



**Charleston Board of Zoning Appeals
AGENDA**

8:30 a.m., Thursday, October 8, 2020

Join via internet at:

<https://us02web.zoom.us/j/86169055974?pwd=QzN6NCsrbXVXRE1NZTEyM3NRUVBPdz09>

Or call: 312-626-6799 or 929-436-2866 or 346-248-7799

Webinar ID: 861 6905 5974

Password: 449742

I. Items for Review

VAR-20-2987

Application of West Virginia Health Right requesting a variance of the on-site parking requirement in order to expand a medical facility on the property located at **1520 Washington Street, East**.

CUP-20-0209

Application of West Virginia Health Right requesting a conditional use permit in order to establish a restricted accessory parking lot on the rear of the properties located at **1513, 1515, 1517, 1519 Jackson Street**.

II. Approval of minutes for the September 24, 2020 hearing.

 Board of Zoning Appeals
Application for Variance

BZA # VAR-20-2987

Hearing Date: 10/8/20

Applicant Information	Property Information
Name: West Virginia Health Right	Address: 1520 Washington St. E - Charleston, WV 25311
Address: 1520 Washington St. E - Charleston, WV 25311	Tax Map and Parcel: 2-156 thru 20-158 20-135 thru 20-138
Phone: (304) 414-5930	Zoning District: CVD - Corridor Village District
Agent Name, Address and Phone Number: (if other than applicant) ZMM Architects and Engineers 222 Lee St. W - Charleston, WV 25302 (304) 342-0159	Property Owner and Mailing Address: (if other than applicant)

INSTRUCTIONS: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application:

1. a site plan drawn to scale;
2. a list of the owners, with their mailing addresses, of the properties within a 100 foot radius of the property for which the variance is being sought; and
3. \$125.00 filing fee in the form of cash, personal check or money order made payable to the City of Charleston.

You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions.

THE PLANNING DEPARTMENT WILL NOT ACCEPT INCOMPLETE APPLICATIONS.

A variance is a method by which a property owner receives permission to vary from the development standards established in the Zoning Ordinance governing such matters as building location, building dimensions, setback requirements, placement and quantity of parking, landscaping, signage, and other features included in site design. **Please describe your variance request.**

A parking variance for 35 spaces. 15,660 SF existing + 11,200 SF new = 26,860 total SF divided 200 = 135 Required. One-hundred (100) total parking spaces are provided.

Applicable Section(s) of the Zoning Ordinance Table 23-060-01.01 Minimum Parking Space Requirements (per gross floor area)

Please describe the proposed work to be done on the property. The existing 2-story, WV Health Right facility – which has been in operation in this location for more than 20 years - will be expanded by 11,200 SF. The existing parking area will be expanded by 41 parking spaces to support the new addition. The variance is required to support the total area of the expanded building. A new 6'-0" tall decorative aluminum fence will be constructed surrounding the new parking expansion.

IMPORTANT: According to Section 8A of the Code of the State of West Virginia and Section 29-040 of the City of Charleston's Zoning Ordinance, the Board of Zoning Appeals may grant a variance if and only if **ALL** of the following four criteria can be satisfied:

- 1.) The variance, if granted, will not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents; and,
- 2.) The variance arises from special conditions or attributes which pertain to the property for which a variance is being sought and which were not created by the person or entity seeking the variance; and,
- 3.) The variance, if granted, would eliminate an unnecessary hardship and permit a reasonable use of the land; and,
- 4.) The variance, if granted, will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

1.) If granted, your variance must not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents. For example, public safety cannot be compromised by limiting access for emergency vehicles, and neighboring property owners must not be hindered in the use their properties in any manner permitted in the Zoning Ordinance. If your variance request is granted, how will others in the area be affected? The proposed development will be limited to the rear portions of the residential properties identified. Adjacent property owners will still have access to the rear of their properties through the existing alley on each side of WV Health Right. Emergency vehicles will still have access to the alleys as well as the front sides via Jackson Street.

2.) Your request must arise from special conditions or attributes which pertain to the subject property and which you did not create. The size, shape and topography of your lot are examples of the physical conditions which may satisfy this criterion. In comparison with other properties in the vicinity and under the same zoning regulations, what is unusual or different about the subject property? As noted above, WV Health Right has existed in this location since 2000 with the amount of parking currently provided (which is lower than required Zoning Ordinance). Adequate parking is being provided to support the addition. The unique mission of WV Health Right, which is WV's Premier Free and Charitable Clinic, does not require the same volume of parking as other commercial healthcare providers. A large number of the patients visiting WV Health Right walk or use public transportation. WV Health Right is trying to accommodate an increased need for their services in a manner that most positively impacts the existing neighborhood by allowing the residential homes facing Jackson Street to remain.

3.) **An unnecessary hardship is neither personal nor financial in nature.** In this application, an unnecessary hardship is a problem created by some feature of the land which prevents the owner from making reasonable use of the property as permitted by the Zoning Ordinance. The following three questions help to determine if there is an unnecessary hardship with regard to your property.

Without a variance, are you deprived of all beneficial use of your land? Without the variance WV Health Right does not have the ability to expand their existing building (or services) within the confines of the existing or available property. Measures have been already been taken to purchase all adjacent commercial property available along West Washington Street. Additionally, as noted above, adequate parking is being provided for the addition to support Health Right's needs. The existing structure has operated with the available parking for more than 20 years.

Is your situation due to unique circumstances that are not shared by other land in the district? WV Health Right has been in the same location on Charleston's East End since 2000 providing a caring environment and quality comprehensive primary and specialty care to a number of uninsured, underinsured, and medically underserved West Virginians. Keeping the facility in the same location is very important to those visiting WV Health Right. Without the ability to expand the parking, the facility is landlocked and cannot grow.

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? With the proposed building expansion matching the existing building and taking place within the CVD, the character of

the commercial neighborhood will remain the same. The new parking is specifically being located in the rear portions of the residential properties to keep it hidden from Jackson Street. Arrangements are being made to sub-divide the parcels and sell the front lots to a local property owner that intends to renovate the existing homes and rent to potential tenants keeping the character of the existing neighborhood and community.

4.) The general purpose and intent of the Zoning Ordinance of the City of Charleston is to protect and promote the public health, safety, convenience, morals and general welfare. For more specific information in regard to the scope and intent of the Zoning Ordinance, please see Section 1-020 as well as the section from which you are requesting this variance. Will approval of the variance allow the intent of the Zoning Ordinance to be observed? We believe the growth and development of the new WV Health Right addition and parking is in general accordance with the Charleston Comprehensive Plan as described in the Zoning Ordinance. Our proposed development protects the social and economic stability of the neighborhood by keeping WV Health Right in the same location as clients and customers have come to expect while preserving the residential aesthetic from Jackson Street.

Substantial justice is the idea that a standard of fairness has been satisfied according to the substance of the law. Does your variance request represent the least deviation from the Zoning Ordinance necessary to achieve an outcome that is fair to both you and to your community? Yes. WV Health Right is proposing the maximum number of parking spaces possible within the confines of the existing land available according to the Zoning Ordinance while trying to preserve the existing character of both the commercial and residential neighborhoods.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Signature

Date

Planning Department Use Only	
The following is a list of related cases:	
The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:	
Application reviewed by:	
Action: ☐ Approved ☐ Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	
Date	

Board of Zoning Appeals

Application for Conditional Use Permit

CU # WP-20-0209

Hearing Date: 10/8/20

Applicant Information	Property Information
Name: West Virginia Health Right	Address: 1513, 1515, 1517 & 1519 Jackson Street
Address: 1520 Washington St. E - Charleston, WV 25311	Tax Map and Parcel: 20-135 thru 20-138
Phone: (304) 414-5930	Zoning District: R-6
Agent Name, Address and Phone Number: (if other than applicant) ZMM Architects and Engineers 222 Lee St. W - Charleston, WV 25302 (304) 342-0159	Property Owner and Mailing Address: (if other than applicant)

IMPORTANT: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a site plan drawn to scale; 2) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the variance is being sought; 3) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation, which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

Please describe the proposed use. Include information such as the activities to be conducted on the site, hours these activities will be conducted, and any other data pertinent to the proposed use. If the proposed use is a business, please attach a list of the officers and their contact information. At the rear of the existing residential properties a new lot will be constructed for 41 spaces for parking automobiles used by employees, clients or customers working at or visiting the WV Health Right facility. This will be in addition to the 59 existing spaces currently provided. Parking lot hours will be between 8:00am-5:00pm Monday-Friday. Arrangements are being made to sub-divide the parcels and sell the front lots to a local property owner that intends to renovate the existing homes and rent to potential tenants keeping the character of the existing neighborhood and community.

