April 24, 2025 - Board of Zoning Appeals overturned the Zoning Administrator's determination that an assisted living facility was a legal nonconforming use of the subject property and determined the property would need an approved special use permit to operate the proposed facility.
8. August 13, 2025 - Application for special use permit was received.

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 9/2/2025

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. 25-SUP-03 Memo
2. 25-SUP-03 Presentation
3. Resolution 25-SUP-03
4. Ordinance 25-SUP-03
5. Application
6. Plot and Floor Plans
7. Elevations
8. Interior Renovations
9. 2024 Zoning Determination
10. 2025 BZA Decision
11. Zoning Map
12. Future Land Use Map
13. Adjoining Property Owners



City of Petersburg

MEMORANDUM

DATE: September 2, 2025

TO: Planning Commission & City Council

FROM: Planning and Community Development

RE: 2025-SUP-03: Consideration of an ordinance approving a request by Chris Winslow of Winslow, McCurry & MacCormac, PLLC, on behalf of SP-Thirteen Properties LLC, for a special use permit to operate an assisted living facility at 36 West Fillmore Street, Parcel ID 022360001, in the R-B, Office-Apartment Zoning District.

EXECUTIVE SUMMARY

The applicant is seeking to operate an assisted living facility in an existing structure at 36 West Fillmore Street in the R-B, Office-Apartment Zoning District. The property is located in the Poplar Lawn Historic District and is designated as a Historic Core Neighborhood area on the Future Land Use Map of the PetersburgNEXT Comprehensive Plan. The proposed use, if permitted, will be subject to any conditions recommended by Planning Commission and accepted by City Council.

CHRONOLOGY OF EVENTS

1. 1950s-2022 – Assisted living facility constructed and operated at subject property (major additions around 1980)
2. August-September, 2022 – Fillmore Place assisted living facility ceased operation following decision by Department of Social Services to deny license renewal
3. October, 2022 – Current owner purchased the subject property
4. November, 2022 – October, 2024 - Property owner completed renovations of the existing facilities to re-establish assisted living facility use
5. March 21, 2023 – City Council adopted an ordinance requiring a special use permit for the operation of an assisted living facility.
6. October-December 2024, Property owner filed a request for a business license to reestablish the assisted living facility use; the request was approved by the Zoning Administrator after determining the use was considered legal nonconforming.
7. April 24, 2025 – Board of Zoning Appeals overturned the Zoning Administrator's determination that an assisted living facility was a legal nonconforming use of the subject property and determined the property would need an approved special use permit to operate the proposed facility.

8. August 13, 2025 – Application for special use permit received

REQUEST

The subject property totals 1.3 acres and is located southeast of the intersection of Harrison and West Fillmore Streets. The property includes an existing approximately 22,350-square-foot structure which historically operated as an assisted living facility and has been renovated by the applicant. The applicant is seeking to re-establish the assisted living use in the existing structure. Currently, a special use permit is required to operate an assisted facility within the city.

The Zoning Ordinance defines an assisted living facility as “a residential facility, other than a group home, where more than eight residents who are not related by blood or marriage receive assistance with activities of daily living or therapeutic care, regardless of whether licensed by a governmental agency or not.”

According to the application, the renovated building will serve as a state-licensed residential facility for aged and infirmed individuals. The facility will provide daily care and monitoring, including medical oversight, medication and nutrition management, and supportive services such as therapeutic programming, meals and laundry. The facility will include 24-hour staffing and surveillance to address immediate resident needs and emergencies. The applicant has stated the facility will provide an option for aging citizens to age in place and avoid premature nursing home placement.

The application was accompanied by a plot plan and floor plans showing the layout of the property and the facility as well as exterior elevations showing the existing building and photos of the interior renovations. The property includes on-site parking as well as a central courtyard and outdoor terrace and the building includes office and medicine-storage areas, a day room, kitchen, dining and laundry facilities, and between 50 and 60 beds for residents.

Per Article 23 of the Zoning Ordinance, Council may grant approval of a special use permit when public health, safety, moral and general welfare will not be adversely affected, and provided that necessary safeguards will be provided to protect surrounding property, persons, and neighborhood values from a proposed use.

BACKGROUND

The facility on the subject property was built circa 1950 and originally operated as Petersburg Home for Ladies. Major additions were made to the facility in the early 1980’s and the property continued to be operated as an assisted living facility, though with several iterations, through September of 2022. At that time, the current facility, Fillmore Place, ceased operations following a decision by the Department of Social Services to disapprove the renewal of its licensing due to the condition of the facility and multiple violations for sanitary conditions, record keeping, and staff training.

In October of 2022, the current owner, SP-Thirteen Properties, LLC, purchased the property. From November of 2022 through October of 2024, the owner applied for several building permits and completed interior and exterior building renovations, including plumbing, electrical, and structural improvements, with the intention of reestablishing the assisted living facility use. According to the applicant, 1.8 million dollars were invested into the renovation of the facilities. In March of 2023, the Zoning Ordinance was amended to require

special use permits for the operation of assisted living facilities, meaning any existing facilities would be considered legal non-conforming unless the use terminates for more than two years.

The owner applied for a certificate of occupancy and business license in October, 2024 to officially begin operations of an assisted living facility at the subject property. The application was reviewed by the city's Zoning Administrator, who determined the property owner had attained vested rights in the use of the property as an assisted living facility through the issuance of building permits and the associated financial investment. The Zoning Administrator made an official determination that the use was legally nonconforming per the Code of Virginia Section 15.2-2307 and Article 24 of the Zoning Ordinance. Since the vested rights were obtained during the two-year window for legal nonconforming uses, the Zoning Administrator approved the requests for a business license and certificate of occupancy to operate an assisted living facility on the subject property.

Subsequently, the Zoning Administrator's determination was appealed to the Board of Zoning Appeals by Historical Poplar Lawn Association and Ravenscroft Ventures, LLC. On April 24, 2025, the Board of Zoning Appeals voted to overturn the Zoning Administrator's determination, meaning the use is not considered legal nonconforming and an approved special use permit is required before an assisted living facility can be operated on the subject property.

ADJACENT ZONING/USES

The subject property is bordered on the north and east by properties also within the R-B, Office-Apartment Zoning District. Properties to the south and to the east across Harrison Street are largely within the R-3, Two-Family Residence District, with the exception of several parcels to the northwest which are in the R-5, Multiple Dwelling District.

Adjoining land uses are largely a mix of residential, including single-family duplexes, and multi-family dwellings. The Elora Gardens Senior Community apartment homes are directly across Fillmore Street in the historic Anna P Bolling Junior High School building.

COMPREHENSIVE PLAN CONSIDERATIONS

The subject property is located within a Historic Core Neighborhood area on the Future Land Use Map of the Comprehensive Plan. The Comprehensive Plan describes Historic Core Neighborhoods as areas located in the heart of Petersburg which directly reflect the city's historic development pattern. Senior housing is noted as one of the primary land uses for Historic Core Neighborhood areas along with a mix of other dwelling types and community uses like places of worship, schools, and parks. Development principles for Historic Core Neighborhoods include the renovation and reuse of existing structures as well as provision of a variety of housing types which accommodate a diverse range of residents.

The Comprehensive Plan also notes the importance of giving older adults an opportunity to "age in place," explaining senior housing provides options for those who wish to stay in the city but are looking to transition out of homeownership. According to the plan, housing options like assisted living facilities are beneficial in providing support to residents in need of more routine medical care and daily assistance. The plan states "as Petersburg's population of older adults continues to increase, it will be important to ensure that those who desire to age in place are supported."

PUBLIC INPUT

As of the writing of this report, staff have received no telephone calls, emails, or letters in support of or in opposition to the request.

RECOMMENDATION

If the special use permit is approved, Planning staff would recommend attaching the following conditions of approval:

1. The site and facility shall be developed and maintained in substantial accordance with the Site Plans & Elevations and Floor Plans prepared by Lawrence Ellis Williams Consulting, LLC and dated August 15, 2025.
2. The facility shall obtain and maintain appropriate licensure through the Virginia Department of Social Services to operate as an assisted living facility; failure to maintain active licensure shall result in review and possible revocation of the special use permit.
3. Qualified staff shall be on-site twenty four (24) hours per day. Repeated substantiated complaints regarding adequate staffing and resident supervision shall result in review and possible revocation of the special use permit.
4. The special use permit serves as approval for use of the property as an assisted living facility for aged and infirmed as described in the application; any expansion of the scope of services, including use of the facility as an outpatient clinic or medication assisted treatment facility is prohibited.
5. The facility shall be limited to a maximum of sixty (60) beds for residents; any expansion beyond this number shall require an amendment to the approved special use permit.
6. The development shall provide outdoor seating areas, including benches and tables, as well as at least two of the following outdoor resident amenities: gardening area(s), gazebo(s), outdoor fitness equipment, or gaming area. A plan identifying such amenities shall be provided to the Planning Department for review and approval prior to operation of the facility.
7. The on-site dumpsters shall be placed within an enclosed area consisting of opaque screening a minimum of six (6) feet in height.
8. Any new owner or operator of the facility must certify with the Zoning Administrator that the party will be undertaking the same or like endeavor and that their operation will remain in compliance with the approved special use permit
9. This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations.

