

UNAPPROVED MINUTES
PLANNING COMMISSION

April 16, 2014

A regular meeting of the Planning Commission of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, at 7:00 p.m., on April 16, 2014, there being present all the members of said Commission, to wit: Vicki G. Daulton, Bruce N. Thomasson, Jimmy W. Robertson, Samuel R. Carter, III, and Denise P. King; with Vicki G. Daulton, Chair, presiding; together with James E. Taliaferro, II, Assistant City Manager and Executive Secretary, ex officio member of said Commission; Melinda J. Payne, Director of Planning and Development; Charles E. Van Allman, Jr., City Engineer; Benjamin W. Tripp, Planner; Judy L. Hough, Planner; Mary Ellen Wines, Deputy Zoning Administrator/Secretary; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

ON MOTION MADE BY VICE CHAIR THOMASSON, SECONDED BY COMMISSIONER CARTER AND DULY CARRIED, the minutes of the regular meeting and work session held on March 12, 2014, were approved as written – the roll call vote: all aye.

In re: Hold a public hearing to consider the request of ABC's of Applied Behavior Analysis, Inc., lessee, and Goodpasture Properties LLC, property owner, for the issuance of an Use Not Provided for Permit to allow a behavioral and therapeutic clinic and private school/learning center on the property located at 1630 Braeburn Drive (Tax Map #284-1-2.7).

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of ABC's of Applied Behavior Analysis, Inc., lessee, and Goodpasture Properties LLC, property owner, for the issuance of an Use Not Provided For Permit to allow a behavioral and therapeutic clinic and private school/learning center on the property located at 1630 Braeburn Drive (Tax Map # 284-1-2.7); and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the April 2 and 9, 2014, issues of The Roanoke Times, and adjoining property owners were notified by letter mailed April 4, 2014; and

WHEREAS, staff noted the following: the subject property consists of one parcel approximately .43 acres; it is located on the south side of Braeburn Drive behind the Ridgewood Farms Shopping Center; the property is currently occupied by an office building; the request is for an Use Not Provided for Permit to allow a behavioral and therapeutic clinic and private school/learning center; when Staff met with the petitioners, it was determined that our zoning ordinance did not have a clear-cut definition for the proposed use; since the

petitioners would have to get a Special Exception Permit for the private school use in the HBD zoning anyway, Staff felt it was best to request an Use Not Provided For so the use would be clearly defined; and

WHEREAS, Lissa Hoprich of 1301 Kings Crest Drive, Salem, lessee, appeared explaining the request to the Commission; she noted that currently the business does applied behavioral analysis (ABA), which is the evidence-based intervention used for children on the autism spectrum; they provide ABA in home, and now, they are opening a clinic on Monday, April 28; they began their lease for an outpatient facility at 1630 Braeburn Drive on April 1st; they would like to be able to expand this use to a special school; this would be an accredited private school K through 12 for the children they have been working with through early intervention services to be able to work towards a standard diploma; and

WHEREAS, Vice Chair Thomasson asked how many children would they be servicing at the facility; Mrs. Hoprich noted that the building is approximately 8,000 square feet, and the clinic they are opening will use approximately 2,700 square feet; they can see six children in this clinic setting; so they are hoping to be able to accommodate 25 to 30 children in the private school; and

WHEREAS, Commissioner King asked if she anticipates that the children will start and go all the way through or does she anticipate there would be a time when they might be integrated into a regular school system; Mrs. Hoprich noted that it would be the parent's choice or the child's choice when they get to a certain age; because they are pursuing accreditation through the private school, the children would be able to work towards a standard diploma so if they choose they would be able to transfer to a public school; the school would meet all of the requirements for public education; and

WHEREAS, Vice Chair Thomasson noted given that the spectrum has a wide range of abilities or disabilities, some children of course will be handled differently and might not integrate; how would they manage and educate the most severely disabled; Mrs. Hoprich noted that Virginia passed a law in October 2012 mandating private insurance to cover applied behavior analysis, which is the only intervention that is proven to be effective for children with autism; they have been open for almost 2 ½ years so they have found that children who are moderately to severely disabled with early intervention services have been able to make huge gains with ABA; they are hoping to offer a continuum; the children would start with early intervention at the clinic setting or an in-home setting; they would then be able to fully integrate into the classroom with supports; they would use their behavior analysts that are in the clinic to do consulting for those children who might have a little more difficulty with

integrating; and

WHEREAS, Commissioner King asked if the children would be dropped off by parents or would she anticipate a bus system; Mrs. Hoprich noted that a bus system is a little overwhelming to even think about so for right now the parents would be dropping off and picking up; their initial thought is that if everything goes as planned they will open with K through 4 or 5 and then later on accommodate K through 12; in addition, the children would pack their lunches as they would not have a cafeteria on site; and

