Zoning Amendment Application

Department of Planning, Building and Development
Room 170, Noel C. Taylor Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
Phone: (540) 853-1730

Filing Date: 8.24.2020

Request (select all that apply):
☐ Rezoning, Not Otherwise Listed
☐ Rezoning, Conditional
☒ Rezoning to Planned Unit Development
☐ Establishment of Comprehensive Sign Overlay District

☐ Amendment of Proffered Conditions
☐ Amendment of Planned Unit Development Plan
☐ Amendment of Comprehensive Sign Overlay District

Property Information:

Address: 1801 Patterson Ave Roanoke VA, 0 Patterson Ave SW, O Patterson Ave SW

Official Tax No(s.): 1312914, 1312913, 1312912

Existing Zoning: Mixed Use

☑ Without Conditions
☐ With Conditions
☐ Planned Unit Development

Requested Zoning: INPUD

☑ Without Conditions
☐ With Conditions
☐ Planned Unit Development

Ordinance No(s). (If applicable):

Proposed Land Use: Group care facility, halfway house

Property Owner Information:

Name: Jordana Anderson, Kunal Joshi (Morning Rays)

Address: 706 Campbell Ave Roanoke 24016

Phone Number: 540-400-7841
E-mail: jody75@verizon.net

Property Owner's Signature: [Signature]

Applicant Information (if different from owner):

Name: 

Phone Number: 

Address: 

E-mail: 

Applicant's Signature: 

Authorized Agent Information (if applicable):

Name: 

Phone Number: 

Address: 

E-mail: 

Authorized Agent's Signature: 

Zoning Amendment
Application Checklist

The following must be submitted for all applications:

☒ Completed application form and checklist.
☒ Written narrative explaining the reason for the request.
☐ Metes and bounds description, if applicable.
☐ Filing fee.

For a rezoning not otherwise listed, the following must also be submitted:

☐ Concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures.

For a conditional rezoning, the following must also be submitted:

☐ Written proffers. See the City's Guide to Proffered Conditions.
☐ Concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures. Please label as 'development plan' if proffered.

For a planned unit development, the following must also be submitted:

☒ Development plan meeting the requirements of Section 36.2-326 of the City's Zoning Ordinance.

For a comprehensive sign overlay district, the following must be submitted:

☐ Comprehensive signage plan meeting the requirements of Section 36.2-336(d)(2) of the City's Zoning Ordinance.

For an amendment of proffered conditions, the following must also be submitted:

☐ Amended development or concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures, if applicable.
☐ Written proffers to be amended. See the City's Guide to Proffered Conditions.
☐ Copy of previously adopted Ordinance.

For a planned unit development amendment, the following must also be submitted:

☐ Amended development plan meeting the requirements of Section 36.2-326 of the City's Zoning Ordinance.
☐ Copy of previously adopted Ordinance.

For a comprehensive sign overlay amendment, the following must also be submitted:

☐ Amended comprehensive signage plan meeting the requirements of Section 36.2-336(d) of the City's Zoning Ordinance.
☐ Copy of previously adopted Ordinance.

For a proposal that requires a traffic impact study be submitted to the City, the following must also be submitted:

☐ A Traffic Impact Study in compliance with Appendix B-2(e) of the City's Zoning Ordinance.

For a proposal that requires a traffic impact analysis be submitted to VDOT, the following must also be submitted:

☐ Cover sheet.
☐ Traffic impact analysis.
☐ Concept plan.
☐ Proffered conditions, if applicable.
☐ Required fee.

*An electronic copy of this application and checklist can be found at www.roanokeva.gov/planningcommission. A complete packet must be submitted each time an application is amended, unless otherwise specified by staff.
(b) Applicant’s Written Narrative:

a. **Description of the Proposed use and Development of the Property:**

Jordana Anderson and Kunal Joshi have formed Morning Rays, LLC and have purchased the property at 1801 Patterson Ave, Roanoke VA 24016. The current zoning is Mixed Use, MX, without conditions. The proposed zoning is INPUD, Institutional Planned Unit Development. The proposed use is group care facility, halfway house. The intended purpose of this purchase is to create a Department of Behavioral Health and Disabilities or DBHDS licensed, low intensity treatment facility, coded as an ASAM (American Society of Addiction Medicine), 3.1 level of care.

