Zoning Amendment Application

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

Filing Date: 1-7-2020 Submittal Number: Amended Application #2

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

Property Information:
Address: 5005 Melrose Avenue NW, Roanoke, VA 24017

Official Tax No(s): 6110147

Existing Zoning: CN, Commercial-Neighborhood
Requested Zoning: CG, Commercial-General

Ordinance No(s). (If applicable):
Without Conditions
Without Conditions
Proposed Land Use:

Property Owner Information:
Name: FedStar Federal Credit Union
Address: 5005 Melrose Avenue NW, Roanoke, VA 24017

Phone Number: +1 (540) 589-6538
E-mail: Kgivens@Fedstar.org

Kelly Givens

Applicant Information (if different from owner):
Name: Buck Simmons
Address: 1690 Peters Creek Road, Roanoke, VA 24017

Phone Number: +1 (540) 580-9508
E-mail: ValleyFuneralService@hotmail.com

Authorized Agent Information (if applicable):
Name: Damon Gettier
Address: 1615 E Main Street, Salem, VA 24153

Phone Number: +1 (540) 314-1199
E-mail: Damon@DamonGettier.com

Authorized Agent’s Signature:
Zoning Amendment

Application Checklist

The following must be submitted for all applications:

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

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

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

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

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

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

☐ Development plan meeting the requirements of Section 36.2-326 of the City’s Zoning Ordinance.

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

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

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

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

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

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

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

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

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

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

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

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

*An electronic copy of this application and checklist can be found at www.roanokeva.gov/planningcommission. A complete packet must be submitted each time an application is amended, unless otherwise specified by staff.
Hello,

My name is Buck Simmons, owner and operator of Valley Funeral Home, currently located close by at 1609 Peters Creek Rd, Roanoke, VA 24017. I am writing you today to inform you of my intentions of purchasing the former Fedstar Federal Credit Union building, located at 5005 Melrose Avenue, Roanoke, VA 24017, to operate my funeral home business out of. I will not host actual funeral services at this location, but it will be a sales and processing location. Therefore, my business practices will not generate substantial traffic as a funeral home location typically would.

In order to relocate to the aforementioned address the City of Roanoke requires that I get that area rezoned from “Commerical-Neighborhood” to “Commercial-General”. The majority of the parcels located on Melrose Avenue to the corner of Peters Creek Road are zoned for “Commercial-General” use, including Enterprise (right next door) and Sunnybrook Auto & Tire Inc. Rezoning this parcel will bring 5005 Melrose Avenue in alignment with the surrounding businesses and will also prevent this building from becoming vacant longterm.

Fedstar Federal Credit Union will be vacating the premises on December 31, 2019, regardless of the outcome of the rezoning process. I am also going to be planting eight five foot tall magnolia trees as a separation screen along the right border of the property, between 5005 Melrose Avenue and residential neighbor at Official Tax Map No.6110149. The City of Roanoke will be mailing letters out also to inform citizens of this rezoning request.

If you have any questions or concerns, please reach out to me. I look forward to becoming your neighbor!

Sincerely,

Buck Simmons, Owner of Valley Funeral Home
(540) - 580 - 9508
Written Narrative - Rezoning 5005 Melrose Avenue, Roanoke, VA 24017

Buck Simmons, owner and operator of Valley Funeral Service, a funeral home and crematory, currently located at 1609 Peters Creek Rd NW, Roanoke, Virginia 24017, has been looking for a suitable building to relocate their current business to for some time. When looking for a suitable building, the owner (Buck Simmons), is seeking a building that not only would suit him and his clientele functionally, but aesthetically as well. Mr. Simmons has made an exhaustive search in his endeavor to find a building that would work in function and aesthetics. No other befitting existing buildings or lots have been listed for sale between the City of Salem boundary and the intersection of Peters Creek Road and Melrose Avenue, except for the former Fedstar Federal Credit Union building, located at 5005 Melrose Avenue NW, Roanoke, Virginia 24017. This location is not only conveniently located in close proximity to the current location, but it also has the aesthetic look and feel that Valley Funeral Service and their clientele desire.

