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: 9.24.2020

Submittal Number: Amended Application # 2

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 24016, 0 Patterson Ave SW, 0 Patterson Ave SW
1729 Patterson Ave Roanoke VA 24016, 0 Patterson Ave

Official Tax No(s.): 1312914, 1312913, 1312912, 1212309, 1212310

Existing Zoning:
- My Use (1801 Patterson, 0 Patterson, 0 Patterson)
- IND W/COND (1729 Patterson, 0 Patterson)

Requested Zoning:
- IND W/COND (1801 Patterson, 0 Patterson)
- My Use W/COND (1729 Patterson, 0 Patterson)

Ordinance No(s), (if applicable): 40033-090214

Proposed Land Use: Group Care Facility, Hallway House

Property Owner Information:
Name: Richard Winted
Winsted Estate Management

Kunal Joshi, Jordana Anderson (Morning Rays)

Address:

Property Owner's Signature:

Applicant Information (if different from owner):

Name:
Address:
Phone Number:
E-mail:

Applicant Signature:

Authorized Agent Information (if applicable):

Name:
Address:
Phone Number:
E-mail:

Authorized Agent's Signature:
(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 INPU, 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 include 16 or fewer residents at any one time.

We understand that the property located adjacent to 1801 Patterson Ave, 1729 Patterson Ave, is already zoned as an INPUD. We are also aware that having two INPUD’s zoned so closely together with both being specified as a group care facility, halfway house, has raised concerns in the community. We have therefore spoken with the owner of 1729 Patterson Ave, Mr. Richard Winsted and he has agreed to simultaneously request a rezoning to MX use which would address any community concern regarding the density of facilities which treat substance abuse in the area. The current tenants at 1729 Patterson will be vacating the premises by the end of September as their lease has terminated.

We are deeply aware of the community concern as well as the concerns as to how this would impact property values. We are suggesting that the current proposition of switching the uses of 1729 and 1801 Patterson Ave would not impact the community as it would virtually be identical to the zoning that is now in place. We have read the comprehensive city plan and are acknowledging that it expressly discouraging a density of substance abuse treatment facilities in one area. With the rezoning of 1729 Patterson Ave back to MX use, we are suggesting that the opportunity for community growth such as offices or apartments will be realized while eliminating the intensity of treatment facilities in one area.

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 To Be Adopted

The applicant hereby requests that the following proffered conditions be adopted as they pertain to 1801 Patterson Ave, Tax ID No’s 1312914, 1312913, and 1312912:

1. There will be 16 or fewer residents living on the property at any given time and there will be rotating staff 24 hours a day.
Proffered Conditions to be Repealed:

The applicant hereby requests that the following proffered conditions regarding 1729 Patterson Ave and 0 Patterson Ave, enacted by Ordinance No. 40033-090214 be repealed as it pertains to Official Tax No.’s 1212309 and 1212310:

1. There will be no more than eight (8) residents living on the property at any given time and there will be a staff person on the premises in a separate dwelling.
To: Honorable Mayor and Members of City Council

Meeting: August 18, 2014

Subject: Application by Transitional Options for Women to rezone property located at 1729 and 0 Patterson Avenue, S.W., bearing Official Tax Nos. 1212309 and 1212310, respectively. The application is to rezone the property from MX, Mixed Use District, to INPUD, Institutional Planned Unit Development District, with a condition.

Recommendation

The Planning Commission held a public hearing on Tuesday, August 12, 2014. By a vote of 6 - 0 the Commission recommended approval of the rezoning request, finding Amended Application No. 2 is consistent with the City’s Comprehensive Plan, Hurt Park/Mountain View/West End Neighborhood Plan, and Zoning Ordinance as the benefits of the program provides an important service to meet the needs of Roanoke’s citizens.