CITY
COUNCIL/PLANNING
COMMISSION- JOINT
HEARING

SEPTEMBER 2, 2025

2025-SUP-03:

Consideration of an ordinance approving a request by Chris Winslow of Winslow, McCurry & MacCormac, PLLC, on behalf of SP-Thirteen Properties LLC, for a special use permit to operate an assisted living facility at 36 West Fillmore Street, Parcel ID 022360001, in the R-B, Office-Apartment Zoning District

Subject Property



Case Overview

- Subject property 1.3 acres located in R-B, Office-Apartment District
- Applicant seeking to operate an assisted living facility in existing building; as of 2023, special use permit is required
- Assisted living facility defined as “a residential facility, other than a group home, where more than eight residents who are not related by blood or marriage receive assistance with activities of daily living or therapeutic care, regardless of whether licensed by a governmental agency or not”
- Special use permits may be granted if public health, safety, and welfare will not be adversely affected and if safeguards are in place to protect surrounding property, persons, and neighborhood values

Background

- Property historically used as assisted living facility (multiple iterations) from ca. 1950 through September, 2022 when Fillmore Place ceased operation after license revocation by Department of Social Services
- SP-Thirteen Properties LLC purchased property in October, 2022 completed renovations through October, 2024 with intent of re-establishing assisted living facility use
- Zoning Administrator determined the assisted living facility use was legally nonconforming due to owner obtaining vested rights over the course of the two years - typically, legal nonconforming status is lost if use ceases for more than two years
- Zoning Administrator determination was challenged and overturned by Board of Zoning Appeals in April, 2025, meaning SUP is required to reestablish the assisted living facility use



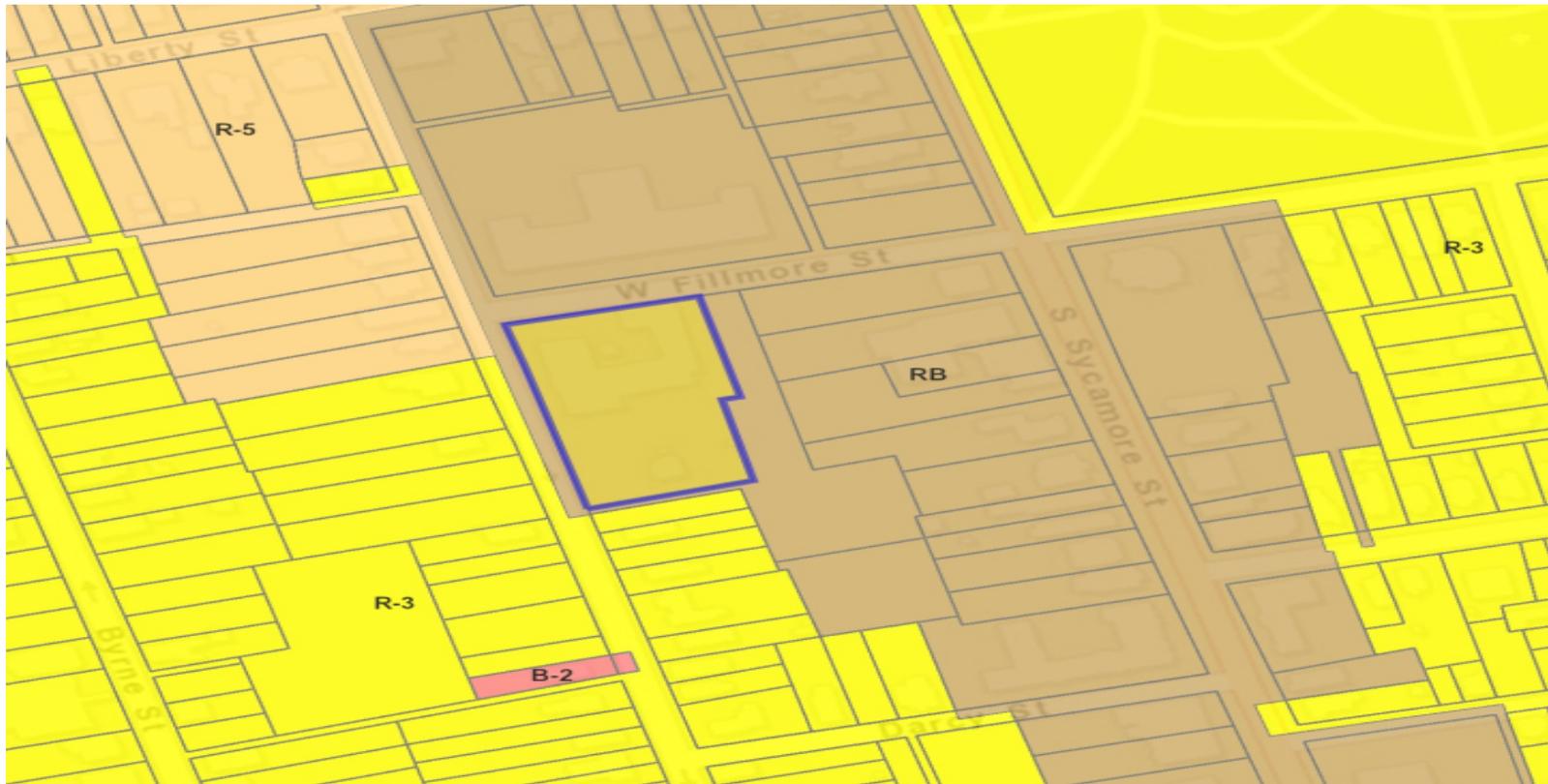
Petersburg
VIRGINIA



Request

- Applicant requests to operate a 50-60 bed assisted living facility within the existing ~22,350-square-foot building
- Site includes off-street parking, central courtyard, outdoor terrace; facility includes resident rooms, day room, dining and laundry facilities, and office, kitchen, and storage areas for staff
- Facility will be licensed by DSS for care of aged and/or infirmed individuals
- Services include medical oversight and therapeutic programming, medication and nutrition management, meals, and laundry
- 24-hour staffing and supervision to be provided

Adjoining Zoning/Uses



Comprehensive Plan Considerations

- Designated as Historic Core Neighborhood on Future Land Use Map; senior housing is listed as a primary land use along with mix of other types of residential
- Development principles for Historic Core Neighborhoods include renovating and reusing existing structures and encouraging diversity amongst housing types and residents
- “As Petersburg’s population of older adults continues to increase, it will be important to ensure that those who desire to age in place are supported”; Housing options like assisted living facilities can provide seniors with routine medical care and daily support while allowing them to stay within the community

Proposed Conditions

1. The site and facility shall be developed and maintained in substantial accordance with the Site Plans & Elevations and Floor Plans prepared by Lawrence Ellis Williams Consulting, LLC and dated August 15, 2025.
2. The facility shall obtain and maintain appropriate licensure through the Virginia Department of Social Services to operate as an assisted living facility; failure to maintain active licensure shall result in review and possible revocation of the special use permit.
3. Qualified staff shall be on-site twenty four (24) hours per day. Repeated substantiated complaints regarding adequate staffing and resident supervision shall result in review and possible revocation of the special use permit.
4. The special use permit serves as approval for use of the property as an assisted living facility for aged and infirmed only as described in the application; any expansion of the scope of services, including use of the facility as an outpatient clinic or medication assisted treatment facility is prohibited.
5. The facility shall be limited to a maximum of sixty (60) beds for residents; any expansion beyond this number shall require an amendment to the approved special use permit.

Conditions cont.

6. The development shall include outdoor seating areas, including benches and tables, as well as at least two of the following outdoor resident amenities: gardening area(s), gazebo(s), outdoor fitness equipment, or gaming area. A plan identifying such amenities shall be provided to the Planning Department for review and approval prior to operation of the facility.
7. The on-site dumpsters shall be placed within an enclosed area consisting of opaque screening a minimum of six (6) feet in height.
8. Any new owner or operator of the facility must certify with the Zoning Administrator that the party will be undertaking the same or like endeavor and that their operation will remain in compliance with the approved special use permit
9. This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations.

Additional Considerations

- Proposed use aligns with Comprehensive Plan, but some neighboring residents have raised concerns over issues with former facilities on the property
- Property owner made significant investment into the use of the property as an assisted living facility prior to determination that the use was not legally nonconforming; property owner has no affiliation with former Fillmore Place facility
- Conditions of approval are recommended to ensure quality facilities and services are provided for the residents and safeguards are put in place to address neighbor concerns and offset potential negative community impacts

Questions for staff?

A RESOLUTION RECOMMENDING APPROVAL OF A PETITION FOR A SPECIAL USE PERMIT TO OPERATE AN ASSISTED LIVING FACILITY AT 36 WEST FILLMORE STREET, PARCEL IDENTIFICATION NUMBER 022360001 IN THE R-B, OFFICE-APARTMENT ZONING DISTRICT.

WHEREAS, the City of Petersburg Zoning Ordinance establishes zoning districts and permitted uses within each district; and

WHEREAS, assisted living facilities are a permitted use within all zoning districts subject to the approval of a special use permit; and

WHEREAS, the City received a petition from Chris Winslow of Winslow, McCurry & MacCormac, PLLC., on behalf of SP-Thirteen Properties, LLC, owner of property at 36 West Fillmore Street for a special use permit pursuant to Article 3, Section 2 of the Zoning Ordinance to operate an assisted living facility; and

WHEREAS, the subject property was historically operated as an assisted living facility from its construction in the 1950s through 2022 when the Fillmore Place facility ceased operations; and

WHEREAS, the property owner has renovated the existing building with the intent of reestablishing the assisted living facility use; and

WHEREAS, the PetersburgNEXT Comprehensive Plan designates the property as a Historic Core Neighborhood on the Future Land Use Map and states Historic Core Neighborhoods where senior housing is listed as a primary land use and the plan is supportive of providing opportunities for city residents to age in place; and

WHEREAS, Planning Commission has determined public health, safety, moral, and general will not be adversely affected by the proposed use;

WHEREAS, the Planning Commission have recommended a number of conditions of approval as listed below to mitigate potential adverse impacts to surrounding properties and to promote general welfare; and

WHEREAS, pursuant to the requirements of Titles 15.2-2204 and 15.2-2285 of the Code of Virginia, as amended, a public hearing was advertised and held, in accordance with applicable laws.

