

STAFF EVALUATION

Case No.: Use Permit No. 22-00020

Planning Commission Date: December 15, 2022 **City Council Date:** January 11, 2023

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Bonnie Brown, Deputy City Attorney

General Information

Applicant(s) Hampton/Newport News Community Services Board

Property Owner(s) MBP, Inc. c/o Sentara Healthcare

Site Location 300 Marcella Road [LRSN: 7001308]



Requested Action Use permit to allow for a mental health/substance abuse treatment facility in the Limited Commercial (C-2) and Overlay – Coliseum Central (O-CC) Districts.

Description of Proposal The applicant proposes to reuse and repurpose the existing building, located at 300 Marcella Road for the operation of a mental health/substance abuse treatment facility. By definition, such operation is a facility licensed by the Commonwealth of Virginia which primarily provides treatment for mental health issues on an inpatient basis for stays in excess of twenty-four (24) hours or treatment for substance abuse issues on an inpatient or outpatient basis through the dispensation of controlled substances.

The Hampton-Newport News Community Services Board (H-NNCSB) will lease the property from MPB, Inc., Sentara Healthcare. The existing 20,284 square foot building has been previously used as a variety of healthcare uses; however, more recently has been unoccupied for several years. The applicant intends to repurpose and remodel the existing space through interior renovations as well refurbish the building exterior to include replacing the roof, windows and doors. An enclosed outdoor patio area is planned for the residential component of the program reusing the existing outdoor break area. Upgraded landscaping will include the addition of shrubbery and fencing to provide separation from adjacent properties and to provide additional layer of security.

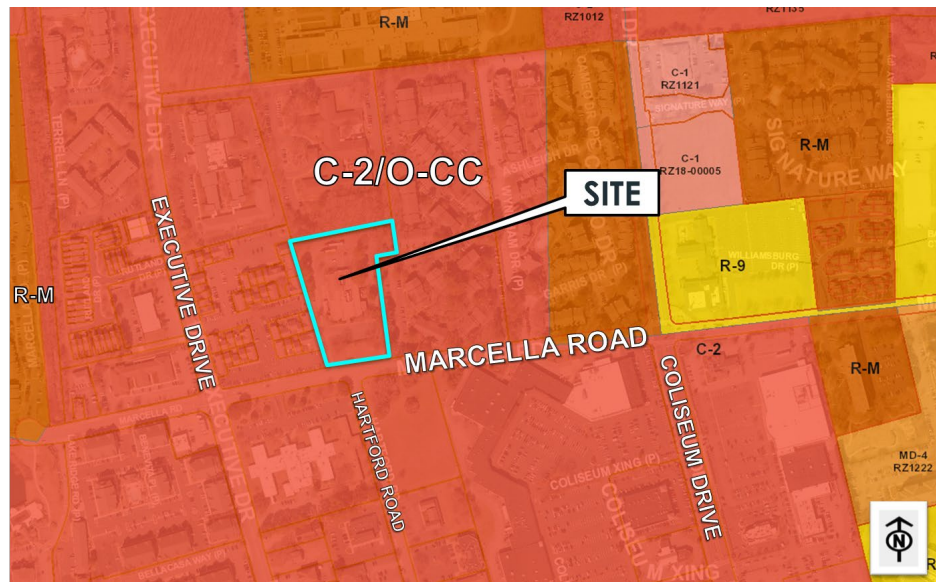
The facility will operate 24/7, providing an array of intervention services, including clinical, nursing and medical assessments, crisis intervention, supportive counseling, therapy, peer support services, psychiatric evaluation, 23-hour observation, and residential crisis stabilization services. Approximately 75 professionals will be employed, delivering around-the-clock care. The 23-hour observation service will allow for a period of assessment (up to 23 hours), treatment, and stabilization for individuals. This observation room will include 16 recliners identified for individuals to receive initial care, evaluation, treatment, and observation for up to a 23- hour period. In addition, the center will provide short-term residential admissions for individuals, typically lasting between 3 and 7 days. Sixteen single-occupancy rooms are proposed that would be separate from the 23-hour room.

Existing Land Use Vacant building

Zoning & Land Use History On December 14, 2022, City Council approved amendments to the Zoning Ordinance (ZOA22-00007 and 22-00008), which would add “Mental Health/Substance Abuse Treatment Facility” as a permitted use, subject to approval of a use permit, within the Limited Commercial (C-2) zoning district. The use would be permitted only when it is operated by a hospital or community services board and located within the Coliseum Central Overlay district.