Application Information

<table>
<thead>
<tr>
<th>Request:</th>
<th>Rezoning to Planned Unit Development and Proffered Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner:</td>
<td>Winstead Estate Management, LLC</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Transitional Options for Women</td>
</tr>
<tr>
<td>Authorized Agent:</td>
<td>N/A</td>
</tr>
<tr>
<td>City Staff Person:</td>
<td>Katharine Gray, Land Use and Urban Design Planner</td>
</tr>
<tr>
<td>Site Address/Location:</td>
<td>1729 and 0 Patterson Avenue SW</td>
</tr>
<tr>
<td>Official Tax Nos.:</td>
<td>1212309 and 1212310</td>
</tr>
<tr>
<td>Site Area:</td>
<td>0.517 acres</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>MX, Mixed Use District</td>
</tr>
<tr>
<td>Proposed Zoning:</td>
<td>INPUD, Institutional Planned Unit Development District</td>
</tr>
<tr>
<td>Existing Land Use:</td>
<td>Office</td>
</tr>
<tr>
<td>Proposed Land Use:</td>
<td>Group care facility, halfway house</td>
</tr>
<tr>
<td>Neighborhood Plan:</td>
<td>Hurt Park/Mountain View/West End Neighborhood Plan</td>
</tr>
<tr>
<td>Specified Future Land Use:</td>
<td>Office &amp; Residential Mix</td>
</tr>
<tr>
<td>Filing Date:</td>
<td>Original Application: May 01, 2014</td>
</tr>
<tr>
<td></td>
<td>Amended Application No. 1: June 09, 2014</td>
</tr>
<tr>
<td></td>
<td>Amended Application No. 2: July 01, 2014</td>
</tr>
</tbody>
</table>
Background

The property was built as a single family home in the early part of the 1900's. The area declined after World War II and many homes in the area were converted to multifamily uses. In 2005, a section of the neighborhood along Patterson Avenue that contained large homes was rezoned to allow for residential and office use to spur appropriate redevelopment in the area. It was occupied as an office by Blue Ridge Behavioral Health from the mid-1990s and then, in 2007, the property use was changed to a group home. In 2011 the property use was changed to office.

In September of 2011, the Hurt Park/Mountain View/West End Neighborhoods were selected as the targeted area for focused revitalization. The development of a Neighborhood Revitalization Strategy Area (NRSA) plan for the West End Community was designed to promote the long-term strength and stability of this older area of Roanoke with a high concentration of low income households, low homeownership, high number of renters, large number of vacant properties, and derelict structures. The plan identifies strategies to revitalize the West End target area which include increasing the homeownership rate through rehabilitation and new construction, rehabilitating owner-occupied housing, enhancing neighborhood business opportunities, and promoting employment opportunities.

During this time, Roanoke City police implemented an innovative program to address drug and crime problems in the area. Chief Perkins indicated that recidivism remains a significant issue in the City and in this neighborhood. Addressing recidivism of residents is a critical factor in revitalization of the neighborhood.

The applicant met with planning staff to discuss rezoning the property to allow for a group care facility, halfway house.

In May 2014, the applicant filed an application to rezone the property to Institutional Planned Unit Development District to allow for a group care facility, halfway house. The proposed development plan depicts existing building locations on the parcel and associated site development. The applicant submitted subsequent applications in the following months addressing staff and Planning Commission comments.

The original application was deemed to not have enough information for staff to adequately evaluate the proposal. A subsequent amended application had proffered conditions that staff and the City Attorney's office determined to be unenforceable. Therefore, the public hearing to consider the application was delayed until the August Planning Commission meeting.

Planned Unit Development Plan

The development plan included in the application is binding on the development of the property. All development must be in substantial conformance with the
development plan and other pertinent elements of the zoning ordinance. The development plan depicts the existing buildings and site development.

Considerations

The subject property is currently used as an office. The property use will change to a halfway house if the rezoning to planned unit development is approved. The exterior of the building is subject to H-2 Historic District Guidelines and no changes are currently proposed. The parking on the existing property will remain.

Surrounding Zoning and Land Use:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RM-1, Residential Mixed Density District</td>
</tr>
<tr>
<td></td>
<td>Dwelling, single-family detached</td>
</tr>
<tr>
<td>South</td>
<td>MX, Mixed Use District</td>
</tr>
<tr>
<td></td>
<td>Dwelling, single-family detached and</td>
</tr>
<tr>
<td></td>
<td>Dwelling, two-family</td>
</tr>
<tr>
<td>East</td>
<td>MX, Mixed Use District</td>
</tr>
<tr>
<td></td>
<td>Dwelling, two-family and Dwelling, single-family detached</td>
</tr>
<tr>
<td>West</td>
<td>MX, Mixed Use District</td>
</tr>
<tr>
<td></td>
<td>Office, general or professional</td>
</tr>
</tbody>
</table>

Compliance with the Zoning Ordinance:

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.