NOW THEREFORE BE IT RESOLVED that Planning Commission does hereby recommend approval of a petition for a special use permit to operate an assisted living facility at 36 West Fillmore Street subject to the following conditions:

1. The site and facility shall be developed and maintained in substantial accordance with the Site Plans & Elevations and Floor Plans prepared by Lawrence Ellis Williams Consulting, LLC and dated August 15, 2025.
2. The facility shall obtain and maintain appropriate licensure through the Virginia Department of Social Services to operate as an assisted living facility; failure to maintain active licensure shall result in review and possible revocation of the special use permit.
3. Qualified staff shall be on-site twenty four (24) hours per day. Repeated substantiated complaints regarding adequate staffing and resident supervision shall result in review and possible revocation of the special use permit.

4. The special use permit serves as approval for use of the property as an assisted living facility for aged and infirmed as described in the application; any expansion of the scope of services, including use of the facility as an outpatient clinic or medication assisted treatment facility is prohibited.
5. The facility shall be limited to a maximum of sixty (60) beds for residents; any expansion beyond this number shall require an amendment to the approved special use permit.
6. The development shall provide outdoor seating areas, including benches and tables, as well as at least two of the following outdoor resident amenities: gardening area(s), gazebo(s), outdoor fitness equipment, or gaming area. A plan identifying such amenities shall be provided to the Planning Department for review and approval prior to operation of the facility.
7. The on-site dumpsters shall be placed within an enclosed area consisting of opaque screening a minimum of six (6) feet in height.
8. Any new owner or operator of the facility must certify with the Zoning Administrator that the party will be undertaking the same or like endeavor and that their operation will remain in compliance with the approved special use permit
9. This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations.

AN ORDINANCE TO APPROVE PETITION FOR A SPECIAL USE PERMIT TO OPERATE AN ASSISTED LIVING FACILITY AT 36 WEST FILLMORE STREET, PARCEL IDENTIFICATION NUMBER 022360001 IN THE R-B, OFFICE-APARTMENT ZONING DISTRICT.

WHEREAS, the City of Petersburg Zoning Ordinance establishes zoning districts and permitted uses within each district; and

WHEREAS, assisted living facilities are a permitted use within all zoning districts subject to the approval of a special use permit; and

WHEREAS, the City received a petition from Chris Winslow of Winslow, McCurry & MacCormac, PLLC., on behalf of SP-Thirteen Properties, LLC, owner of property at 36 West Fillmore Street for a special use permit pursuant to Article 3, Section 2 of the Zoning Ordinance to operate an assisted living facility; and

WHEREAS, the subject property was historically operated as an assisted living facility from its construction in the 1950s through 2022 when the Fillmore Place facility ceased operations; and

WHEREAS, the property owner has renovated the existing building with the intent of reestablishing the assisted living facility use; and

WHEREAS, the PetersburgNEXT Comprehensive Plan designates the property as a Historic Core Neighborhood on the Future Land Use Map and states Historic Core Neighborhoods where senior housing is listed as a primary land use and the plan is supportive of providing opportunities for city residents to age in place; and

WHEREAS, Planning Commission has determined public health, safety, moral, and general will not be adversely affected by the proposed use;

WHEREAS, the Planning Commission have recommended approval of the petition subject to number of conditions as listed below to mitigate potential adverse impacts to surrounding properties and to promote general welfare; and

WHEREAS, pursuant to the requirements of Titles 15.2-2204 and 15.2-2285 of the Code of Virginia, as amended, a public hearing was advertised and held, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that City Council does hereby approve a petition for a special use permit to operate an assisted living facility at 36 West Fillmore Street subject to the following conditions:

1. The site and facility shall be developed and maintained in substantial accordance with the Site Plans & Elevations and Floor Plans prepared by Lawrence Ellis Williams Consulting, LLC and dated August 15, 2025.
2. The facility shall obtain and maintain appropriate licensure through the Virginia Department of Social Services to operate as an assisted living facility; failure to maintain active licensure shall result in review and possible revocation of the special use permit.
3. Qualified staff shall be on-site twenty four (24) hours per day. Repeated substantiated complaints regarding adequate staffing and resident supervision shall result in review and possible revocation of the special use permit.

4. The special use permit serves as approval for use of the property as an assisted living facility for aged and infirmed as described in the application; any expansion of the scope of services, including use of the facility as an outpatient clinic or medication assisted treatment facility is prohibited.
5. The facility shall be limited to a maximum of sixty (60) beds for residents; any expansion beyond this number shall require an amendment to the approved special use permit.
6. The development shall provide outdoor seating areas, including benches and tables, as well as at least two of the following outdoor resident amenities: gardening area(s), gazebo(s), outdoor fitness equipment, or gaming area. A plan identifying such amenities shall be provided to the Planning Department for review and approval prior to operation of the facility.
7. The on-site dumpsters shall be placed within an enclosed area consisting of opaque screening a minimum of six (6) feet in height.
8. Any new owner or operator of the facility must certify with the Zoning Administrator that the party will be undertaking the same or like endeavor and that their operation will remain in compliance with the approved special use permit
9. This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations.



City of Petersburg
 Department of Planning and Community Development
 Zoning Administration
 135 North Union Street, Room 304
 Petersburg, Virginia 23803
 (804) 733-2308

Special Use Permit and Rezoning Application

Date: 08/13/2025 Case Number: 400

Applicant / Owner

Applicant Name:	SP-THIRTEEN PROPERTIES LLC	Owner Name:	Stephen A. Parson
Address:	7806-C Forest Hill Ave	Address:	7806-C Forest Hill Ave, Richmond
City, State, Zip:	Richmond, VA 23225	City, State, Zip:	Richmond, VA 23225
Phone:	8044231382	Phone:	8044231382
Email:	chris@wmmlegal.com	Email:	chris@wmmlegal.com

Property

Current Zoning:	RB Office Apartment Residential	The following deed restrictions may affect the use of this property: Restrictions Expire:
Proposed Zoning:	RB Assisted Living Facility	
Tax Parcel ID:	022360001	
Current Address:	36 Fillmore W Petersburg, VA 23803	
Approximate Area:	56933 sq. ft.	
Acres:	1.3	
Public Street Frntg.:	Fillmore Street / Harrison Street	

Description of Proposed Use: Assisted Living Facility

Justification for Special Use

The proposed use is in the interest of the public health, safety, morals and general welfare of the community because: (Provide a detailed statement of reasons why the proposed use should be granted).

The material impact of the proposed use will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement and/or present ways the impact may be mitigated).

The proposed use will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

Our assisted living facility will be advantageous to the City of Petersburg and benefit the general public welfare through multiple interconnected advantages that address critical community needs while generating positive economic and social impacts. The facility directly serves Petersburg's substantial senior population by providing essential healthcare infrastructure that reduces costly emergency services usage, prevents premature nursing home placements, and enables aging in place within the community, thereby preserving family connections and social stability. Economically, the facility creates sustainable employment opportunities in healthcare, administration, and support services while generating ongoing property tax revenue, local purchasing activity, and professional service contracts that stimulate the local economy without the environmental impacts or infrastructure strain of industrial development. The facility enhances public safety through professional 24-hour staffing that provides neighborhood surveillance, reduces crime, and ensures immediate response to emergencies, while the structured care environment prevents accidents and health crises that would otherwise burden municipal emergency services. From a community planning perspective, the facility addresses housing diversity needs by providing appropriate housing options for the aging population, supports efficient land use through higher-density senior housing, and contributes to the community's long-term sustainability by ensuring that established residents can remain in their city as they age rather than relocating to other jurisdictions. The facility promotes public health through professional medical oversight, medication management, nutritional programs, and social engagement opportunities that prevent isolation and depression among seniors, while serving as a community resource for health education and wellness programs. Additionally, the facility strengthens the community's social fabric by enabling intergenerational connections, providing volunteer and social opportunities for residents and community members, and supporting local businesses through ongoing operational needs, ultimately creating a model of community care that enhances Petersburg's reputation as a desirable place to live and age while addressing the demographic realities of an aging population. This benefits all residents.

Describe your experience with developing and maintaining the use in question (Provide references and/or examples).

SP-Thirteen Properties, LLC purchased 36 W Fillmore in 2022 and completed its \$1.8m+ renovation of the property in 2024.

Justification for Rezoning

The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (Provide a detailed statement of reasons why the proposed rezoning should be granted).

The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).

The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).

The undersigned applicant certifies that they:

- SP-Thirteen Properties, LLC (a) are the owner, lessee or agent for (specified in writing)
- (b) possess a proprietary interest in (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING, and that the foregoing information and statements herein provided, and all other information herewith submitted, are in all respects true and correct to the best of their knowledge and belief.

I do hereby certify that the information contained herein is true and correct.