WHEREAS, Chair Daulton noted that Mrs. Hoprich stated she planned to open the clinic on April 28th and that she has been in her lease since April 1st; Mrs. Hoprich noted that this is just for the clinic; Mrs. Daulton asked staff if this is legal for her to have the clinic open already, and she asked for clarification regarding what the Commission would be voting on; and

WHEREAS, Jay Taliaferro noted the proposed use is a still a business use that is different than anything we have defined in the code; so, the Commission could look at the request as being a clinic and learning center, not a clinic completely separate from a learning center; the entire use is going to be different than for instance a public school where there is not a clinic involved; he does not know what percentage of the use is clinic versus school but a substantial portion of the use of the property will be the clinic in addition to the learning center; he further noted that it is all basically one request; Mrs. Daulton noted that her question was: is the clinic allowable right now, and he noted that it is allowable; further, if City Council and the Commission declined the Use Not Provided For they could still by right operate a clinic; and

WHEREAS, Bethany Cook of 609 Castle Ridge Road, Vinton, appeared before the Commission in support of the request; she thanked the Commission for the opportunity to speak to them, and she noted this is a project that is very near and dear to her heart; she is mom to a 5 year old son, Henry, and she showed the Commission a picture of him; Henry was initially diagnosed when he was 2 ½ years old, and she and her husband were terrified and bewildered; they really had no idea where to begin; they were introduced to Lissa Hoprich almost by accident, and she considers that introduction to be the luckiest accident she has ever experienced; she further discussed the drastic improvement in her son's life since Lissa has been working with him; in addition she related a funny story about her son and noted that as a parent of a young child with autism this was a magical experience; she attributes truly all the success with her son's development to Lissa Hoprich; she is truly exceptional at what she does; she noted it takes so much more than therapy no matter how intensive or high quality to make the best impact on these children; she considers herself and her family fortunate that they live in a time in which autism awareness is at an all-time high, but on the other hand, it is her opinion that unless you have a child with autism or you work very closely with these kids, it is

impossible to understand the breadth of autism's impact; she further discussed how autism affects individuals and their families; her point is that it is not enough to have a great therapist, but this is certainly a start, but to make the biggest impact, families need to be able to carry over what is learned in therapy to the rest of their kids' lives; other than home, the place children spend most of their time is school so the importance of having a school that can carryover and support the unique behavioral, emotional, academic, family, and social interventions learned in therapy is significant; and she asked the Commission to please allow this clinic and school to be a part of our community; and

WHEREAS, Vice Chair Thomasson noted he thought Henry has terrific parents; and

WHEREAS, Chair Daulton related a story when she was the state chair of Virginia's Junior Miss Scholarship program; through this association, she met this wonderful lady in Montana; her daughter, Alexis, was Miss Montana, and she is autistic; Mrs. Cook noted that she had heard of her and stated that she is a beautiful young lady; Mrs. Daulton noted that this just goes to show you how far someone can come with the disorder; and

WHEREAS, Commissioner Robertson noted he thought this is a tremendous service that they are providing and apparently in a very successful way to some very needy children, and he complimented them for this; secondly, they are also doing something great for the parents, too, and this is pretty obvious this evening;

ON MOTION MADE BY COMMISSIONER ROBERTSON, SECONDED BY COMMISSIONER KING, AND DULY CARRIED, the Planning Commission for the City of Salem doth recommend to the Council of the City of Salem that the request of ABC's of Applied Behavior Analysis, Inc., lessee, and Goodpasture Properties LLC, property owner, for the issuance of an Use Not Provided For Permit to allow a behavioral and therapeutic clinic and private school/learning center on the property located at 1630 Braeburn Drive (Tax Map # 284-1-2.7) be approved – the roll call vote: all aye.

There being no further business to come before the Commission, the same on motion adjourned at 7:17 p.m.

Executive Secretary

Chair