Mr. Simmons is under contract to purchase 5005 Melrose Avenue, Roanoke, Virginia 24017 with the condition that Roanoke City will rezone tax number 6110147 to “Commercial General” in order to conduct his funeral home business. Fedstar Federal Credit Union will officially vacate December 31, 2019 and is already operating at a new location on Main Street in Salem. The subject property was for sale for over a year, initially in April 2018. First listed at $750,000, then $695,000, then $595,000. This property is under contract for $500,000 with Mr. Simmons; this purchase price is well below the City’s 2019 assessment of $688,500. Fedstar Federal Credit Union is contributing $50,000 to upfit the property in order to get it sold; part of which is going towards planting a separation screen of eight Magnolia grandiflora trees along the right border of the property, between the subject parcel and residential neighbor.

Buck Simmons requests that the zoning be changed to “Commercial-General”, as the majority of the parcels (13 out of 19) are currently zoned as such. Rezoning the property to Commercial-General will actually bring this property into alignment with the majority of the properties along Melrose Avenue, between Salem City and the intersection of Peters Creek Road. As recommended in the ‘Peter’s Creek North Neighborhood Plan’, Melrose and Peters Creek intersections are “…areas of development opportunities for commercial development.” With few exceptions, the entire roadway is zoned Commercial-General; with the exception of the subject property, two vacant lots that have been for sale for over a decade (6110145 and 6110146), and one residential property (6110144) that already borders a “Commercial General” zoned business (6110167, Sunnybrook Auto & Tire Inc).

Valley Funeral Service performs 160-200 burials or cremations yearly. The vast majority are cremations. Valley Funeral Service envisions performing any rare actual funeral services at local churches and not at the funeral home and crematory. Therefore not generating substantial traffic at the subject property. The new location would be the sales, crematory and embalming location. Mr. Simmons will be going door-to-door to notify surrounding neighbors about his intentions for his new prospective business location. Attached is a letter Mr. Simmons will distribute to the neighbors, informing them of his plans.
Concept Plan - Rezoning 5005 Melrose Avenue, Roanoke, VA 24017

Buck Simmons, owner and operator of Valley Funeral Service, is proposing a change in zoning for 5005 Melrose Avenue, Roanoke, Virginia 24017 with the condition that Roanoke City will rezone tax number 6110147 to “Commercial General” in order to conduct his funeral home business at that location. Damon Gettier is the preparer of this rezoning application and is the listing agent for the subject property that is currently for sale. Fedstar Federal Credit Union, the current owner of the building, initially put their property on the market in August 2018. The sale of this currently vacant building is conditional on it being rezoned to suit Mr. Simmons’ business needs as a funeral home service provider. The previous use of the space was as a credit union, including a covered drive-in area, formerly used as a teller drive-through, on the left side of the building. If this parcel is rezoned, Valley Funeral Service is set to begin occupancy as soon as possible in January 2020.

Tax parcel 6110147 is situated at the intersection of Melrose Avenue (US Route 460) and Gilford Avenue. The property is 1.0380 acres or 45215 square feet. The property’s depth is 254 feet and the property’s frontage is 152 feet. The firm panel is 51161C0142G. The building is fire resistant and 3776 square feet. There are two Western Virginia Water Authority sewer lines that cross through tax parcel 6110147. One is on the back end of the property and has a 20’ Public Sanitary Sewer Easement. The other sewer line is on the front portion of the subject property, paralleling Melrose Avenue; attached is a supporting map with those two utility lines defined. Melrose Avenue and Gilford Avenue are the two streets adjacent to the subject property. Gilford Avenue is the one-way entrance to the property, with a one-way exit out on Melrose Avenue. This one way exit is adjacent to a railroad tie retaining wall on the north western border of the parcel.