Applicable Section(s) of the Zoning Ordinance 3-050 Permitted Land Use Table, 6-061 Permitted and Accessory Uses, 23-060-05 Restricted Accessory Parking Lot Standards

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? Yes. The Zoning Ordinance states that a Restricted Accessory Parking Lot is allowed as a conditional use under the R-6 Medium Density Residential District according to the Permitted Land Use Table 3-050, and an adjacent church already has a parking lot that extends from Washington Street to Jackson Street.

Please describe any proposed work to be done on the property. We propose to demolish the existing apartment buildings, garages, etc. that are built on the rear portions of the residential properties and perform the necessary site work to install required underground utilities. A new parking lot containing 41 spaces will be constructed and surfaced with asphalt paving and required parking lot lighting. A new 6'-0" tall decorative aluminum fence will be constructed surrounding the new parking expansion.

If your request for a conditional use permit is granted, how will others in the area be affected? The City of Charleston will have a larger, updated facility in WV Health Right that will be in a much greater position to provide a caring environment and provide quality comprehensive primary and specialty care to a number of uninsured, underinsured, and medically underserved West Virginians.

Will your request devalue the property of others in the vicinity by altering land use characteristics or diminishing the marketable value of adjacent land and structures or increasing congestion on public streets? No. The request will not alter the land use characteristics and will preserve existing development patterns in the neighborhood.

*Please note that one national real estate company has determined home prices in zip code 25311 have decreased 2.4% over the past 12 months. They also predict that home values in the East End will decrease approximately 2.3% over the next 12 months. Generally, homes on Jackson Street are valued at 14.2% lower than the median home in the East End.

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? _____
We believe the growth and development of the new WV Health Right addition and parking is in general accordance with the Charleston Comprehensive Plan as described in the Zoning Ordinance. Our proposed development protects the social and economic stability of the neighborhood by keeping WV Health Right in the same location as clients and customers have come to expect while preserving the residential aesthetic from Jackson Street.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

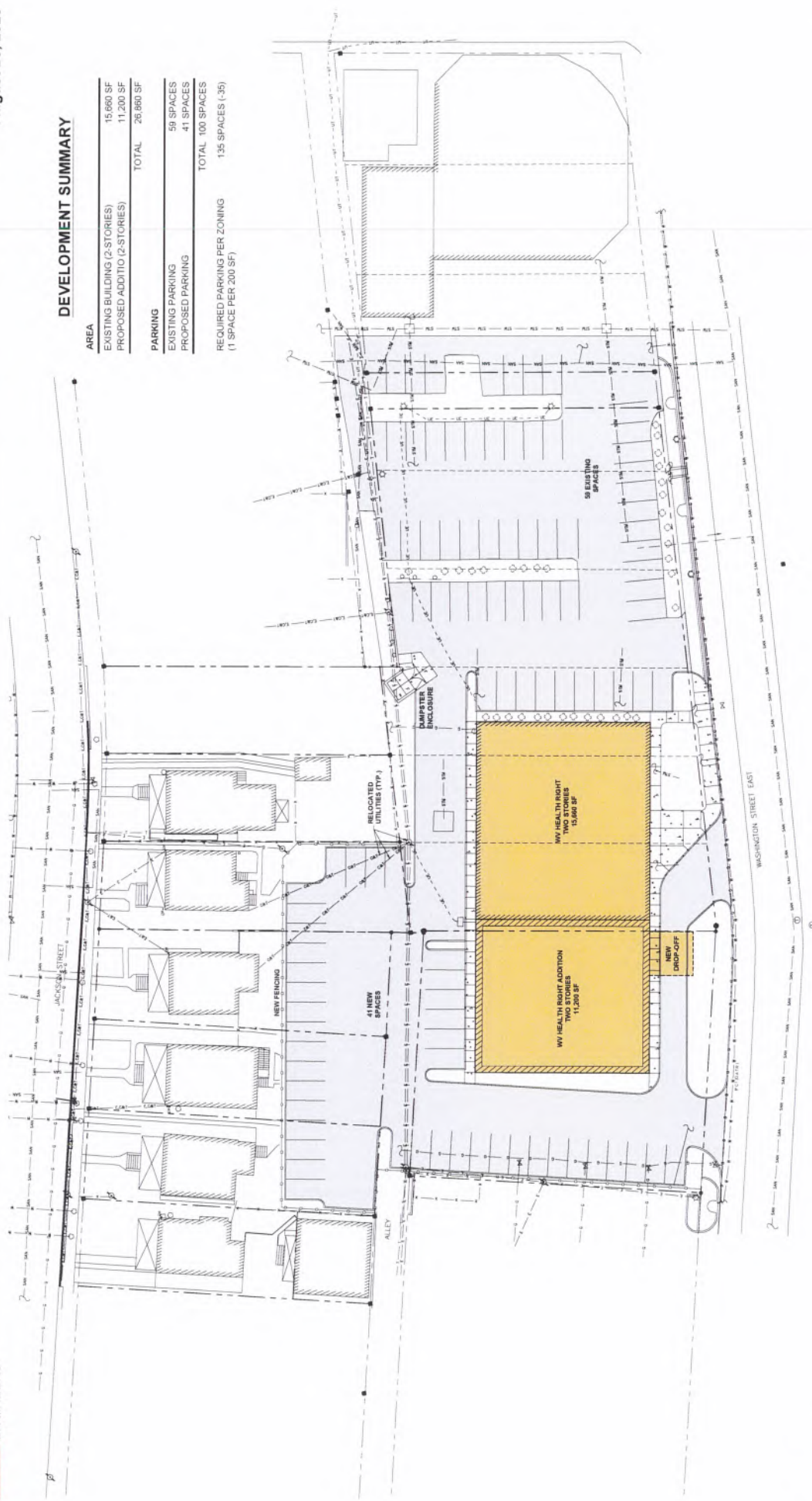
Signature

Date

Planning Department Use Only	
The following is a list of related cases:	
The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:	
Application reviewed by:	
Action: ☐ Approved ☐ Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	Date

Proposed Health Right Addition

August 26, 2020



DEVELOPMENT SUMMARY

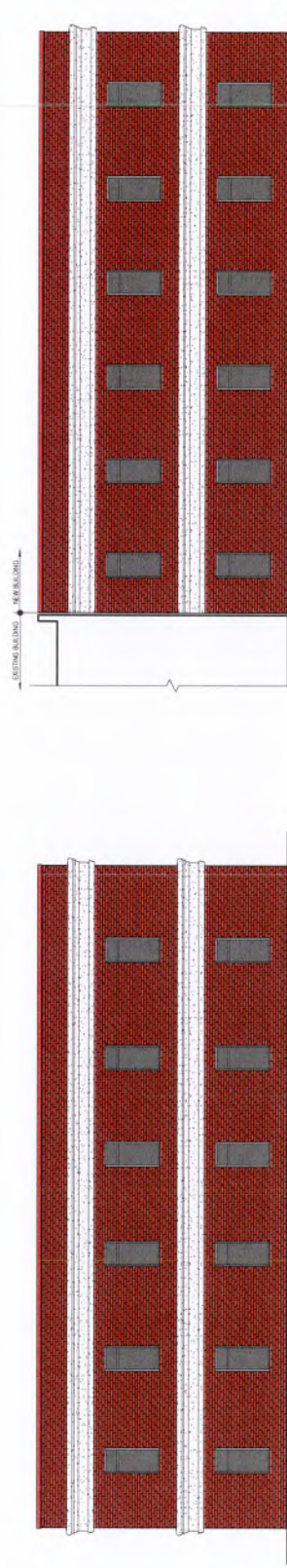
AREA	
EXISTING BUILDING (2-STORIES)	15,660 SF
PROPOSED ADDITIO (2-STORIES)	11,200 SF
TOTAL	26,860 SF
PARKING	
EXISTING PARKING	59 SPACES
PROPOSED PARKING	41 SPACES
TOTAL	100 SPACES
REQUIRED PARKING PER ZONING	
(1 SPACE PER 200 SF)	135 SPACES (-35)