Conformity with the Comprehensive Plan and Neighborhood Plan:

Both Vision 2001-2020 and the Hurt Park/Mountain View/West End Neighborhood Plan recognize the need for the redevelopment for existing uses and sites to serve the needs of citizens and to support health and human services to support citizen needs. Simultaneously, the plans caution against concentration of public assisted housing and shelters in any given part of the City. The Hurt Park/Mountain View/West End neighborhood is an area that is undergoing tremendous positive change after years of neglect and decline. The type of development that occurs in this area during this time of transition is critical to the long term health of the neighborhood. Relevant policies and action items in the Comprehensive Plan include:
Housing Choice. The City will have a balanced, sustainable range of housing choices in all price ranges and design options that encourage social and economic diversity throughout the City. Concentration of federally subsidized, assisted or affordable housing will be discouraged. The City will recommend ways to overcome impediments to fair housing by identifying barriers to housing choice, encouraging fair housing education to the community, challenging housing discrimination, and requiring affirmative marketing of developments using City funds.

Publicly-assisted housing. Publicly-assisted housing efforts and shelters will be of the highest quality that enhances neighborhoods. Publicly-assisted housing and shelters will be equitably distributed in all parts of the region.

Health and human service agencies. Roanoke will support a range of health and human services to meet the needs of Roanoke's citizens.

The need for services to provide adequate transitions for citizens being released from a correctional facility is critical to provide opportunities for these individuals and is important to the City and is supported by the comprehensive plan. The Comprehensive Plan also specifically speaks to not concentrating subsidized housing and shelters into one area, but to instead spread it throughout the City. The location of this group care facility, halfway house in this particular neighborhood further concentrates this type of shelter/service into one area of the City as there are a number of existing transitional housing developments in the neighborhood such as Red Shield Lodge at the Salvation Army, RAM House, Samaritan Inn. There are also a number of subsidized housing units within the neighborhood, such as the Hurt Park townhouse development operated by the Roanoke Redevelopment and Housing Authority and other scattered housing units. However, the Planning Commission believes the need for the facility outweighs concern regarding this concentration.

The Hurt Park/Mountain View/West End Neighborhood Plan recognizes that this area is an area of transition. What was once a premier residential area of Roanoke became a place with a high concentration of low income households, low homeownership, high number of renters, large number of vacant properties, and derelict structures. Major issues identified through the neighborhood planning process include attracting more homeowners, improving the area's appearance, infrastructure improvements, and zoning changes that would encourage the development of vacant lots and rehabilitation of substandard structures. Relevant policies and action items in the Neighborhood Plan include:

Community Design Actions:

- Encourage office-residential mix: 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.

Residential Development Policies:

- Diversity of Housing Options: Hurt Park, Mountain View and West End should have a balance of single and multifamily housing. Given the current housing stock, development of more multifamily low-income housing should be discouraged.

The principal consideration is whether the proposed rezoning and proffered development plan and conditions are consistent with Vision 2001-2020 and the Hurt Park/Mountain View/West End Neighborhood Plan. The existing office building has been a part of the neighborhood for many years and the Commission believes that the need for the conversion of the building to a halfway house would not have a negative impact on the surrounding neighborhood by concentrating this type of service into one area of the City.

Public Comment Summary

A letter from Hurt Park Neighborhood Association supporting the halfway house was and is included in the application.

A letter from Mountain View Neighborhood Association was submitted in opposition to the rezoning application in April, June, and August. The main concern was related to concentrating transitional homes into the area would be detrimental to attracting new homeowners and businesses.

Staff was notified that the Roanoke Neighborhood Advocates voted to send a letter on behalf of Mountain View Neighborhood Association regarding the applicant misrepresenting the views of the Mountain View neighborhood in their application.