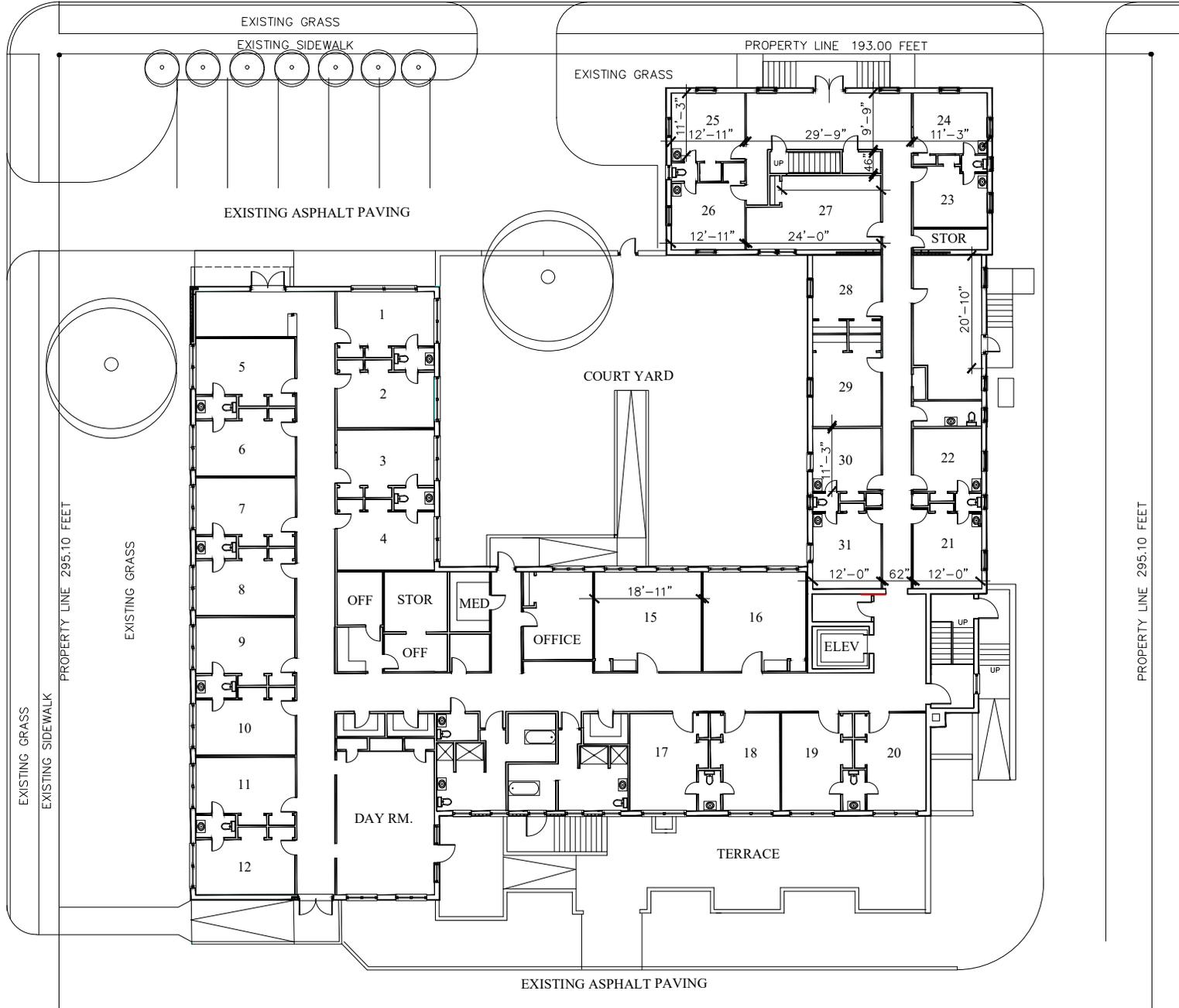
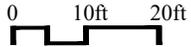
Christopher M. Winslow, Esq., counsel to SP-Thirteen
Properties, LLC

08/13/2025

Name

Date

SCALE: 1/8" = 1 FOOT

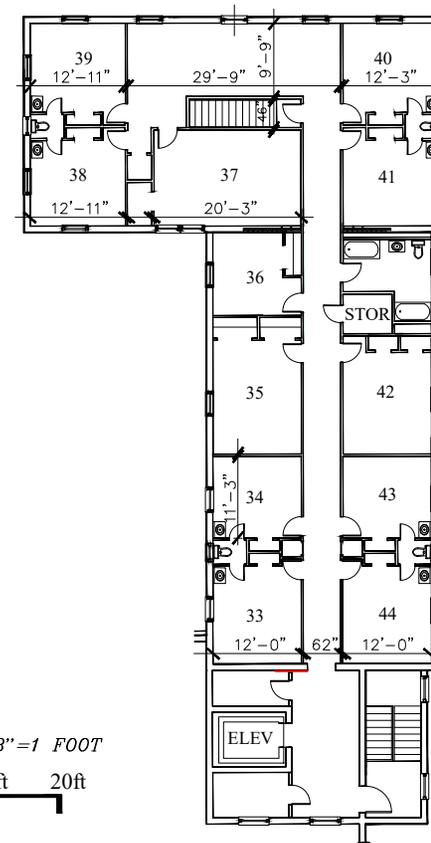
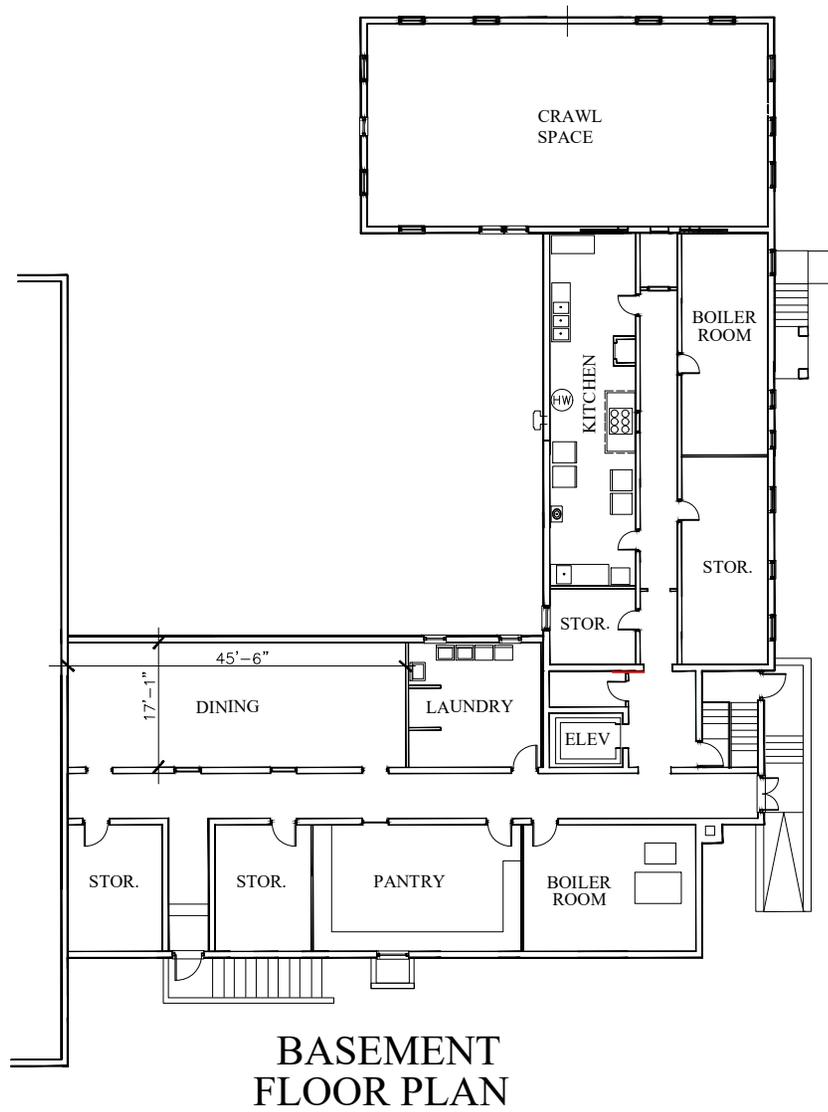


LAWRENCE ELLIS WILLIAMS CONSULTING LLC
Environmental Planners
Architects Engineers
Construction Managers
2518 FORD AVENUE RICHMOND, VIRGINIA 23223 TEL (804)437-5360

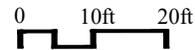
FIRST FLOOR PLAN

SITE ADDRESS: 36 WEST FILLMORE STREET
PETERSBURG VIRGINIA

A1
Drawn By: LR 8/15/22
Issue/Revision Date
Design Development



SCALE: 1/8" = 1 FOOT



LAWRENCE ELLIS WILLIAMS CONSULTING LLC
 ENVIRONMENTAL PLANNERS
 ARCHITECTS ENGINEERS
 CONSTRUCTION MANAGERS
 FACILITY MANAGERS
 2518 FORD AVENUE RICHMOND, VIRGINIA 23223 TEL (804)437-5360

FLOOR PLANS

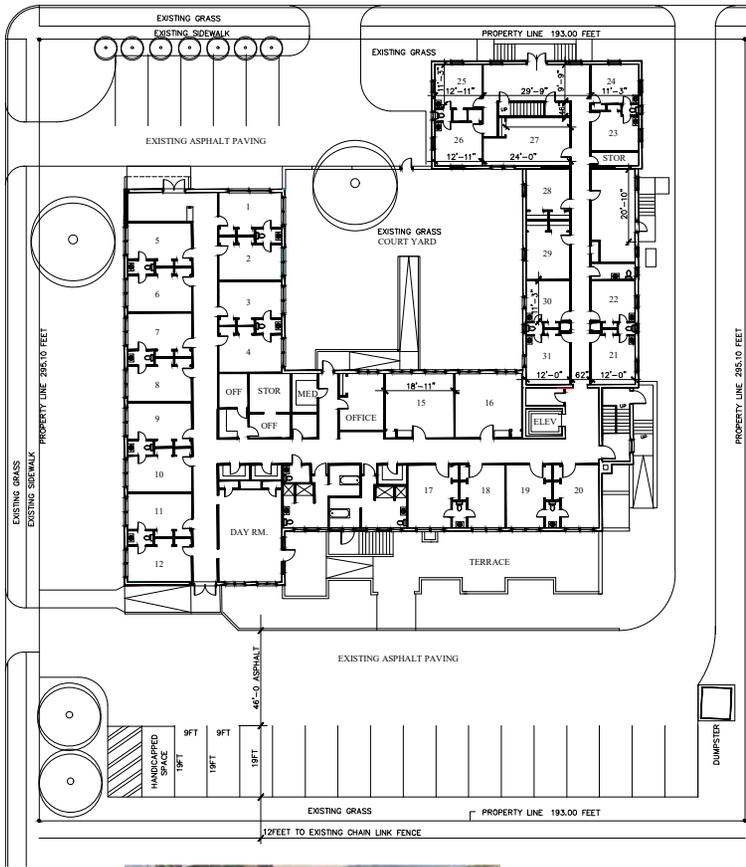
SITE ADDRESS: 36 WEST FILLMORE STREET
 PETERSBURG VIRGINIA

A2

Drawn By: LP 8/15/22
 Issue/Revision Date
 Design Development

FILLMORE STREET

HARRISON STREET



EXTERIOR ELEVATIONS
TWO STORY STRUCTURE



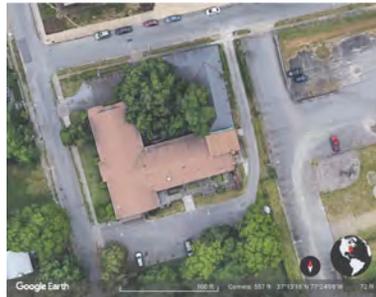
EXTERIOR ELEVATIONS
SINGLE STORY STRUCTURE