Proposed Health Right Addition

August 26, 2020



Front Elevation



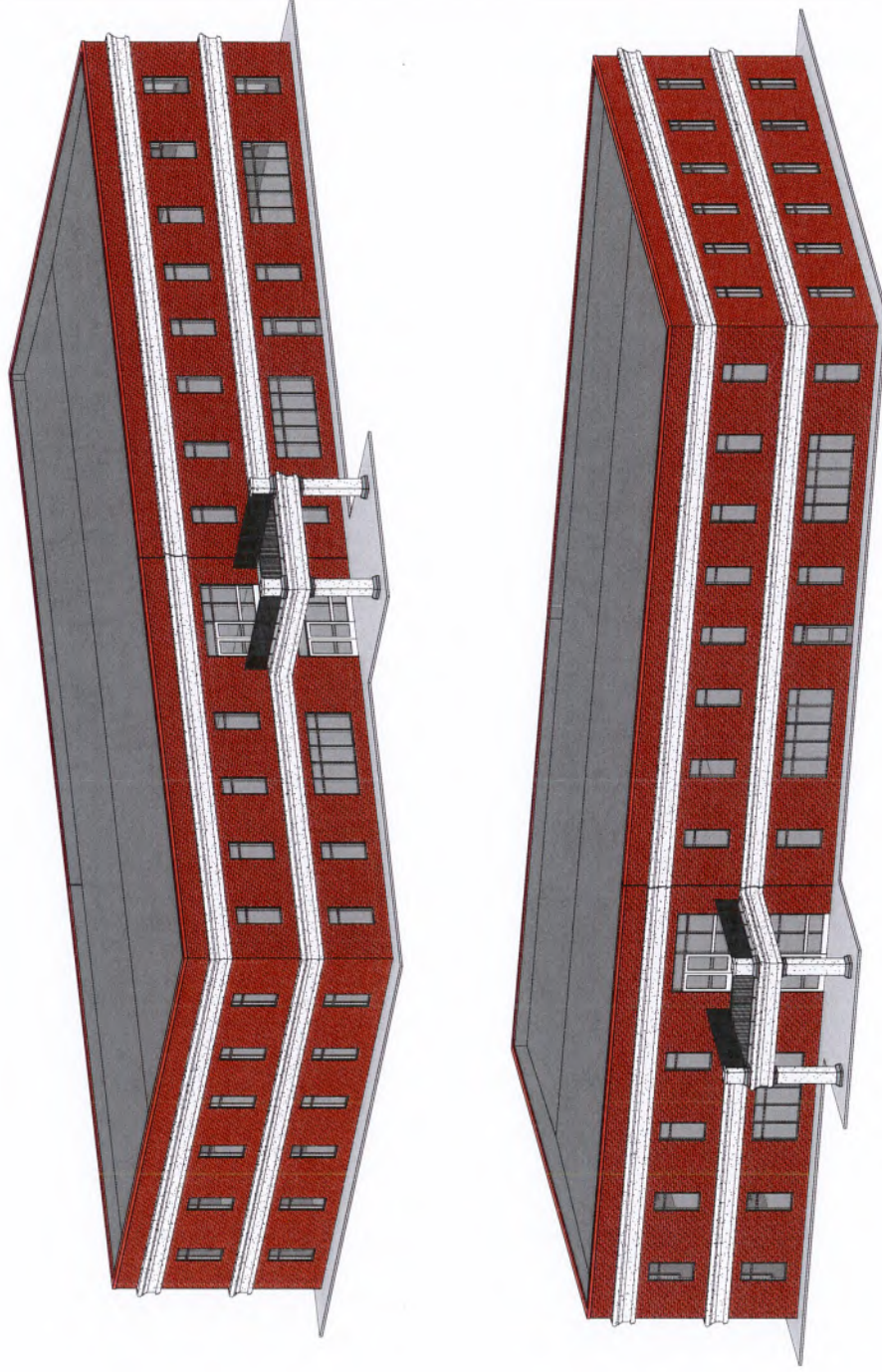
Left Elevation

Rear Elevation

Proposed Elevations

Proposed Health Right Addition

August 26, 2020



Proposed 3D Views



Front of Property

Residence at 1513 Jackson Street – Charleston, WV



Rear of Property

Residence at 1513 Jackson Street – Charleston, WV



Front of Property
Residence at 1515 Jackson Street – Charleston, WV

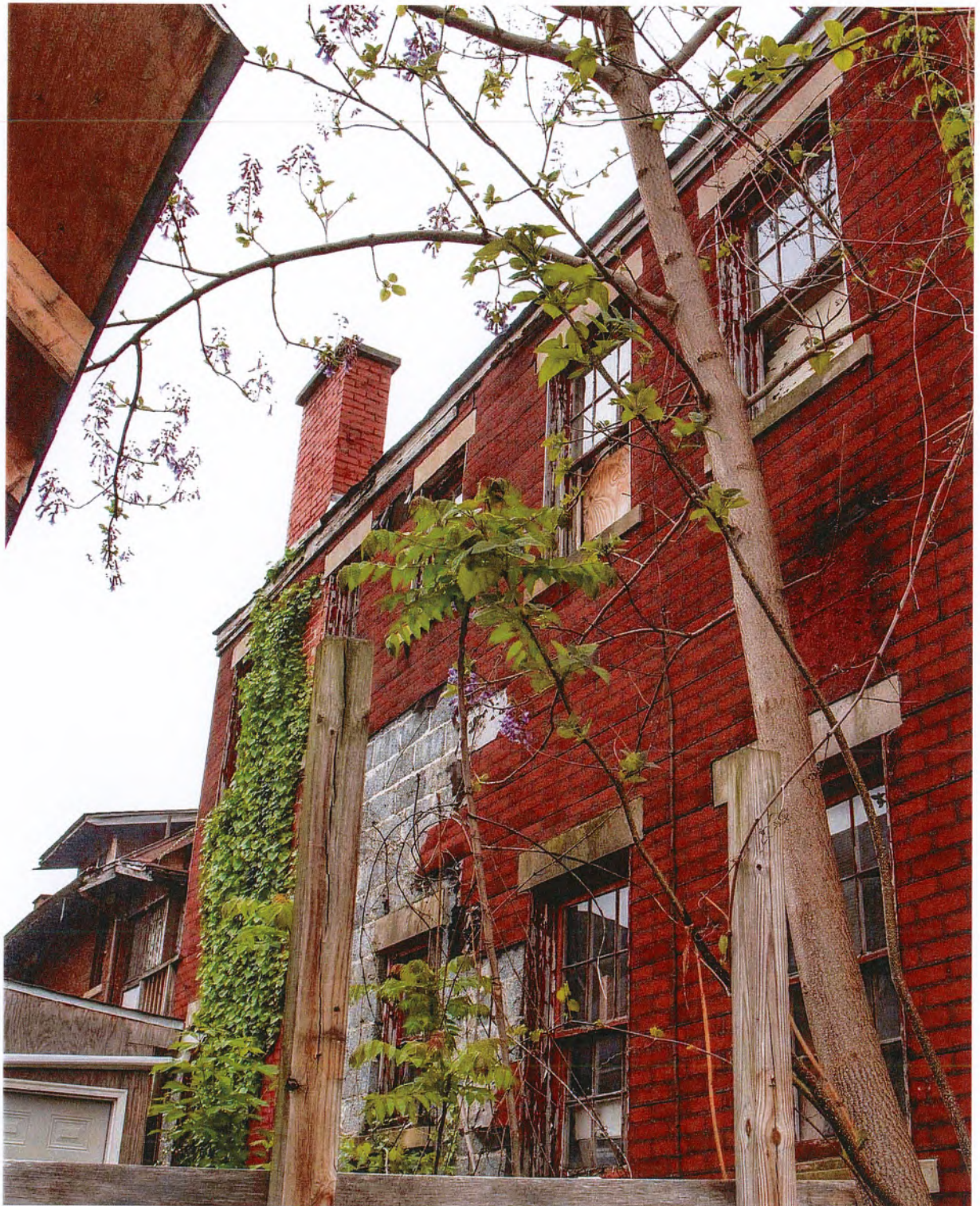


Rear of Property

Residence at 1515 Jackson Street – Charleston, WV



Front of Property
Residence at 1517 Jackson Street – Charleston, WV



Side of Property

Residence at 1517 Jackson Street – Charleston, WV



Front of Property

Residence at 1519 Jackson Street – Charleston, WV



Rear of Property

Residence at 1519 Jackson Street – Charleston, WV

April 27, 2020

Mr. Dan Vriendt
Planning Director
City of Charleston
915 Quarrier St. Suite 1
Charleston, WV 25301

Dear Mr. Vriendt,

I wish to express my support for the necessity and thus the application for change in zoning and parking variance for WV Health Right situated currently on 1520 Washington St. East, Charleston.

As a regular volunteer for the past 15 years, I have seen this clinic provide essential and life altering care to its clients who have increased in such great numbers that the facility is at capacity and cannot physically accommodate patients and health care professionals.

Health Right provides healthcare for the uninsured and underinsured and is a much needed nonprofit organization and for them to continue this care and service to an ever growing underserved population, they require to build onto their property and therefore need your approval for permits requested.

Thank you in advance for your attention and consideration in this matter.

Azita Misaghi, DDS
WV Health Right Board member
1994 Parkwood Rd
Charleston, WV 25314
304-343-4814

Abundant Life ministries

1534 Washington Street East - PO Box 11040 - Charleston, WV 25339 - 304/342-0058

www.abundantlifewv.com

April 23, 2020

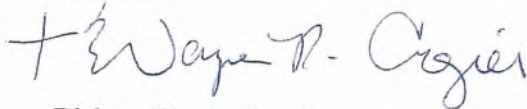
To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

This letter is in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most, cost effective way possible. As a neighbor of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park and I value the fact they provided the neighbors with their plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns.