This facility is primarily to provide structure and guidance for people who have come out of a substance abuse treatment facility or who are currently being treated for a substance use disorder and who meet the criteria for low intensity treatment and housing. A typical client would be someone who has completed 30 days of treatment at a facility such as Mt. Regis and who is in need of continued treatment, guidance and support at a lower level of care. This level of care is now called Transitional Living. The goal of this intermediate level of care is to increase chances of success in long term recovery and indeed, the only predictive measure for success in recovery is the length of time spent in treatment. The goal is to teach each individual how to be productive members of society while living in the community. We foresee the average length of stay as being from 4 to 6 months. We will be working from day one to establish individualized treatment plans which will meet the client where they are at and will help with various objectives in achieving independence and long-term success. The mission statement, philosophy and daily schedule is attached. We are seeking an R4 certificate of occupancy which allows for 16 individuals.

This service will include case management, intensive outpatient programming, group therapy, individual therapy, and medication management. We will have a psychiatrist on staff as well as the medical director, Dr. Joshi. Some of these services may be provided in conjunction with services offered at 706 Campbell Ave where we offer outpatient services and they would be part of a continuum of care. The development of the property will be contained to the interior of the building. There will be no exterior modifications nor any additional exterior development of the property or adjacent lots.

The property at 1801 Patterson is currently zoned as Mixed Use. Section 36.2-314 says “The purpose of the MX District is to accommodate residential uses, office uses, and support services within the same district. The intent of the district is that no retail sales uses be permitted and that the district facilitates a harmonious mixture of office and residential uses. The regulations of the district are intended to protect the character and scale of such a mixed-use development pattern by permitting low-intensity development at a scale that recognizes and respects residential patterns of development.” “The purposes of the INPUD District are to encourage harmonious development of institutional uses and mixed-use campus developments, to provide flexibility for creative development, to minimize potential negative impacts of institutional uses on neighboring uses, and
to recognize the special complexity and interrelationships of land uses and activities in these institutional complexes.”

There are several uses that both zones allow simultaneously. These are: dwelling, multifamily (to include 10 or fewer dwelling units); group home; medical clinic; office, general or professional, office, general or professional, large scale; live-work unit; mixed-use building; studio/multimedia production facility; personal service establishment, not otherwise listed in this table; community center; park or playground; community garden; daycare center, adult; fire, police or emergency services; government offices or other government facility, not otherwise listed; library; museum; parking, off-site; utility distribution, basic; wireless telecommunications facility, small cell on existing structure; wireless telecommunications facility, stealth; and accessory uses, not otherwise listed in this table.

We intend to use this property as a group care facility, halfway house. We are simultaneously seeking an R4 certificate of occupancy to allow 16 or fewer residents at any one time.

(b) Justification of the Change:
We are aware of the growing issues with both opiate addiction and overdoses in the Roanoke and surrounding areas. Overdose deaths have continued to climb, and they have doubled since the current Coronavirus pandemic in the Roanoke area. There are currently no 3.1 levels of care available anywhere in the Valley. This level of care allows for treatment as well as housing while the individual becomes a stable, productive member of the community. The lack of housing for individuals while they attempt to gain a foothold in early recovery is one of the biggest deficits in the current attempts to treat addiction and as noted, the combination of housing, along with structured treatment, outside of the Department of Corrections, is non-existent in the Roanoke area.

The usage of this building has historically included providing community based social services including Blue Ridge Behavioral Healthcare when this property was entitled The Ingram House as well as when a special exception to provide elderly care in a group home setting was granted in 2016. The applicants are not deviating in general from prior usages of this property and we are increasing the level of accountability to the community, to the city, and to the state.