SITE PLAN

SCALE: 1/16" = 1 FOOT

0 20ft 30ft



VICINITY MAP



LAWRENCE ELLIS WILLIAMS CONSULTING LLC
 LAWRENCE ELLIS WILLIAMS
 ENVIRONMENTAL PLANNERS
 ARCHITECTS ENGINEERS
 ENVIRONMENTAL PLANNERS
 FACILITY MANAGERS
 CONSTRUCTION MANAGERS
 2518 FORD AVENUE RICHMOND, VIRGINIA 23223 TEL (804)437-5360

SITE PLAN & ELEVATIONS

SITE ADDRESS: 36 WEST FILLMORE STREET
 PETERSBURG VIRGINIA

A1

Drawn By: LFW 8/15/22
 Issue / Revision: 001
 Design Development





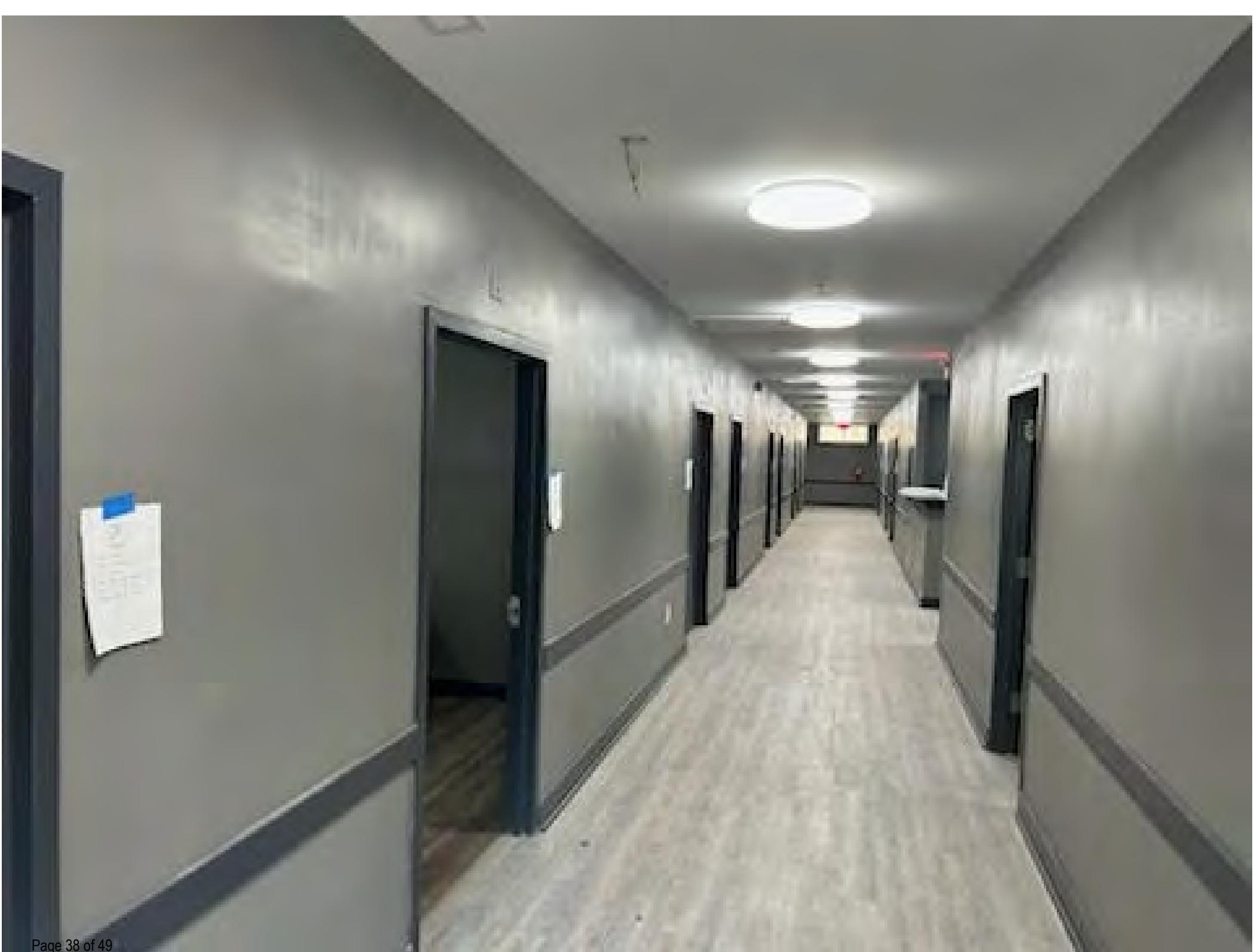


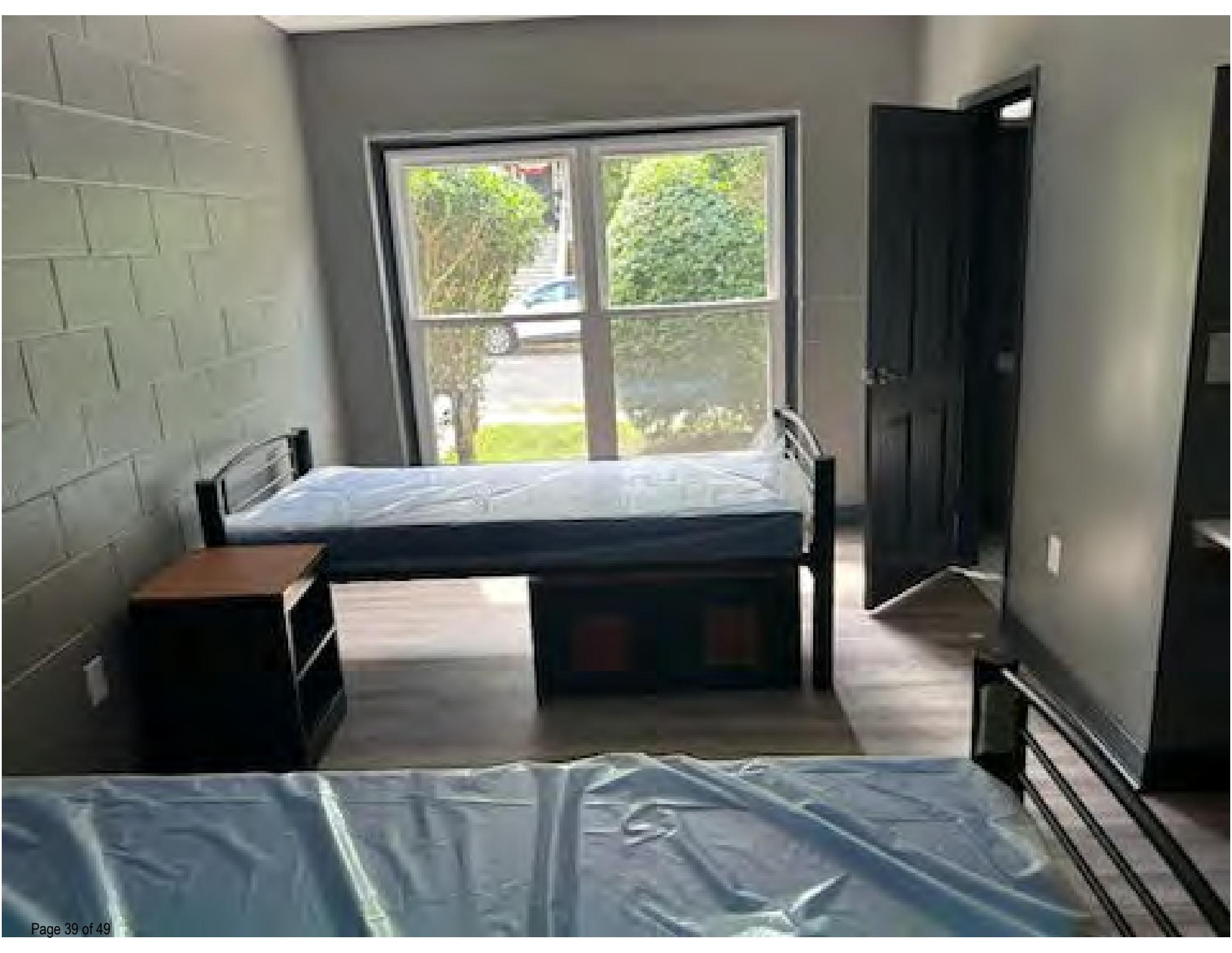


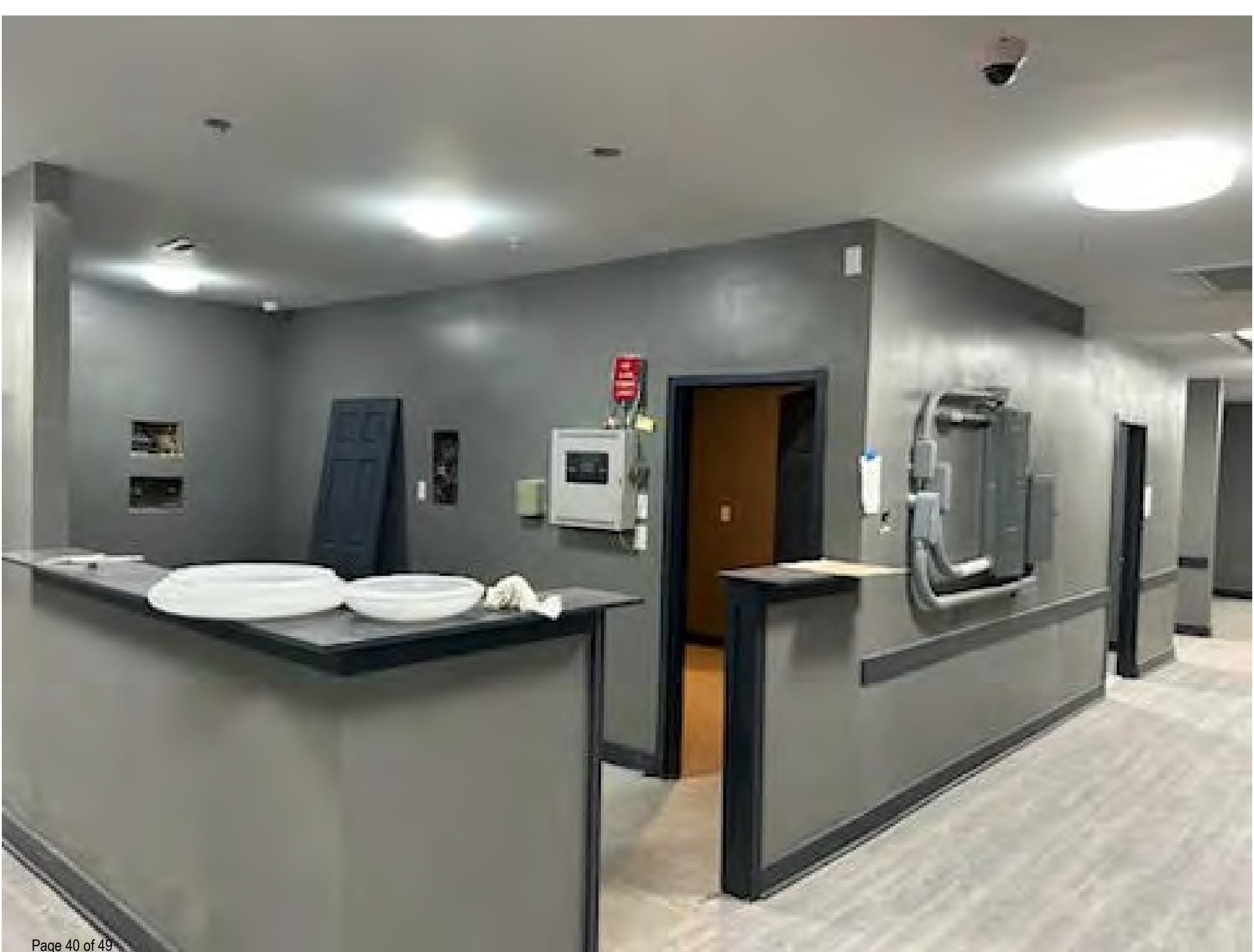


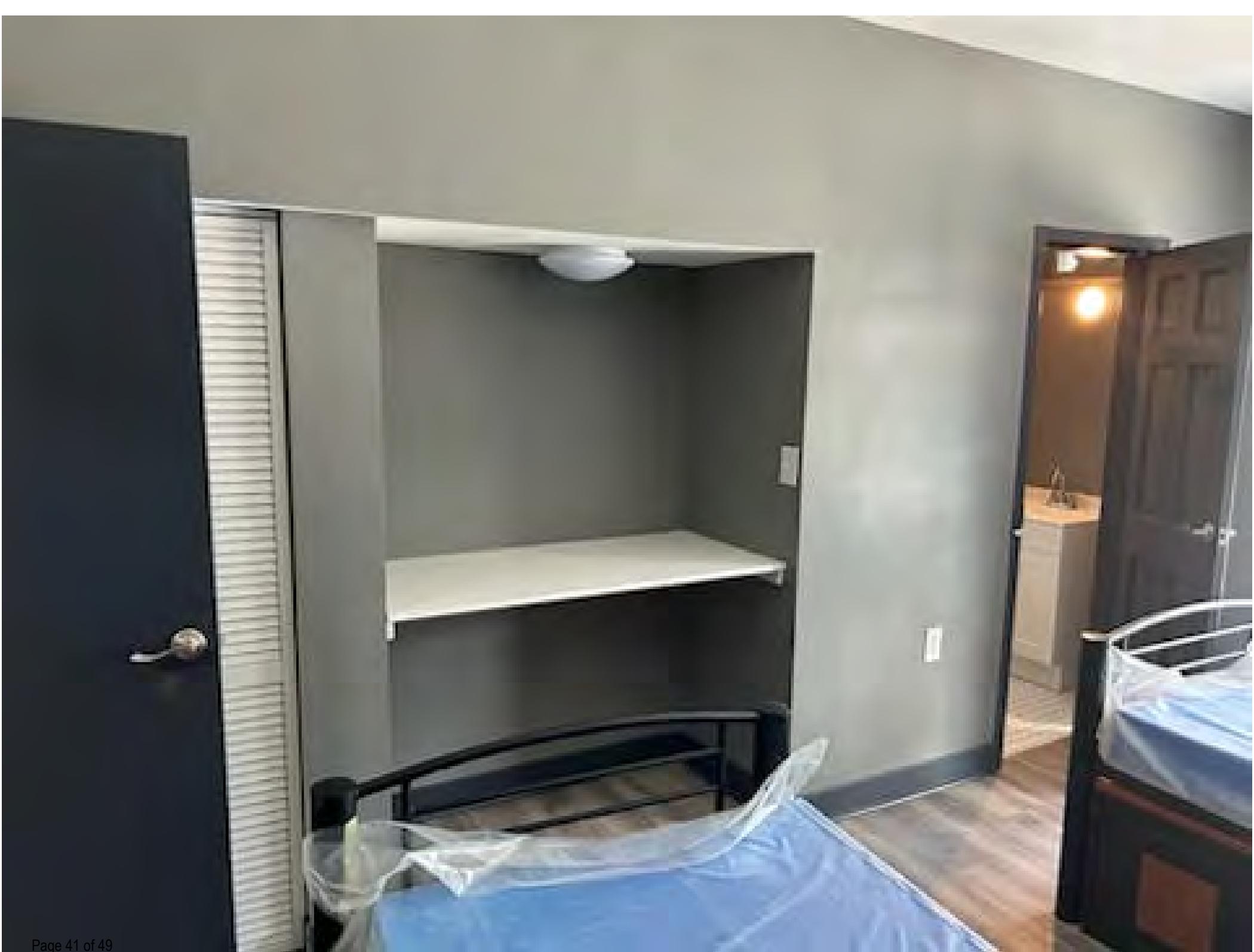


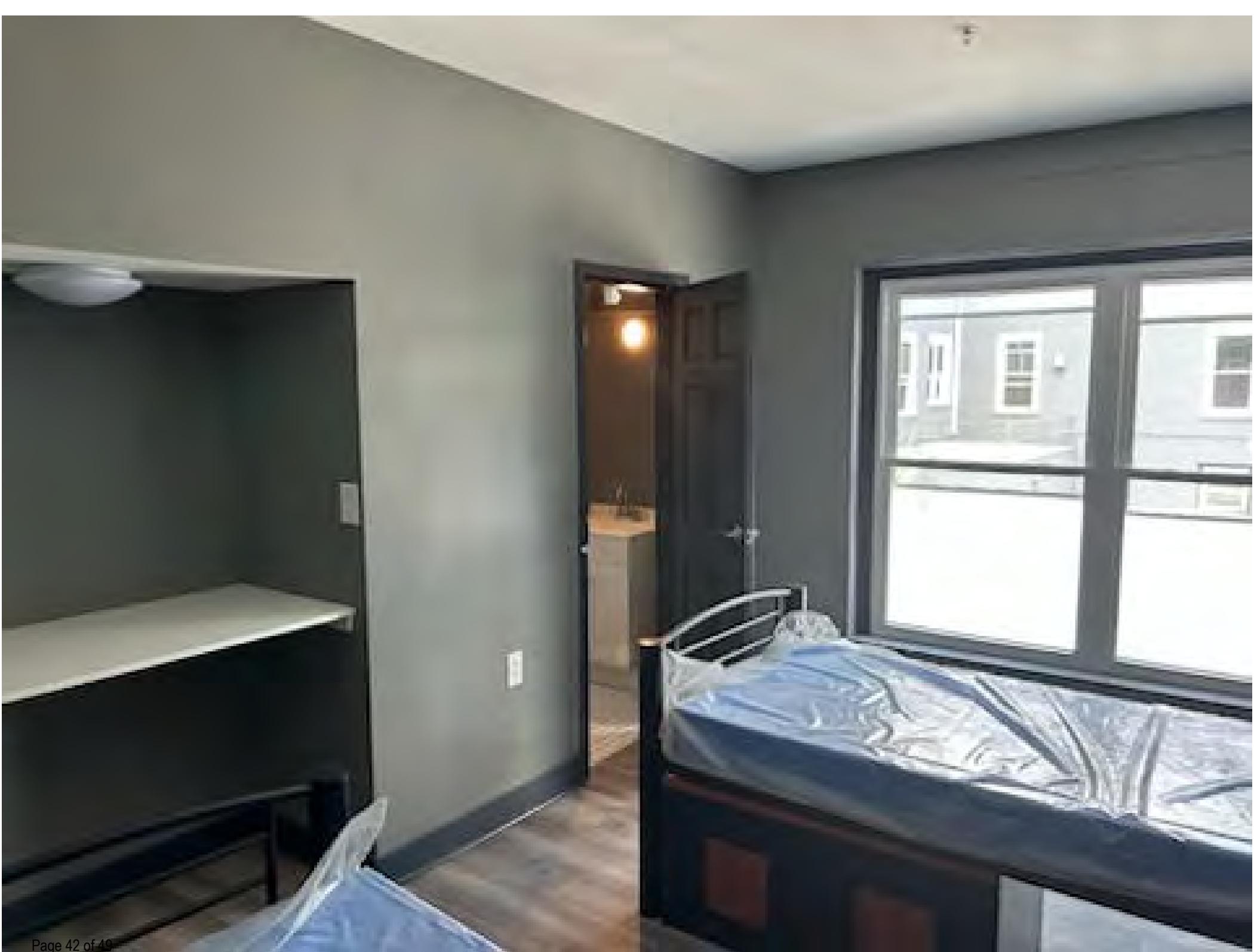


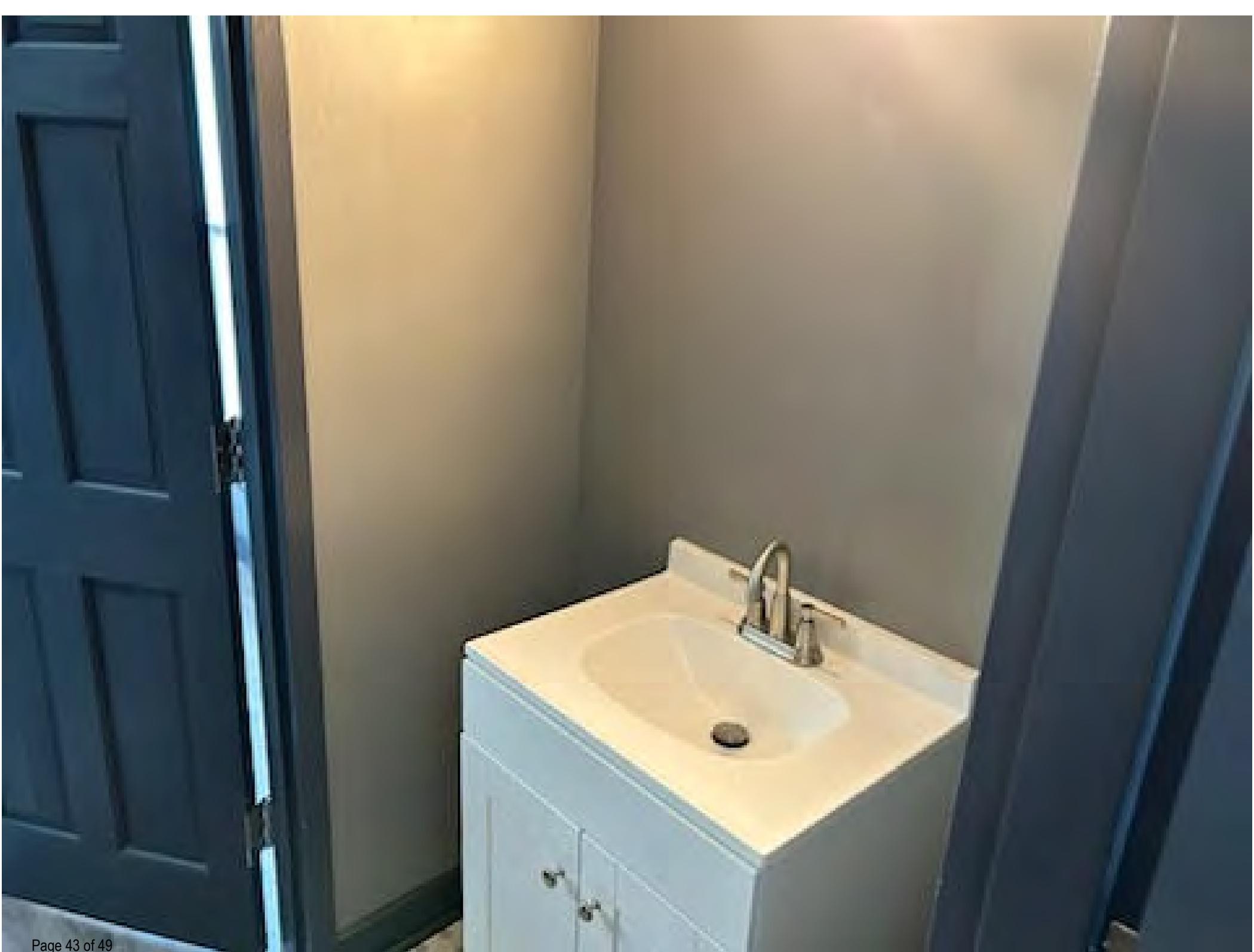














City of Petersburg

Department of Planning &
Community Development
804-733-2312

135 N. Union Street, Room 304
Petersburg, Virginia 23803
mgorman@petersburg-va.org

Mr. Steve Parson
7806 Forest Hill Avenue
Richmond, Virginia 23225

December 18, 2024

RE: 36 West Fillmore Street, Petersburg, Virginia
Zoning Determination

Following extensive research and discussion, the Petersburg Zoning Administrator has determined that the proposed assisted living facility at 36 West Fillmore street is permitted as a legally non-conforming use.

36 West Fillmore Street is zoned RB- Office Apartment Residential. Assisted living facilities are a permitted use within RB zoning districts with a Special Use Permit. Previously, an assisted living facility was operating at this location but was closed in September 2022. The former facility's use was considered legal non-conforming as its opening predated the Special Use Permit requirement. The current owner, Mr. Steve Parson, purchased the property with the intent to renovate and operate the facility under a new company. While Mr. Parson was renovating the facility, he received multiple permits from the city's building department with the listed use as "assisted living." With each permit, Mr. Parson invested a significant sum of money, totaling over \$165,000, under the impression that the use was approved.