WV Health Right is a tremendous blessing to so many and we will support them in any way we can.

Sincerely,



Bishop Wayne Crozier
Pastor of Abundant Life Ministries and Neighbor of WV Health Right
1534 Washington Street East
Charleston, WV 25311
(304) 342-0058 | pastorcrozier@aol.com

Date: April 25, 2020

To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

This letter is in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most, cost effective way possible. As a neighbor of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park and I value the fact they provided the neighbors with their plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns.

With the increase of clients using the services at WV Health Right because of the Covid19 pandemic, as well as the anticipated numbers during the recovery period, it is essential that the clinic expnance their current building.

Thank You,
Candace Strader
RCCR Board Member

304-543-3040

April 26, 2020

Mr. Dan Vriendt
Planning Director
City of Charleston
915 Quarrier St. Suite 1
Charleston, WV 25301

Dear Mr. Vriendt:

This letter is in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most, cost effective way possible. As a neighbor of and board member of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park. I value the fact they provided the neighbors with their plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns.

The Part C Program at CAMC provides early intervention services for nearly 400 individuals in southern West Virginia who are at-risk or infected with HIV disease, regardless of their ability to pay. CAMC Ryan White Program, WV Health Right and Covenant House began a partnership two years ago to provide on-site harm reduction services to nearly 1,000 clients. Services include HIV/HCV screening, naloxone and other risk reduction education, PrEP, immunizations and syringe services. Most recently our organizations came together again to provide medical outreach, screening and testing of the local area homeless in response to the COVID-19 pandemic.

I anticipate our organizations will continue to partner together in an effort to provide care to some of our community's most vulnerable, which continues to grow in light of the recent increased economic burden added to an already at-risk population. WV Health Right needs to continue to grow and expand to meet this urgent need.

Respectfully,
Christine Teague, PharmD, MPH, AAHIVP
Director, CAMC Ryan White Program
WV Health Right board member

Comprehensive Mental Health Services

(304) 768-6170 Phone

(304) 768-2099 Fax

(304) 768-7465 Administrative Fax



312 6th Avenue, Suite 2
South Charleston, WV 25303-1265

Date: 4/23/2020

To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

This letter is in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most, cost effective way possible. As a neighbor of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park and I value the fact they provided the neighbors with their plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns.

I have been practicing Psychiatry in the Charleston area for nearly 30 years. I have witnessed first hand the immense benefits that Health Right has provided to our underserved citizens. I joined Health Right as the Director of Behavioral Health services due to a significant increase in the need for mental health and addiction services. As a board member I believe that in order to continue to fulfill the mission of providing quality services to the citizens in our area -who frequently have no other means to receive health care- that Health Right must expand to meet these growing demands. It is for this reason that I fully support the request for a parking variance so that the clinic may continue to offer these much needed services.

Thank You,

Daniel Thistlethwaite, M.D., FAPA, DABPN
Director of Behavioral Health Services, WV Health Right
Pres. PsyCare Inc.
WV Health Right board member
612 6th Ave
Suite 2
South Charleston, W.V. 25303
304-768-6170



**Charleston Area
Medical Center**

DAVID L. RAMSEY
PRESIDENT & CEO

501 Morris St.
PO Box 1547
Charleston, WV 25326
(304) 388-7627
Fax: (304) 388-7696
david.ramsey@camc.org

April 22, 2020

Mr. Dan Vriendt
Planning Director
City of Charleston
915 Quarrier St. Suite 1
Charleston, WV 25301

To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

This letter is in support of West Virginia Health Right's application to receive a parking variance, and a change in zoning approval, in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians, so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most cost effective way possible. As a neighbor of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park, and I value the fact they provided the neighbors with their plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns.

CAMC and WV Health Right have partnered for decades to provide care to the uninsured and underinsured. WV Health Right is an asset to our community and vital to the healthcare of those who have no option for care. The expansion of the clinic will enable them to provide care to many more deserving people in our community and region.

Thank You,

David L. Ramsey
President and CEO
Charleston Area Medical Center
501 Morris Street
Charleston, WV 25326
(304) 388-7627 (*business*)

April 27, 2020

Mr. Dan Vriendt
Planning Director
City of Charleston
915 Quarrier St. Suite 1
Charleston, WV 25301

To Mr. Dan Vriendt

This letter is in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to expand their current building at 1520 Washington St East, Charleston, WV 25311. West Virginia Health Right, Inc provides care to 29,000 needy West Virginians a year and is at its capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

West Virginia Health Right is the last hope for so many uninsured and underinsured West Virginians that we ask you to grant the clinic the necessary approvals that will allow the clinic to expand their building in the most, cost effective way possible. As a board member and 25 year volunteer at the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park and I value the fact they provided the neighbors with the plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns

Thank you,
Fran Moore
Board Member and 25 year Volunteer
77 Gunsmoke Rd
South Charleston WV 25309
304-545-1110



ROSE LAW OFFICE
300 SUMMERS STREET, SUITE 1440
P.O. BOX 3502
CHARLESTON, WV 25335
(304) 342-5050 FACSIMILE (304) 342-0455

April 22, 2020

Mr. Dan Vriendt
Planning Director
City of Charleston
915 Quarrier St. Suite 1
Charleston, WV 25301

Re: Proposed West Virginia HealthRight Addition 1520 Washington St., East Charleston,
WV 25311

Dear Dan:

I write in support of the pending request of the West Virginia HealthRight for a parking variance and change in zoning appeals approval in order to build an addition onto our existing clinic at 1520 Washington St., East.

By now I'm sure you have read the Washington Post article, reprinted in the Charleston Gazette mail on Monday, describing the effect of the loss of employer- assisted health insurance on those who have become unemployed in the current pandemic. As pointed out in the article, West Virginia HealthRight has become the healthcare "home" for many previously insured individuals in the central West Virginia area. But even before the current crisis, triggered in part by the opioid crisis, the clinic had reached and surpassed its physical capacity to deliver healthcare to its current patient load. As a result, long before the onset of the pandemic the staff and the board were working to expand our building.

Encountering a resistance on the part of our neighbor to the west, we acquired the old West Virginia Steel property behind Appalachian Power Park on McDonald Street. As you know, that property has been razed and tested for environmental contamination, which tests proved negative. As soon we reached that point, our westerly neighbor had a change of heart and agreed to sell the RCCR property to us at a reasonable price. We have contracted to purchase that property and several of the residential properties behind HealthRight and fronting on Jackson Street. Those contracts are contingent upon HealthRight obtaining the necessary variances from the city of Charleston

We have made every effort to both maximize the expanded footprint of the HealthRight property and to consult with our neighbors, particularly on Jackson Street, regarding the aesthetics of using the Jackson Street properties principally as additional parking. With the assistance of ZMM Architects, we have developed a preliminary plan to buffer the residential properties from the clinic with a park on Jackson Street. So far, we have received positive comments from our neighbors on this plan.

We continue to work closely with Bishop Crozier of our easterly neighbor, The Abundant Life Ministries to coordinate the parking needs of the church with those of the clinic. Once again, our ability to expand the clinic's footprint at 1520 Washington St. will benefit both the clinic and the church.

The models for mandated parking spaces based upon square footage of the improvements to the property do not reflect the operational realities of the clinic. The parking is primarily used by our patients who generally need short-term parking. Public transportation is also an important component in providing our patients with access to the clinic.

The cost to the clinic of expanding the building at 1520 Washington St. is estimated to be roughly half of what construction of a new property on McDonald Street would cost. Given the current environment, fundraising will be more difficult if not impossible. Nevertheless, the ability of the clinic to fulfill its mission of serving the uninsured continues and we must make every effort to see that we have the resources to serve all who come to our door.

A handwritten signature in blue ink, appearing to read 'H. Rose III', is positioned above the printed name.

Herschel H Rose III
President
West Virginia HealthRight, Inc.



707 Virginia Street E. • Suite 400 • Charleston, WV 25301 • Phone: 304.345.9400 • Fax: 304.345.7258
www.ggmcpa.net • Email: ggm@ggmcpa.net

April 22, 2020

To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

This letter is in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most, cost effective way possible. As a neighbor of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park and I value the fact they provided the neighbors with their plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns.

I have been on the Finance Committee and Treasurer of WV Health Right for the last 6 years. The growth of our organization is shown by the increased number of patients we see each day but also the additional services that we are able to offer. We often serve the "forgotten" members of our community that need our services to help them go back to work or deal with a chronic condition.

WV Health Right is committed to our community and committed to the East End of Charleston. We hope you will approve our expansion plans so that we can continue to advance our mission.