We also acknowledge that at one time, the 24016-area hosted three residential treatment facilities operated by Blue Ridge Behavioral Healthcare. These were Shenandoah Recovery which was a 30-day inpatient facility, Multilodge which was a 90-day program and Hegira House which was located at 1435 Patterson Avenue and which was an 18 month long intensive treatment program. These programs were lost when Medicaid stopped funding substance abuse treatment approximately 2 decades ago. Due to the Affordable Care Act and the national opiate epidemic, substance abuse treatment is again available and desperately needed. The need is evident, and we believe that every community has a responsibility to its members to identify and address these needs. We understand that people suffering from mental health and substance abuse issues present potential problems to any community and the toll on society is staggering. We understand that there is resistance to inviting these problems into one’s community. We are suggesting that these problems already exist in the community and that they can be addressed objectively, compassionately, and directly.

c. Effect of the Proposed Amendment on the Surrounding Neighborhood:
There is no perceived change to the surrounding area or neighborhood that would be brought about by the proposed amendment. The property in question consists of 2 additional lots one of which
contains 30 parking spaces and one of which is an empty field. The applicants will not be changing any traffic patterns nor will there be a significant increase in the use of the public roadways. The applicants suggest that this will invigorate the community and will only enhance the southwest area of Roanoke.

d. Availability of Other Similarly Zoned Properties in the General Area and in the City:
The property at 1729 Patterson is designated INPUD, Institutional Planned Unit Development and the use is group care facility, halfway house. The certificate of occupancy allows for 8 people. Although the treatment of substance abuse is allowed at 1729 Patterson Ave, it is not being provided. Bethany Hall is located at 1109 Franklin Road and it is a residential treatment facility for women, and it is one of the only facilities that focuses primarily on pregnant women. The fact that it treats substance abuse makes it similar to what is being proposed at 1801 Patterson Ave, but Bethany Hall provides a higher level of care, allowing residents to meet a 3.5 ASAM level of care which is more intensive. It does not serve men. The Dorcus House at 801 Shenandoah Ave is a 35-bed re-entry program for men coming out of the state prison system and is zoned as a Group Care Facility/Halfway House Continuation of a legally established nonconforming use. It does not provide substance abuse treatment nor does it focus primarily on residents who live and work in the Roanoke area. The applicants believe that we are providing a unique service and that it is a service that is desperately needed. We will be staffed by professionals 24 hours a day and we have both a psychiatrist and a doctor on staff. We have no relationship with the department of corrections, and we will serve people from the community. We will also provide jobs and our goal is to help the community. We understand the fears about crime and drugs, and we believe that people can recover and become productive responsible members of the very community in which they live. There are no other 3.1 levels of care in Roanoke city or county and we believe that other communities will look to this neighborhood as examples of progress and hope. It is our honor and privilege to start this community-based living facility at 1801 Patterson.

e. Relationship of the Proposed Amendment to the City’s Comprehensive Plan and the applicable Neighborhood Plan:
It is understood that a new Comprehensive Plan is underway. The current plan actually provides a picture of 1801 Patterson Avenue and it says “While people moved from traditional neighborhoods to outlying suburbs during the last half of the 20th Century, many people are now seeking out these older neighborhoods for their sense of community, physical attractiveness, and convenience. As more people begin to reject long commutes, over reliance on the automobile, and the lack of community that go along with conventional suburban development, neighborhoods such as Hurt Park, Mountain View and West End are ripe for revitalization. Vision 2001-2020 promotes the development of "neighborhoods as villages," with a compact urban form accompanied by village center commercial uses that encourage pedestrian activity and a sense of community. Promoting the characteristics of traditional neighborhood design that exist in Hurt Park, Mountain View and West End is key to the revitalization of neighborhoods throughout the City. The portion of Patterson Avenue in the H-2 District is proposed for a mix of office and residential uses. Currently the base zoning of this area is RM-2. By allowing offices in addition to residential uses, the market will be open to a greater range of opportunities. Offices usually produce a greater rate of return than residential properties, and they are not intrusive upon the residential character of an area. The population of Hurt Park, Mountain View, and West End has remained steady with only a slight increase since the 1990 Census. The area experienced substantial increases in the number of younger and middle age populations, while the number of younger adults and the elderly decreased.
Within the traditional development pattern of the Hurt Park neighborhood is the H-2 Neighborhood Preservation District along both sides of Patterson Avenue from the middle of the 1300 block to 19th Street. Most of the houses on this street are large, mansion-like structures that were originally built for Norfolk and Western executives early in the 20th Century. On the northern side of the street, some of them still feature stone retaining walls with steps and walkways from the sidewalk. The lots on Patterson Avenue are larger than in the rest of the area. The Hurt Park Housing Development is the only major apartment complex in the area."