Via Code of Virginia § 15.2-2307, Mr. Parson has gained vested rights in the property by investing a significant sum of money while receiving documented approvals from city officials. Due to these vested rights, the assisted living use at 36 West Fillmore Street, Petersburg, Virginia is considered legally non-conforming and permitted.

The assisted living facility is subject to all applicable zoning regulations, must maintain all proper licensing, and keep a properly trained staff onsite at all times. Should any legal non-conforming use halt for a period of two years or more, all non-conforming statuses are terminated.

The above information is valid as of December 18, 2024, and based on the current Zoning Ordinance. Permitted uses and use requirements are subject to change with potential changes to the zoning ordinance.

For additional questions or information please contact the Petersburg Department of Planning & Community Development at 804-733-2312 or by email at mgorman@petersburg-va.org.

In accordance with Section 15.2-2311 of the Code of Virginia (1950), as amended, this decision may be appealed to the Board of Zoning Appeals within 30 days of receipt of this letter. Otherwise, the decisions set forth in this letter shall be final and unappealable if not appealed within the thirty-day period. The filing fee associated with the appeal is \$500.00 and should be enclosed with a signed letter of intent to appeal this decision.

Thank you,

A handwritten signature in black ink, appearing to read 'Maxwell Gorman', with a long horizontal flourish extending to the right.