Thank You,

J. Ryan Lindsay
Director – Gray Griffith & Mays
Treasurer – WV Health Right
rlindsay@ggmcpa.net
304-345-9400



CITY OF CHARLESTON
West Virginia
Council Member – AT LARGE



Jennifer Pharr
3 Lambert Place
Charleston, WV 25314
Telephone: 304.615.7574
E-mail: jennifer.pharr@cityofcharleston.org

Facilities Committee, Chair
Planning, Streets and Traffic Committee
Urban Renewal and Economic
Development Committee

April 27, 2020

To Whom It May Concern:

This letter is written in support of the proposed expansion of West Virginia Health Right, located in the historic East End district of Charleston.

West Virginia Health Right, under the direction of Angie Settle, is a wonderful community partner headquartered within the city of Charleston, West Virginia. West Virginia Health Right was founded on the principle (and continues to demonstrate) that every individual is entitled to quality healthcare regardless of insurance status or the ability to pay.

In fact, at a time without adequate vision insurance and the need for an in-depth exam due to a pre-existing condition, I have personally benefited from this quality care first-hand. I was a patient at a free clinic provided by the collaboration of the Remote Area Medical Volunteer Corps and West Virginia Health Right partnership at Bible Center School. Literally, there were thousands of participants and hundreds of volunteer medical professionals that made this event an incredible success in our community.

West Virginia Health Right has outgrown their current location on Washington Street and has an opportunity to expand at this location. I have reviewed the renderings, spoken to the architects and personally toured the perimeter of the proposed area of expansion. This expansion will be a vital piece of the puzzle to provide much needed public health assistance to those without healthcare and/or the underinsured while also assisting with economic and urban development with distressed properties within the city.

As a commercial Realtor and property manager as well as a member of Charleston City Council, I am in full support of this expansion. I also voted in favor of the neighboring expansion of Abundant Life Ministries at a recent City Council meeting and this expansion was approved. In my opinion, both projects play a key role in the long term sustainability of the area. The West Virginia Health Right proposal will provide jobs, expanded health care services, economic and community development inclusive of a park with a Jackson Street view. Should you have any questions, please feel free to contact me.

Sincerely,

Jennifer Pharr
Charleston City Council, Member At Large

April 27, 2020

Mr. Dan Vriendt
Planning Director
City of Charleston
915 Quarrier St. Suite 1
Charleston, WV 25301

Dear Mr. Vriendt,

I am writing this letter in support of West Virginia Health Right's application to receive a parking variance, in addition to a change in zoning in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last stop for so many uninsured and under insured West Virginians. Health Right is valued in our neighborhood, as well as the state. I, like many others, would find it disheartening to see them relocate. I feel strongly that we need to grant the clinic the necessary approvals, allowing them to build onto their existing structure in the most cost-effective way possible. As a neighbor, and a City Council Representative of the adjacent ward, I fully support the plans to improve their ability to help those in need while, at the same time, giving a face-lift to their property. In addition, I value the fact that they provided the neighbors with their plans in advance, and asked for input. At this time, I have received no calls or emails voicing concern or opposition regarding their plans.

In closing, I support Health Right's mission, and their plans to expand.

Thank You,
Keeley Steele
Business owner, neighbor, and City Council Representative; Ward 10
1600 Washington Street East
304-437-3622



1516 Washington St. E., Charleston, WV 25311

(304) 346-6398 · FAX (304) 346-6417

April 27, 2020

To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

The Religious Coalition for Community Renewal (RCCR) is pleased to support West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. Health Right has been filling a critical need in our area for a long-time providing care to 29,000 needy West Virginians annually and is at capacity.

As a neighbor of the clinic, RCCR fully supports their plans to improve the overall looks of the neighborhood with a park and value the fact they provided the neighbors with their plans and asked for input. An expansion will further improve Charleston's East End and maintain client services in a conveniently established location. Health Right is a saving grace for RCCR clients by providing access to affordable health care, which enables us to focus on working with them to get their credit, fines and other financial and legal problems solved, avoiding the stumbling blocks to a successful recovery.

It is clear to me that an expansion will allow Health Right to further improve the quality of life for many West Virginians. RCCR fully supports Health Right's expansion plans.

Sincerely yours,

Kevin Jones
Executive Director
Religious Coalition for Community Renewal
1516 Washington St East
Charleston, WV 25311
304-205-0234

Samaritan Inn
1117 Quarrier Street
Charleston, WV 25301
(304) 343-9632

Smith Street Station
801 Smith Street
Charleston, WV 25301
(304) 346-3055
www.rccr.org

Jubilee Housing
1516 Washington St., E.
Charleston, WV 25311
(304) 346-6398

April 24, 2020

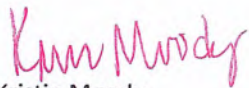
To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

This letter is in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most, cost effective way possible. As a neighbor of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park and I value the fact they provided the neighbors with their plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns.

While there are likely not direct benefits to me personally, I want to reiterate how integral I believe the operations of West Virginia Health Right are to the neighborhood and the Kanawha Valley. Making this change will allow them to not only expand their current footprint but also to continue to adapt to the health care needs of our community.

Thank You,



Kristin Moody,
Board President
Religious Coalition for Community Renewal
2306 Fairfax Road
South Charleston, WV 25303
304-541-5523



CITY OF CHARLESTON
WEST VIRGINIA
COUNCIL MEMBER – WARD 9



To Dan Vriendt

This letter is to show my support for the expansion of the Health Right medical facility. Health Right is very important to our neighborhood and to the city of Charleston. They serve over 29,000 families in the area providing medical, dental, pharmaceutical, behavior health, substance use disorder care, mobile dentistry, and vision to our neighbors that are the most in need.

Health Right has considered the surrounding neighborhood while planning this expansion. They have sent letters to the neighbors to show them their upcoming plans and have asked for their input. They have also planned a small community park. Their goal is to maintain the overall appearance of the neighborhood and to keep the look and feel of Jackson Street.

As we enter into uncertain times the work of Health Right will become more important than ever. I support this expansion of their existing facility so they can continue to care for our citizens that are low-income, uninsured, and underinsured West Virginians.

Mary Beth Hoover
Charleston City Council – Ward 9



**Partners in Health
Network, Inc.**

405 Capitol St., Suite 1009
Charleston, WV 25301-1783

Telephone 304-388-7385
Facsimile 304-388-7390

www.pihn.org

April 27, 2020

Mr. Dan Vriendt
Planning Director
City of Charleston
915 Quarrier St., Suite 1
Charleston, WV 25301

Dear me. Vriendt:

On behalf of Partners in Health Network, I am pleased to write this letter in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston WV., 25311.

Partners in Health Network, Inc., (PIHN) is a rural health care network comprised of 36 members in central and southern West Virginia and WV Health Right has been a valued member of the network for many years. PIHN was established to improve access to health care in local and rural communities. WV Health Right serves as the medical safety net for an extremely vulnerable and underserved at-risk population

WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic, they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians. We truly need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most cost-effective way possible. As a board member of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park. I value the fact they provided the neighbors with their plans in advance and asked for input. At the time, the neighbors did not voice any concerns regarding the expansion.

West Virginia Health Right is valued member to the City of Charleston because of the service they provide to the underserved.

Sincerely

Robert D. Whitler
Executive Director
Partners in Health Network, Inc.

April 26,2020

Mr. Dan Vriendt
Planning Director
City of Charleston
915 Quarrier St. Suite 1
Charleston, WV 25301

Dear Mr. Vriendt,

I am writing to you to convey my support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. As a practicing physician at CAMC, WV Health Right has been a safety net for so many of my patients. I have worked in a hospital setting for the last 10 years and on a weekly basis I have directed patients to the clinic because they don't have a PCP, they can't afford medications and/or they can't manage the health system to get the help they need. It comforts me to know that once they are in the system at Health Right they will be taken care of. The number of programs and outreach the clinic does has been increasing to meet the needs of the community and so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most cost effective way possible.

Currently WV Health Right, Inc. provides care to 29,000 needy West Virginians and surely that number will grow more rapidly than anticipated due to the current economic conditions and the high rate of unemployment and loss of healthcare. Unfortunately, the clinic is already at capacity and if they are unable to expand they will have to set a limit on the number of new patients they can see. This would basically mean that despite being the last resort for uninsured and underinsured West Virginians they would have to turn away new patients for the care they need right at the moment they need them the most. What a tragedy that would be for our community.

Thank You,
Zarpash Babar M.D.
WV Health Right board member
CAMC Memorial Division
3200 MacCorkle Ave SE
Charleston WV 25304
Contact # 304-444-8219

Date: 04/23/2020

To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

This letter is in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. They essentially have already reached that limit. This means that new patients could not be seen for care.

WV Health Right is the primary health and dental care provider for the residents of The Samaritan Inn, residential recovery program, in Charleston. Their timely and thorough services are not only convenient but necessary to the health and well-being of the clients we serve.