The applicants understand the current Comprehensive City Plan discourages similar types of mental health and substance abuse services being in close proximity to one another and we suggest that proximity to a similar setting hardly seems a justification to thwart treatment efforts especially in a part of the city which is well known for its prolific substance use issues. We are acknowledging the need to identify and treat residents in their own backyard. We believe that we can make a difference and the presence of the proposed facility will only enhance and invigorate the West End/Hurt Park District. It is our goal to allow people to become productive members of the society in which they live. It is our belief that people do recover and that they give back in ways which are profoundly invigorating and healing to the community.

The Comprehensive Plan also states that: *The portion of Patterson Avenue in the H-2 District is proposed for a mix of office and residential uses. Currently the base zoning of this area is RM-2. By allowing offices in addition to residential uses, the market will be open to a greater range of opportunities. Offices usually produce a greater rate of return than residential properties, and they are not intrusive upon the residential character of an area. Rezoning Patterson Avenue to a mix of residential and office uses will allow more flexibility to enable revitalization.*

The applicants suggest that the rezoning of 1801 Patterson Ave will do just that. We intend to provide a place of business that will provide job opportunities to those in the community and that will increase the value and the sense of community to the Hurt Park District. We will look to employ approximately 10 individuals from the community including peer support specialists, case managers, residential aids and groundskeeping. We also intend to collaborate with existing agencies in the area such as the health department, TAP, churches, financial planning, DMV, etc., to help in providing services for the residents. As notes above, we will also be providing psychiatric and minimal medical treatment to our residents with doctors’ offices located on premises.

In specific regarding Patterson in the current city plan:

“Patterson Avenue is in the heart of the area and is an arterial street that connects 24th Street to Campbell Avenue and downtown. It is a large boulevard that measures 70 feet wide with 40 feet of pavement for most of its stretch between Campbell and 13th Street. West of 13th Street it is 100 feet wide with 40 feet of pavement. Along this section of the street, the additional right-of-way consists of sidewalks and 20-foot wide planting strips. As a central point of the neighborhood and a highly visible street, the function and appearance of Patterson Avenue is crucial to the area's revitalization and is a high priority in this plan.”

The applicants are invested in maintaining the integrity of this historic landmark while providing landscaping and upkeep that is congruent with city planning. The city plan also recommends offering a diversity of housing options while discouraging low income multifamily housing. It encourages home ownership. It is part of our agenda to provide financial counseling to our residents and to collaborate with local businesses to provide economic opportunities to our residents including home ownership.
We also reiterate that the housing opportunity that we offer is unique to this area and it will blend into the community. The plan states that it would be beneficial to “Change zoning to allow mixed office and residential uses in the H-2 District on Patterson Avenue and in West End to encourage rehabilitation, adaptive reuse, and preservation of large, historic houses.” We intend to do just that.

**(c) Concept/ Development Plan**

Please find a copy of the development plan for 1801 Patterson Avenue Roanoke VA 24016. There are no proposed changes to the existing plat. The plat attached will be left exactly as it is now with any and all changes made exclusively to the interior of the building. The plat attached meets the requirements for a planned unit development according to Ordinance 36.2-326. We do not anticipate any change in the traffic flow as we will be housing no more than 16 people most of whom will be using public transportation. The number of staff working at the facility will not impact traffic flow and the 30-space parking lot adjacent to the building will be more than adequate so there will be no need for on street parking.

**(d) Written Proffers, if applicable**

No proffers are being extended