Surrounding Land Use and Zoning **North:** Limited Commercial (C-2) District; Overlay – Coliseum Central (O-CC) District; general office use; multi-family residential
South: Limited Commercial (C-2) District; Overlay – Coliseum Central (O-CC) District; general retail sales and general office use
East: Limited Commercial (C-2) District; Overlay – Coliseum Central (O-CC) District; multi-family residential

West: Limited Commercial (C-2) District; Overlay – Coliseum Central (O-CC) District; general office use



Public Policy

The Hampton Community Plan (2006, as amended) is adopted as the guiding policy document for the City of Hampton. The Hampton Community Plan includes the following policy recommendations pertinent to this case:

Land Use and Community Design Policies:

LU-CD Policy 4: Evaluated land use proposals from a regional, city-wide, and neighborhood perspective.

LU-CD Policy 8: Support opportunities for the development and expansion of educational, cultural, medical, research, and military activities that are consistent with the City's vision and goals.

Community Facilities Policies:

CF Policy 47: Continue to work cooperatively with Federal and State agencies to address needs for health and human service facilities.

CF Policy 51: Provide an adequate level of social and institutional services without overburdening neighborhoods with an excessive concentration of institutional uses aimed to meet the needs of the city as a whole.

West Mercury Boulevard from the city line to King Street is identified as a business corridor.

Community Facilities Objectives:

1: Provide community facilities that are targeted to address the needs of both city residents and visitors.

3: Provide facilities that are responsive and adaptable to changing needs.

5: Promote partnerships with private, non-profit, and government agencies in the provision of community facilities.

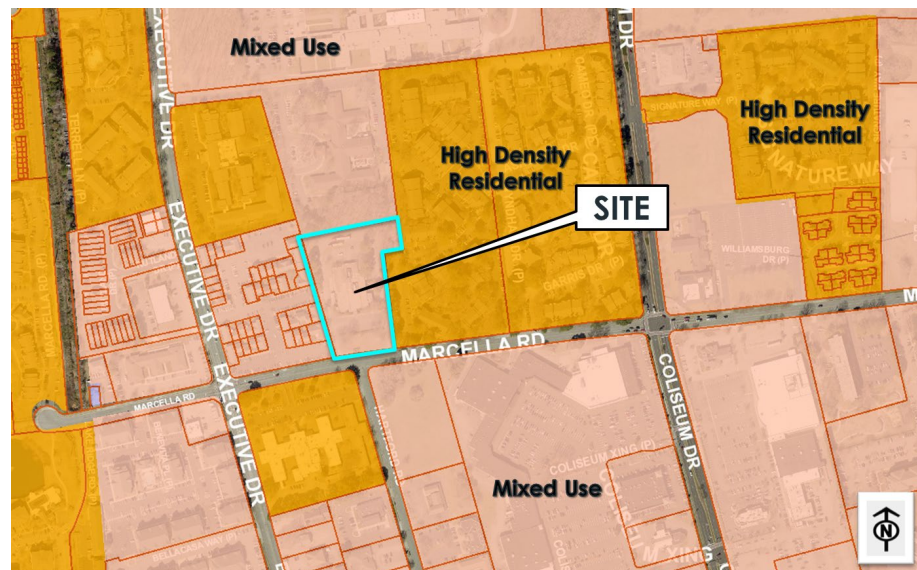
9: Address the needs of special populations including low income, youth, elderly, and persons with disabilities.

14: Promote maintenance, reinvestment, preservation, adaptive reuse, and renewal of existing facilities and sites.

Future Land Use:

The Hampton Community Plan (2006, as amended) designates this area as mixed used. Per the Plan, the mixed use land use category encourages development of two or more compatible land uses and densities as the primary uses within one parcel, building structure, or the same block. Mixed uses considered potentially compatible are those that allow options for: Live/Work, Retail/Office, Residential/Retail, Tourist Attractions/Community Facilities and Light Industrial/Residential. The Coliseum Central Master Plan (2015, as amended) reinforces the mixed use designation. The site is located between the Coliseum North and Sentara initiative areas so there are no specific plan recommendations.

Land Use Plan:



Parking/Traffic

The proposed operation is not considered to be a high traffic volume producing use; and thus, is not expected to have negative impacts on traffic in the area. Marcella Road is categorized as a *Collector* road within the Hampton Community Plan (2006, as amended). Collectors provide access to/from the arterial system and traffic circulation within residential neighborhoods and business, commercial, and industrial districts. They collect traffic from local streets in neighborhoods and districts, leading to the arterial system.

The proposal complies with the Zoning Ordinance parking provision, which requires a minimum of one parking space per 2 beds plus 1 space per 400 square feet of reception, administration, diagnostic, surgical, and outpatient space.