WV Health Right is the last hope for so many uninsured and underinsured West Virginians so we need to grant the clinic the necessary approvals that will allow them to build-on to their building in the most, cost effective way possible. As a neighbor of the clinic, I fully support their plans to improve the overall looks of the neighborhood with a park and I value the fact they provided the neighbors with their plans in advance and asked for input. Neighbors were given the opportunity to voice any concerns at that time and no one called to raise concerns.

Thank You,

Natasha Stout
Program Director
RCCR-Samaritan Inn
1117 Quarrier St, Charleston, WV 25301
304-610-8730

27 April 2020

To: Boards of Zoning & Municipal Planning Commission
The City of Charleston

I write in support of West Virginia Health Right's application to receive a parking variance and a change in zoning approval in order to build on to their current building at 1520 Washington Street, East, Charleston, WV, 25311. WV Health Right, Inc. provides care to 29,000 needy West Virginians a year and is at capacity. Without the ability to expand their clinic they will be forced to set a limit on the number of new patients that they can see. Having practically reached that limit already, many West Virginians are at risk of being denied care if this change does not happen.

Many underinsured West Virginians need WV Health Right. As a pastor and board member for the Religious Coalition for Community Renewal, I understand how helpful organizations like WV Health Right are for much of our population. Granting them any necessary approval will help them improve their facilities in the most cost-effective manner, facilitating the care of more West Virginians.

Thank You,

A handwritten signature in black ink, appearing to read 'Mason Ballard', written over a faint, larger signature.

Rev. Mason Ballard, M.Div.
RCCR Board Member & Pastor of Resurrection Church, Charleston, WV
505 Hall Street Charleston, WV 25302
304.550.4831

Angie,

The four houses on Jackson Street that we will be acquiring will be completely renovated bringing them up to the standard they were held at many years ago.

We will be installing:

1. New roofs
2. Siding as needed,
3. New wood on the exterior,
4. New windows
5. Updating the Kitchens
6. Updating to the Bathrooms

Our plan is to elevate the community as we have been doing for over the last year in this area and turn these into very nice rentals for business professionals which is our target demographic.

This is all only possible after the conclusion of the Citys approval with your plans of additional parking to expand Healthright.

Please let me know if you have any more questions or need more information.

Teddy Miller
CEO T&C Construction
CEO Prestige WW Real Estate
CEO Bear Industries
2343 MacCorkle Avenue
St Albans, WV 25177

September 30, 2020

City of Charleston Board of Zoning Appeals;

My name is Brian Lanham. I have spent most of the last forty-six years living on Jackson Street on the East End of Charleston. My family still has two homes there. I have been asked to speak to you for them, and a total of 35 other people from 14 homes overwhelmingly on Jackson Street and on the East End of Charleston. We are strongly against the Conditional Use Permit (CUP) and Variance being requested by WV Health Right Corporation in front of the Board of Zoning Appeals.

The CUP and Variance the Corporation has requested will benefit only the Corporation at the expense of the East End neighborhood on Jackson Street. A well-funded, powerful Corporation has many options to build and expand their business. Many of the residents of Jackson Street live paycheck to paycheck and cannot simply move to another neighborhood.

We, the citizens of Jackson Street, the East End and beyond, urge you to see that this is not a win/win situation. If the Corporation is granted the CUP and Variance, the Corporation wins, and the neighborhood loses. The Corporation's CUP and Variance benefits only the Corporation at the expense of the character of the residential neighborhood.

The CUP and Variance, which will allow the destruction of living quarters and back yards in favor of an extended parking lot and a "decorative aluminum fence," will clearly negatively impact the public health, safety and welfare of the neighborhood and the residents of Jackson Street. Granting the CUP and Variance will lead to more crime, loiterers, noise, vagrants and need for police in an area that already suffers from more than its share.

The CUP and Variance will only continue the trend of further devaluing the people and property on Jackson Street. As the Corporation points out on page 2 of its CUP application, "one national real estate company has determined home prices in zip code 25311 have decreased 2.4% over the past 12 months. They also predict that home values in the East End will decrease approximately 2.3% over the next 12

months. Generally, homes on Jackson Street are valued at 14.2% lower than the median home in the East End.” The Corporation’s requested CUP and Variance will only serve to make those statistics worse. As a city, we should be working to reverse this trend, not granting CUP and Variances that make it worse by trading living quarters and back yards for Corporate parking lots.

Additionally, on page 3 of the Corporation’s Variance request, the Corporation states that it “does not require the same volume of parking as other healthcare providers. A large number of the patients visiting WV Health Right walk or use public transportation.” Given this fact, then the Corporation may not need any of the living quarters or back yards of the homes on Jackson Street. Why punish a destroy a neighborhood for parking spots that are not needed. Grant a Variance that allows the Corporation to operate with few enough parking spaces so that the residential neighborhood is not negatively impacted.

In conclusion, please understand that this is not a win/win situation. If the Corporation is granted the CUP and Variance, the Corporation wins, and we as a neighborhood lose. We implore you to side with the citizens and the neighborhood and not the Corporation.

Brian J. Lanham
304-553-9052

Gregory S. Proctor, owner of 1523 Jackson Street, Charleston WV 25311
Temporary mailing address: 219 ½ Viking road, Charleston WV 25302

October 02, 2020

Mr. Dan Vriendt, Director
Charleston Planning and Zoning Dept.
915 Quarrier Street, Ste. 1
Charleston WV 25301

Dear Mr. Vriendt:

I am absolutely opposed to West Virginia Health Right's proposed expansion plans onto properties that it has purchased on Jackson Street. I am opposed to

- Plans to subdivide its Jackson Street properties;
- Plans to consolidate the backyards of the Jackson Street houses with its Washington Street properties;
- Plans to close off the alley between its Washington Street and Jackson Street properties and make it part of the combined properties, and
- The application for variances that would allow the Jackson Street properties to be used for a parking lot.

Health Right attempted earlier this year to purchase houses on Jackson Street to demolish them and turn the lots into parking, all sales contingent on those properties' first being rezoned, but withdrew its application in the face of fierce neighborhood opposition. My neighbors and I are still just as opposed to the reworked depredations that Health Right is again planning. The current scheme is as abominable as the one before, taking no account whatever of the current quality of life and long-term viability of our residential community on Jackson Street.

But what is worse this time around: I seriously wonder whether the Board of Zoning Appeals and the Planning Commission will give any real consideration to the concerns of Jackson Street residents?

Health Right's current application is as sloppy and proforma as it is reprehensible – it was basically phoned in. Health Right didn't even bother to mass-produce a new batch of letters of support for this new project, instead recycling ones from the previously application. It looks like Health Right expects to just cake-walk all over us to success.

I can't for the life of me figure out what made Health Right so confident that it would be granted rezoning of the four properties, that it went ahead and purchased them, long before a rezoning hearing was scheduled. It spent a huge amount of money on these houses and on the surveying work it commissioned. I ponder why it would take such a financial risk? Does anyone know of a Plan "B"?

Health Right, for all that it seeks to cloak itself in the mantle of public service, is first and foremost a business. It provides career opportunities and a living for the people who work there, and it is always looking for ways to protect and grow itself as an institution – that's what all institutions, profit-

Gregory S. Proctor, owner of 1523 Jackson Street, Charleston WV 25311
Temporary mailing address: 219 ½ Viking road, Charleston WV 25302

making or otherwise, do. Health Right is about perpetuating itself and using the services it provides, necessary as they might be at this time, to stay in business and in the public consciousness.

The residents of Jackson Street are homeowners and long-time tenants who have our lives invested here. This is where we sleep at night and care for our loved ones. Our homes mean the world to us, and we can't just pick up our property and move it elsewhere because a well-financed, influential, and aggressive corporation such as Health Right seeks to take advantage of our modest circumstances and means. We don't have comparable resources or strategically-placed friends. We have jobs to work, families to take care of, houses and yards and pets to attend to. Since January, when we first learned of Health Right's machinations, this has consumed our lives, as if we didn't have many other ways to spend our time than having to continually fight off these sharks.

We are zoned residential and we are located in the East End Historic District since 2011. But what good are these designations if the likes of Health Right can buy up property and have it rezoned? Slicing off the backyards of these four houses – destroying three dwellings in the process and evicting at least four families – for a parking lot, will forever maim our neighborhood. Health Right has plenty of options, and would eventually recoup its investment in constructing a new facility elsewhere or by moving to an existing commercial location. But the people of Jackson Street don't have those advantages on our side, we don't have such choices.

If the Board of Zoning Appeals and the Planning Commission approve the various schemes that Health Right has put forward, it will close off forever any possibility that our neighborhood can attract new families to put down roots here. It will precipitate further and faster decline of property values, gutting the neighborhood for generations to come – but the generations won't be coming, will they? Not if Health Right gets its variances.