An email from Dallas Powell listed concerns for the proposed halfway house lowering the quality of the tenant in his surrounding properties in an irreversible way.

Planning Commission Work Session

- Provide information about the number of people in residence at one time versus what would be allowed under the current zoning

Applicant Response to Staff, Public, and Planning Commission Comments

The applicant has submitted amended applications addressing staff comments.
Planning Commission Public Hearing Discussion:

Six people spoke during the public hearing in regards to the proposed planned unit development plan. Jim Crawford, Mountain View Neighborhood Association, spoke in opposition to the application for his neighborhood group. The concerns were related to concentrating transitional homes into the area would be detrimental to attracting new homeowners and businesses. Jimmy Cook, Hurt Park Neighborhood Alliance, spoke in favor of the application for his neighborhood group. Four others spoke for themselves in favor of the application. Those in favor of the application spoke to the great need for such a facility for women in the Roanoke area, the need for second chances for people returning to society from prison, and that such a facility would not create a problem in their neighborhood.

Mark Futrell, Vice-Chair
City Planning Commission

cc: Chris Morrill, City Manager
R. Brian Townsend, Assistant City Manager
Chris Chittum, Director of Planning Building & Development
Ian D. Shaw, Planning Commission Agent
Daniel J. Callaghan, City Attorney
Steven J. Talevi, Assistant City Attorney
Richard Winstead, Winstead Estate Management, LLC
Dorothy Owsley, Transitional Options for Women
STATEMENT OF CONFLICT OF INTEREST

I, Raphael Farris, state that I have a personal interest in agenda item A4 regarding request of Transitional Options For Women to rezone property located at 1729 and O Patterson Ave. SW, because I have a property in the area that the applicant may have an interest in acquiring.

Therefore, pursuant to Virginia Code Section 2.2-3112, I must refrain from participation in this matter. I ask the City Clerk to accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 18th day of August, 2014.

[Signature]
(SEAL)
IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

The 2nd day of September, 2014.

No. 40033-090214.

AN ORDINANCE to amend § 36.2-100, Code of the City of Roanoke (1979), as amended, and the Official Zoning Map, City of Roanoke, Virginia, dated December 5, 2005, as amended, to rezone certain properties within the City, subject to a certain condition proffered by the applicant.

WHEREAS, Transitional Options for Women has made application to the Council of the City of Roanoke, Virginia ("City Council"), to have the properties located at 1729 and Zero Patterson Avenue, S.W., bearing Official Tax Map Nos. 1212309 and 1212310, respectively, rezoned from MX, Mixed Use District, to INPUD, Institutional Planned Unit Development, subject to a certain condition;

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by §36.2-540, Code of the City of Roanoke (1979), as amended, and after conducting a public hearing on the matter, has made its recommendation to City Council;

WHEREAS, a public hearing was held by City Council on such application at its meeting on August 18, 2014, after due and timely notice thereof as required by §36.2-540, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed rezoning; and

WHEREAS, this Council, after considering the aforesaid application, the recommendation made to City Council by the Planning Commission, the City’s Comprehensive Plan, and the matters presented at the public hearing, finds that the public
necessity, convenience, general welfare and good zoning practice, require the rezoning of the subject property, and for those reasons, is of the opinion that the hereinafter described properties should be rezoned as herein provided.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 36.2-100, Code of the City of Roanoke (1979), as amended, and the Official Zoning Map, City of Roanoke, Virginia, dated December 5, 2005, as amended, be amended to reflect that Official Tax Map Nos. 1212309 and 1212310, located at 1729 and Zero Patterson Avenue, S.W., respectively, be, and are hereby rezoned from MX, Mixed Use District, to INPUD, Institutional Planned Unit Development, subject to a certain condition proffered by the applicant, as set forth in the Zoning Amendment Amended Application No. 2 dated July 1, 2014.

ATTEST:

[Signature]

City Clerk.
ATTACHMENT A
ZONING MAP EXCERPT
1801, 0, and 0 Patterson Avenue SW, and 1729 and 0 Patterson Avenue SW
OFFICIAL TAX MAP NOS. 1312914, 1312913, and 1312912
and 1212309 and 1212310, respectively