Community Meeting The applicant has not scheduled a community meeting at this time. The proposal has been presented to and reviewed by the Coliseum Central Business Improvement District (CCBID). Although supportive of this service provided by H-NNCSB and the proposed facility, the CCBID expressed concerns regarding security and fitting into the Coliseum Central District at the subject location. Many of these expressed comments have been addressed in the staff recommended conditions to the greatest extent possible.

Analysis

This use permit application is a request to permit a mental health/substance abuse treatment facility at 300 Marcella Road [LRSN: 7001308], at the intersection of Marcella Road and Hartford Road. The property is currently zoned Limited Commercial (C-2) and Overlay – Coliseum Central (O-CC) Districts. Zoning Ordinance Amendments, ZOA22-00007 and ZOA22-00008, were approved by City Council on December 14, 2022 that permit a mental health/substance abuse treatment facility within Limited Commercial (C-2) and Overlay – Coliseum Central (O-CC) Districts, subject to an approved use permit. The applicant is proposing to renovate and repurpose the existing 20,284 square foot building. This building was previously utilized as a hospital and medical facilities. The primary components of the proposed facility include: “23-hour observation” room, which will offer a period of assessment, treatment and stabilization for individuals up to a 23-hour period; and 16 single-occupancy rooms, which will provide short-term residential admissions for individuals, typically lasting between 3 and 7 days. The facility would allow walk-in access for those individuals voluntarily seeking assessment and treatment. The facility would also enable police to transfer custody of individuals under an emergency custody order (ECO) to onsite law enforcement.

The Hampton Community Plan (2006, as amended) designates the subject site as Mixed Use. More specifically, the Community Plan recommends that land use proposals be evaluated from a regional, city-wide, and neighborhood perspective (LU-CD Policy 4) and to support opportunities for the development and expansion of educational, cultural, medical, research, and military activities that are consistent with the City's vision and goals (LU-CD Policy 8). Furthermore, the Plan recommends continuing to work cooperatively with Federal and State agencies to address needs for health and human service facilities (CF Policy 47) and providing an adequate level of social and institutional services without overburdening neighborhoods with an excessive concentration of institutional uses aimed to meet the needs of the city as a whole (CF Policy 51). Other community facility objectives from the Plan address the provision of meeting the targeted needs of both city residents and visitors to include those with special needs. In addition, the Plan supports promoting partnerships with private, non-profit, and government agencies as well as promoting the reinvestment, adaptive reuse of existing facilities and sites. The Coliseum Central Master Plan (2015, as amended) also designates the subject

site as Mixed Use. Although there are no specific recommendations for the subject site, the Master Plan recognizes the current land use pattern as a mix of office and multi-family residential land uses. Predominant office use in the immediate surrounding area is medical office, which support the Sentara Medical Campus, a regional destination for medical specialties, and is located 0.4 miles to the north on Coliseum Drive.

If the use permit is approved, the proposed crisis center facility, operated by Hampton-Newport News Community Services Board (H-NNCSB), would provide treatment for individuals experiencing behavioral health crises. Presently, the lack of immediate access to varying levels of care during periods of behavioral health crises results in unnecessary encumbering of law enforcement and emergency department resources. Many of these services currently take place at the Sentara Hampton Careplex Hospital, involving emergency medical personnel and Hampton police officers.

If the use permit is to be granted, staff has identified eleven (11) recommended conditions based upon the proposed use's operational and land use characteristics. A few key conditions are highlighted below:

- Issuance of permit specific to the subject site;
- Capacity;
- Applicable state certifications;
- Security Plan;
- Landscaping and Fencing Plan;
- Lighting;
- Signage; and
- Coliseum Central Design Guidelines

The applicant has included a security plan, that would address both building and site security, which has been reviewed by both Community Development and Hampton Police staff. The proposed center would be a locked, secured facility and would be appropriately staffed and secured at all times, including internal and external cameras, and a security system. In addition to these measures, the center would contract with an onsite 24/7 security provider which would be separate from the onsite Crisis Intervention Team (CIT) Officer, a sworn officer, to whom police officers transfer custody of a prospective patron. Landscape buffering and fencing would also be added to ensure a discreet treatment setting and to provide an additional layer of security for staff and patrons. Staff is also recommending a condition that would limit the facility within the confines of the existing building footprint and site configuration. Any future expansion of the building footprint and/or significant site improvements would require an amendment to the use permit.

In that the proposal would comply with the additional standards for a mental health/substance abuse treatment facility, supports achieving the goals and objectives of the Community Plan and the Master Plan, and the proposed conditions would adequately address the operational characteristics and mitigate any perceived negative impacts, staff recommends approval.

Staff recommends **APPROVAL** of the Use Permit Application No. 22-0346 with eleven (11) conditions.