In its most stunningly arrogant and insulting justification yet for what it is planning to do to us, Health Right posits that since our property values are already lower than average and in decline, further degradation is warranted. This is only the beginning: If Health Right gets its way, it is only a matter of time till our whole block goes the way of the Laidley Field neighborhood, California Avenue, and Washington Street between Brooks and Beauregard, and other similarly situated disadvantaged neighborhoods all over this city.

It is astonishing that over the last half century Charleston has allowed so many vibrant communities to be bulldozed for parking. I've been here the whole time, bearing witness to this cultural desertification and sterilization, as the powerful and well-connected have forced their self-important and self-serving vision of "progress" onto the rest of us. Charleston continues to dwindle, to shrink, to shrivel into a husk of what it once was, yet the City blithely allows one of its few remaining assets, the quality of life in and the infrastructure supporting one of its most important historic neighborhoods and the people who have invested their lives here, to be continually demeaned and disregarded, degraded and depopulated for the benefit of the well-heeled very few who all seem to make their homes in districts where – surprise! – these assaults never occur.

Last year, the BZA allowed Abundant Life Ministries to turn 1531 Jackson into parking. I fought that but I lost, and I predicted then that it was only the beginning. And guess what: emboldened by Abundant Life's success, Health Right is using that travesty to justify perpetrating another: It cites that decision in its application as an excuse for what it's trying to inflict now on our neighborhood. It's as if

Gregory S. Proctor, owner of 1523 Jackson Street, Charleston WV 25311
Temporary mailing address: 219 ½ Viking road, Charleston WV 25302

Health Right is saying to the BZA: You let the church stick it to these people, so you're obligated to let us do the same.

More asphalt is on the way: More blinding lights ruining evenings in the backyard. Increased run-off from the loss of grassy areas to absorb heavy rain and keep it from backing up the sewers. The end of habitat for urban wildlife such as honey and bumble bees, cardinals and blue jays and robins and mockingbirds and doves – squirrels and opossums and salamanders. Say goodbye to the trees and shrubs that absorb noise and air pollution and shield our homes from the din of Washington Street, and wave hello to more trespassing, loitering, vandalism, and intimidation from the ever-growing presence of those who have nothing better to do, all thanks to an institution that seeks only its own advantage.

Health Right's arguments are as manufactured as they are specious, pernicious, and duplicitous:

- ***It needs more parking to expand services?*** The majority of its clients ride the bus or walk to the clinic. Its current parking lot is never anywhere near full.
- ***The expansion will affect only the rear of the properties and those remaining residents will have access to their properties?*** Yes, and those of us who are left behind will have access to all that much more noise, pollution, blinding lights and loss of buffering between us and the excesses of Washington Street which we already have to endure because of Health Right.
- ***Health Right is trying to meet the needs of its clients through a positive impact on the neighborhood?*** HOW COULD ANYONE HAVE WRITTEN THIS AND NOT DIED LAUGHING? THERE IS NOTHING POSITIVE ABOUT THIS FOR JACKSON STREET RESIDENTS. We are being sacrificed for Health Right's empire-building. It has more clients all the time because it keeps drumming up more business all the time. It accepts Medicaid and Medicare and other insurance payments now, doesn't it? It is no longer only a "free" clinic. But once the United States joins the rest of the civilized world in providing universal access to health care, there won't be any need for "free" clinics. Health Right's current expansion is all about preserving itself as an institution in the face of that looming inevitability.
- ***Health Right is landlocked and can't expand?*** Its leaders and backers knew twenty years ago when they built on Washington Street EXACTLY how much space was available. HEALTH RIGHT'S LACK OF FORESIGHT IS NOT OUR PROBLEM. If it wants to grow, it needs to move, as it planned to do before the RCCR offered to sell its building. Health Right had already bought the Morris Street property last year and planned on building a new clinic there – they had the money then, apparently. IT ISN'T OUR RESPONSIBILITY TO SUBSIDIZE HEALTH RIGHT WITH THE DEGRADING OF OUR PROPERTY VALUES.
- ***Health Right has to stay where it is to serve current clientele?*** Its clients will go wherever services are rendered. Buses run up and down Morris Street just like they do on Washington. And there are plenty of commercial spaces all over the City and from one end of the Kanawha Valley to the other, going begging, where it could move to, and the buses run there too. Health Right only wants to expand in place to save money. Between it and the Abundant Life church, our whole neighborhood is on the menu. If it succeeds this time, Health Right and others will be inspired to come back for more. THIS WILL NEVER STOP UNLESS THE CITY ONCE AND FOR ALL

Gregory S. Proctor, owner of 1523 Jackson Street, Charleston WV 25311
Temporary mailing address: 219 ½ Viking road, Charleston WV 25302

MAKES A COMMITMENT TO PROTECT RESIDENTS FROM THOSE WHO SEE US MERELY AS FODDER FOR THEIR AMBITIONS.

- ***The parking lots will be hidden from Jackson Street? The remaining structures will be sold to “local developers”?*** THE PARKING LOT LIGHTS WILL BE PLENTY VISIBLE. THE LOSS OF BUFFER WILL BE CLEARLY AUDIBLE. THE EFFECTS WON’T BE HIDDEN: Real estate agents and potential home buyers can read a map. Those of us left holding the bag will bear the monstrous brunt of having even MORE parking lots shoved up against us. And who are these supposed “local developers”? Or is that a euphemism for “slumlord”? What happens if they don’t materialize, what then: Tear the houses down? Replace them with parking lots fronting Jackson Street, which is what Health Right planned in the first place?
- ***Health Right’s growth and development is in accordance with the City’s Comprehensive Plan and protects social and economic stability of the neighborhood?*** Let’s see: you’re putting an ADDITIONAL grocery store-sized parking lot in the middle of an historic residential district, you’re evicting people from their homes, you’re closing off any potential for bringing in new homeowners to stabilize and turn the neighborhood in a more positive direction, you’re sucking up living space for cars so that the area can never be used for anything else – not retailing, not socializing, not recreation, not wildlife, not anything that benefits anyone except a corporation and its partisans.
- ***The plan preserves the existing character of the neighborhood?*** YOU’VE GOT TO BE KIDDING! WHAT A CROCK! Our neighborhood’s existing character is people who love their homes, their neighbors, their community. Health Right is all about Health Right’s surviving and thriving as an institution. Everyone else is a means to that end as far as its management is concerned.

The letters of support that Health Right turned in with the current application are ALL FROM THE PREVIOUS APPLICATION WHICH WAS WITHDRAWN BY HEALTH RIGHT. These letters don’t pertain to the matter at hand AND SHOULD BE IGNORED. Especially to be discounted are the ones from RCCR, which benefited financially from Health Right’s plans to expand in place, and from Abundant Life, which will greatly benefit by having much more parking available to it. None of the letter-writers make their homes in our neighborhood; its destruction will have no impact on them. I would ask anyone who wrote one: Would you be so keen to support this outrage if it were next door to YOUR home?

This despicable undertaking would be D.O.A. if proposed for the other side of the East End – on Virginia or Quarrier or the Boulevard – their historic designation put a stop to such encroachment decades ago. No one would dream of tearing down houses in neighborhoods like Edgewood or Loudon Heights, on streets like Kanawha Avenue or McKinley Drive for “non-profit” parking lots. No, it’s just us poor-relations north of Washington who get to take it in the neck for the convenience, financial benefit, and greater glory of one of this city’s pet “charities.”

In the thirty years since I have made my home in the East End, first as a tenant for nine years on Virginia Street and the rest of it since then as homeowner on Jackson Street, I have seen and heard it all. I am a founding officer of the East End Association, I served four terms on the RCCR board (two as an officer), I was a member of the City of Charleston Human Rights Commission for the better part of two decades. I have hoped and spoken up and worked for a brighter future for my community, believing in the promises of the revitalization that politicians and bureaucrats kept swearing was just around the

Gregory S. Proctor, owner of 1523 Jackson Street, Charleston WV 25311
Temporary mailing address: 219 ½ Viking road, Charleston WV 25302

corner. But the reality has been one of watching in sadness as almost nothing was accomplished to protect people in their homes, and I have borne witness to continuing neglect and increasing loss, till we are barely hanging on. And now we are faced with the most insidious menace yet, a deliberate and predatory incursion into the peace and financial security that my neighbors and I have spent our lives working to maintain and protect.

I made a carefully considered choice to invest my future on Jackson Street. I have more choices yet to make as I study whether to rehabilitate my property after a devastating fire. Knowing the City's track record as I as I do, I find it difficult to trust that the powers that be have my or my neighborhood's best interests in mind. That is sad and frightening, and it makes me not want to live here anymore. No one more than me would like to see this assumption proved wrong: Charleston could take the high road, do the right thing, protect its vulnerable residents, and tell Health Right and future aggressors N-O NO!