Maxwell Gorman
Zoning Administrator

cc: 36 West Fillmore Street
Petersburg, Virginia, 23803



City of Petersburg

Department of Planning &
Community Development
804-733-2312

135 N. Union Street, Room 304
Petersburg, Virginia 23803
mgorman@petersburg-va.org

May 5, 2025

Board of Zoning Appeals action on case 2025-APP-02

The Petersburg Board of Zoning Appeals held a public hearing on February 27, 2025, to discuss the following appeal request in accordance with Virginia State Code § 15.2-2309 and § 15.2-2311, and Article 27. Section 4 (1) of the Petersburg Zoning Ordinance:

“2025-APP-02: A request from Dale Mullen of Whiteford, Taylor & Preston L.L.P. on behalf of the Historical Poplar Lawn Association and Ravenscroft Ventures LLC to appeal the Zoning Administrator’s determination letter. In December 2024, the zoning administrator wrote a determination letter stating that the proposed assisted living facility at 36 W Fillmore Street was a legal nonconforming use and permitted.”

At the April 24, 2025, regular meeting of the Board of Zoning Appeals, Mr. Steven Simonson motioned to overturn the Zoning Administrator’s determination. Mr. Simonson cited a previous statement from the Zoning Administrator which stated that the facility must receive a Special Use Permit. Mr. Jeffrey Clark seconded the motion. Chair Brenda Henderson, Mr. Jeffrey Clark, Mr. Steven Simonson, and Mr. Robert Baer all voted to carry the motion and the Zoning Administrator’s determination was overturned.

Per the Petersburg Board of Zoning Appeals’ decision, there is no legal nonconforming status for an assisted living facility at 36 West Fillmore Street and a special use permit would be required to operate such a facility at this location.

A handwritten signature in black ink, appearing to read "Maxwell Gorman", written over a horizontal line.