Yours truly,

Gregory S. Proctor

CC: Hon. Amy Goodwin, Mayor of Charleston; Hon. Mike Pushkin, WV House of Delegates

P. Joseph & Angela Mullins
1511 Jackson Street
Charleston, WV 25311
304-549-9816

October 5, 2020

To Whom It May Concern,

In regards to the upcoming meeting/hearing with the planning commission on October 8th, about the requested expansion of Health Right. As a neighbor we were never notified of their need to expand into a residential neighborhood. Several concerning points regarding the expansion:

- This is not a project that any of its supporters, board members or city planners would want next to their homes.
- Jackson Street has the most consistent quality of housing on the north side of Washington Street. The City of Charleston is willing to destroy a historic neighborhood for 21 parking spaces?
- The ability to revitalize the neighborhood will be lost forever by creating a cancer that will spread. Abundant Life Ministry started with adding a parking lot on Jackson Street last year.
- Health Right has apparently outgrown its current space and will likely outgrow after additions are made. They need to locate a more appropriate space with growth potential.
- Health Right needs to explore fundraising. Foundations for charity health care missions have 2,710,000 sites online and giving to health charities are up by 15% in the last 3 years.
- Where is the environmental impact study? Additional parking is creating an asphalt desert, no allotments for green space have been made. Also, removal of mature trees are planned.
- Urban planning and zoning serves no purpose until something like this happens, and should rise to the occasion in the service of the greater community.
- Who will rehab houses into apartments? Will there be a caveat in the deeds that houses cannot be torn down?
- Where will new and increased tenants park? Will there be a future zoning variance to pave the front yards as well?
- Is there a plan for controlling lighting? Are we to expect perpetual daylight from the parking lot lights?
- The healthcare program will likely change radically after the election and it should reflect the future of healthcare, not the past.
- The continuous slip and slid of a flaccid planning and zoning system where every bad and detrimental idea ultimately gets the rubber stamp of approval is nothing more than the neighborhoods death by a thousand cuts.

This half baked expediency is simply the wrong project in the wrong place at the wrong time and only goes forward because of the disproportionate influence of the opposing parties.

"Where there is no vision the people will parish".

Sincerely yours,

P. Joseph & Angela Mullins

CC: Dan Vriendt, Planning & Zoning Dept.

Any Goodwin, Mayor of Charleston

Mike Pushkin, WV House of Delegates

Jeff Rider, City Editor, Charleston Gazette-Mail

Herschel Rose, President, Health Right

October 1, 2020

Lori Brannon
Municipal Planning Commission
City of Charleston
916 Quarrier Street, Suite 1
Charleston, W 25301

Re: West Virginia Health Right applications for conditional use permit and variance

This letter is in opposition to West Virginia Health Right's applications for conditional use permit and zoning variance involving 1513, 1515, 1517, and 1519 Jackson Street. While Health Right may provide valuable services to needy West Virginians, the expansion into the Jackson Street residential neighborhood will harm that neighborhood.

From the drawing included in the applications, it appears that twenty parking spaces would be created on the four Jackson Street lots, twenty spaces and the building expansion on the Washington Street property where the RCCR building currently stands, and one space in the current alley. Health Right's applications state, "A large number of the patients visiting WV Health Right walk or use public transportation." For what, therefore, does Health Right need the twenty spaces on the back of the Jackson Street properties? If Health Right does, in fact, need twenty more spaces, why can't they acquire one of the vacant properties located nearby on Washington Street? Since the stated parking lot hours would be 8:00 a.m. to 5:00 p.m., Health Right employees could park at the nearby lot and would only have a very short walk—in daylight—to and from their vehicles. It would make far more sense to keep the parking along Washington Street, a different zone, than to encroach into a residential area.

To some, the most recent version of Health Right's applications may seem entirely reasonable, a solution that would both serve Health Right and preserve the Jackson Street neighborhood, which the previous applications so blatantly would have destroyed. However, approval of the applications would merely delay, not avoid that destruction. The back of the four Jackson Street lots will be converted to parking, and the value of the lots will decline, as likely will the value of the adjacent properties. If, as Health Right states, the current value of homes on Jackson Street is lower than the median home in the East End, which would include the higher-end properties south of Washington Street (i.e., Virginia Street), nothing in Health Right's plan would increase their value. Is Health Right perhaps suggesting that because our homes are less expensive, any negative impact on their value and the neighborhood doesn't really matter?

A couple of years ago, when Abundant Life Ministries applied for a parking lot conditional use permit in the same block of Jackson Street, I thought, well, it's much better than the first application. As a result, I did not object. While I have no complaints about Abundant Life, little did I realize that their successful application would be pointed to by Health Right to show that the city has done this before. If the City of Charleston approves the current request, how long will it be before either Health Right or someone else will seek yet another? Then, they would be able to say that the city has done it twice already so why not do it again? The die would be cast. Piece by piece, Jackson Street would be converted to non-residential uses.

This section of the East End has had to contend with zoning issues for decades. My mother was a member of the old East End Neighborhood Association, and I recall that the group battled to preserve the integrity of the

residential neighborhood north of Washington Street against repeated spot re-zoning, variances, and conditional use permits. Now, we are again threatened with requests, which, if approved, will essentially amount to incremental re-zoning of the area.

The Jackson Street neighborhood will in no way benefit from granting Health Right the requested variance and conditional use permit. I ask that their applications be rejected.

Sincerely,

Mary Johnson
1525 Jackson Street
Charleston, WV 25311

I want to make it abundantly clear that I am an ardent Health Right supporter (financially for decades), encourage people to donate medications, etc. and I chose my dentist because they volunteer at Health Right and I believe in the services they offer. Jackson Street residents have supported (financial and donations) and received services from Health Right. Even residents who receive services do not want them destroying the neighborhood.

I am writing on behalf of myself (landlord sold apartments) and others. Homeowners have a right to sell their property to whomever they please (I was given the opportunity to purchase my former residence but declined). Because of my resources I was able to find a new place within a couple of days and in the area I want to live. Many people who were impacted may not be as blessed as I am.

A report just stated that Charleston needs residential homes/apartments.

Charleston is the fastest shrinking small city in the U.S. It may be due to our aging population but I believe that the homes/apartments being torn down and replaced by parking and/or empty lots is a factor. Washington Street East End is an example. What happened to the former residents? How many still reside in Charleston and how many permanently moved from the city?

There are at least eight (8) empty lots located on the East End and ALL are within walking distance to Health Right. 1. Empty lot beside Rite Aid - homes demolished, 2. Empty lot beside Moses Cadillac - homes demolished, 3. CURA owned property on the corner of Washington Street & Ruffner Avenue, 4. CURA owned property on Washington Street (within steps of Health Right) - homes demolished, 5. empty lot on the corner of Washington & Thompson (within steps to Health Right) - homes demolished, 6. 24,000 square foot empty lot beside Dollar General on Washington Street - homes demolished, 7. 28,080+/- square foot lot that includes a 10,000+/- square foot building across from Dollar General, 8. former New China restaurant on Washington Street, and parking lot beside New China restaurant also on Washington.

Per Health Right's previous application:

- President Herschel Rose. Expanding would be half the cost of construction of a new property on McDonald Street. At what cost to the Jackson Street residents!
- No money or fund-raising to build at building they purchased so let's demolish a residential neighborhood instead I know this because as a financial contributor for years I receive their annual reports and due to COVID-19 their campaign contributions will be less than in previous years.
- If they don't have money and/or fund-raising ability now where will the money come following this pandemic?

- In 2016 Health Right received \$143,949.00 from United Way through payroll contributions - due to the pandemic many employees will not be making payroll deductions. How will Health Right make up the difference?
- Health Right also NIP (Neighborhood Investment Program) tax credits. How many people will give - I believe the pandemic will impact givers.

Does the City of Charleston not have a moral obligation to the residents and the city to make sure that the city does not end up with another empty lot if Health Right is unable to come up with funding to expand since they have already admitted they don't have funding for construction on property they already own.

The City of Charleston should stop approving demolishing residential homes without a clear plan for the property. If property owners demolish and say they are going to do something and don't the City of Charleston should be able to take the property and do something that benefits the neighborhood. Does the City of Charleston know what became of residents who had their homes demolished - that became empty lots?

Health Right is determined to change a residential street to a parking lot they will start in the back where the apartments are located and slowly inch their way to what they want the middle of the block behind them.

Health Right's ultimate goal is to take over the residential street behind their building

The City of Charleston has two options:

- No to demolishing longtime homes in a multi-cultural residential street, or
- Yes to changing a multi-cultural community to buildings and parking lots.

City of Charleston say **NO** to Health Right's subdivision approval and **NO** to Health Right's plan for more parking lots! VAR-20-2987 and CUP-20-0209.

A longtime (25+ years) Jackson Street resident.

June Robinson