Maxwell Gorman
Zoning Administrator

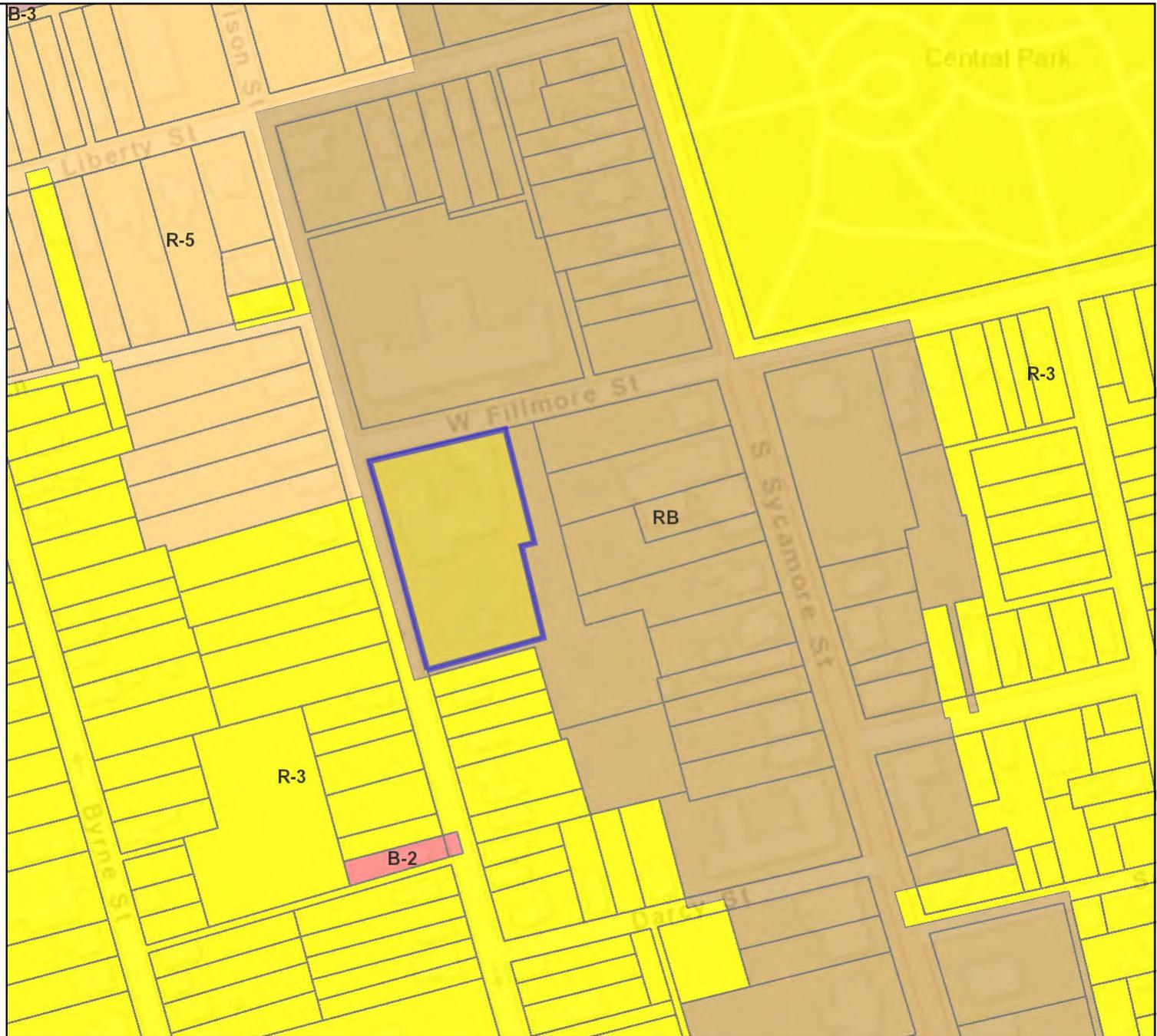
A large, stylized handwritten signature in black ink, appearing to read "Brenda Henderson", written over a horizontal line.

Brenda Henderson, Chair
Petersburg Board of Zoning Appeals

Petersburg, Virginia

Legend

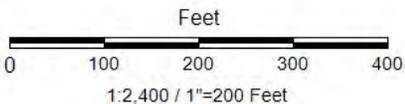
- City Boundary
- Parcels
- Zoning**
- A
- B-1
- B-2
- B-2 (C)
- B-3
- B-3 (C)
- ERC
- M-1
- M-1 (C)
- M-2
- MXD1
- MXD2
- MXD3
- PUD
- R-1
- R-1 (C)
- R-1A
- R-1A (C)
- R-2
- R-3
- R-4
- R-5
- R-5 (C)
- R-6
- RB
- RMH
- RTH
- RTH (C)



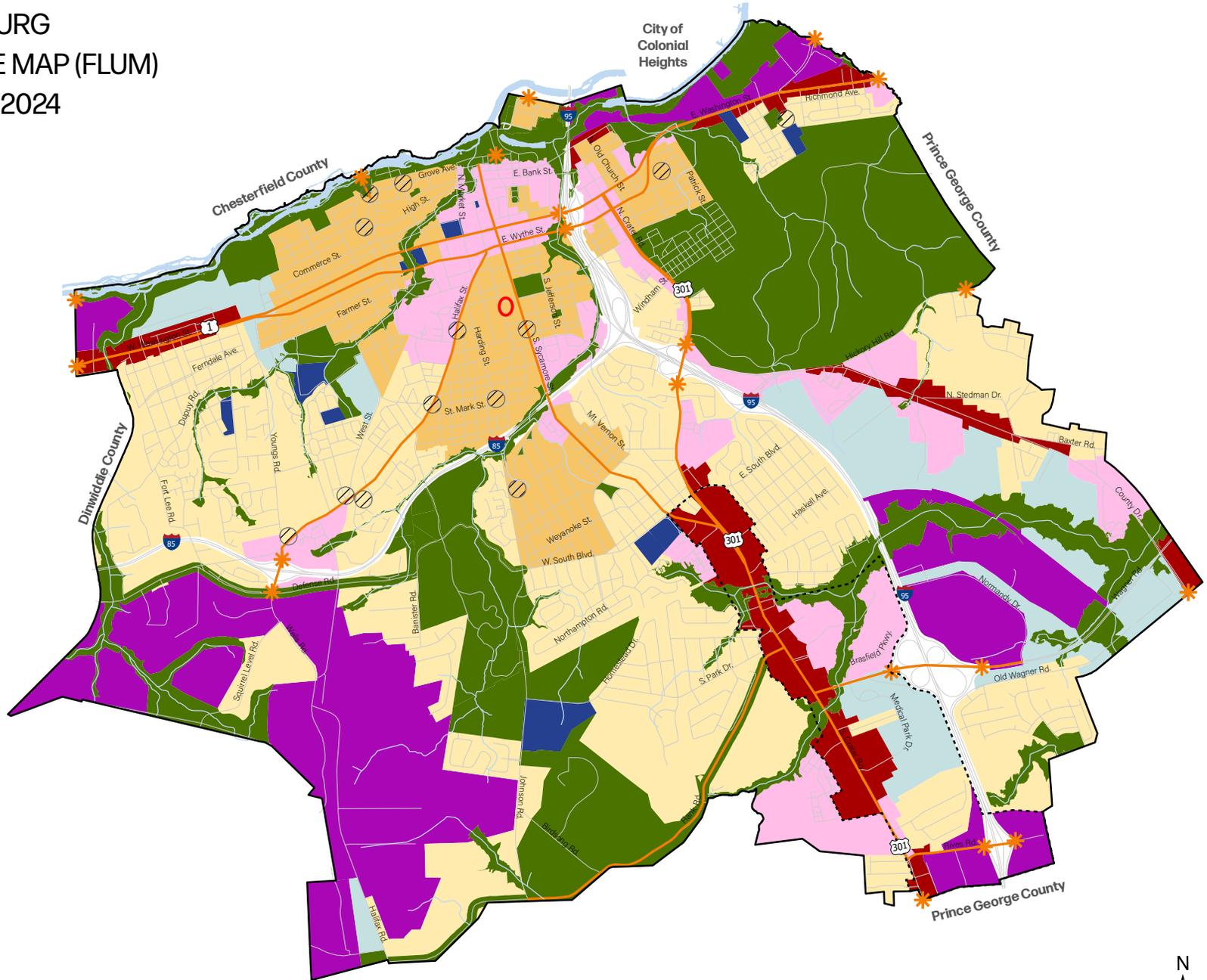
Title: 36 West Fillmore Zoning Map

Date: 8/18/2025

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.



**CITY OF PETERSBURG
FUTURE LAND USE MAP (FLUM)
ADOPTED MAY 21, 2024**



LEGEND

- City Limits
- Roads
- Appomattox River
- Waterways
- - - South Crater Urban Development Area (UDA)
- Historic Core Neighborhoods
- Community Residential
- Neighborhood Commercial
- Community Mixed-Use
- Corridor Commercial
- Research and Development
- General Industrial
- Civic
- Conservation and Recreation
- Gateways
- Corridors



Address	Parcel ID	Owner Name	Mailing Address	City, State	Zip Code
35 West Fillmore Street	022300017	AHR VA2 LLC	170 N Henderson Road, Suite 310	King of Prussia, PA	19406
424 South Sycamore Street	022360006	David Andrew Stokes	424 South Sycamore Street	Petersburg, VA	23803
426 Harrison Street	031050004	Deal's Incorporated	9108 Jefferson Davis Highway	North Chesterfield, VA	23237
402 Harrison Street	022350012	Jeroyd L Greene	402 Harrison Street	Petersburg, VA	23803
422 Harrison Street, 414 Harrison Street, 406 Harrison Street	031050003, 031050001, 022350013	Joel Erb	414 Harrison Street	Petersburg, VA	23803
427 Harrison Street	031060020	Ravenscroft Ventures LLC	414 Harrison Street	Petersburg, VA	23803
402 South Sycamore Street	022360002	RC Investments Properties LLC	601 Turner Road	North Chesterfield, VA	23225
338 Harrison Street	022350011	Sandra M Cruz	110 Northbourne Court, Apt A	Henrico, VA	23228
34 West Fillmore Street, 408 South Sycamore Street, 414 South Sycamore Street, 420 South Sycamore Street	031060800, 022360003, 022360004, 022360005	Topline Incorporated	21402 US Route 1	Ruher Glen, VA	22546