Mr. Simmons will not be conducting funerals at this location. He conducts funerals at local churches elsewhere. He will be using it as a processing and sales location. There will not be an increase to the traffic as a result of his business operations. He will not be altering the building, parking, access or existing covered drive-in area. He will be replacing the existing freestanding FedStar Federal Credit Union Sign with a similar “Valley Funeral Home” sign of the same dimensions, maintaining the CN type signage that is currently present. The sign will be in compliance with Sec. 36.2-671 of the City of Roanoke Code of Ordinances. In addition to updating signage, Mr. Simmons will plant eight standard-size Magnolia grandiflora trees, at least five feet tall and meeting the requirements of Table 642-1 in the City of Roanoke Zoning Ordinance, planted on 20 foot centers, shall be established and maintained in a 20 foot buffer strip located adjacent to the entire length of the residential neighbor at Official Tax Map No.6110149. Fedstar Federal Credit Union has agreed to contribute $50,000 towards the landscaping. Aside from updating the existing signage and planting Magnolia trees, there will not be any foreseeable changes to the exterior of the property.
PROFFERS TO BE ADOPTED ON ROANOKE CITY
TAX PARCEL # 6110147

1. The property shall be used only for the following uses:
The following uses which are permitted of right or by special exception in both CN and CG zoning districts:

Accommodations and Group Living
- Short-term rental

Commercial Uses: Office and Related Uses
- Business service establishment, not otherwise listed
- Financial institution
- Laboratory, dental, medical, or optical
- Medical clinic
- Office, general or professional
- Office, general or professional, large scale

Commercial Uses: Miscellaneous
- Animal hospital or veterinary clinic, no outdoor pens or runs
- Animal hospital or veterinary clinic, outdoor pens or runs. (By special exception only)
- Community market
- Live-work unit
- Mixed-use building
- Studio/multimedia production facility

Commercial Uses: Retail Sales and Service
- Bakery, confectionary, or similar food production, retail
- Body piercing establishment
- Dry cleaning and laundry pick-up station
- General service establishment, not otherwise listed
- Internet sales establishment
- Laundromat
- Motor vehicle rental establishment, without inventory on-site
- Personal service establishment, not otherwise listed in this table
- Pet grooming
- Retail sales establishment, not otherwise listed
- Tattoo parlor

Assembly and Entertainment Uses
- Club, lodge, civic, or social organization
Proffered Conditions - Rezoning 5005 Melrose Avenue, Roanoke, VA 24017

- Community center
- Eating establishment
- Eating and drinking establishment, not abutting a residential district
- Eating and drinking establishment, abutting a residential district. (By special exception only)
- Entertainment establishment, abutting a residential district. (By special exception only)
- Health and fitness center
- Meeting hall, abutting a residential district. (By special exception only)
- Meeting hall, not abutting a residential district
- Microbrewery or microdistillery not abutting a residential district
- Microbrewery or microdistillery abutting a residential district. (By special exception only)
- Park or playground
- Place of worship
- Theater, movie or performing arts

Public, Institutional, and Community Facilities
- Artist studio
- Community garden
- Day care center, adult
- Day care center, child
- Educational facilities, business school or nonindustrial trade school
- Educational facilities, elementary/middle/secondary
- Educational facilities, school for the arts
- Fire, police, or emergency services
- Government offices or other government facility, not otherwise listed
- Library
- Museum
- Post office
- Supply pantry

Utility Uses
- Broadcasting studio or station
- Utility distribution or collection, basic
- Utility distribution or collection, transitional. (By special exception only)
- Wireless telecommunications facility, small cell on existing structure
- Wireless telecommunications facility, stealth
- Wireless telecommunications facility, not otherwise listed. (By special exception only)

Agricultural Uses
- Agricultural operations. (By special exception only)
Accessory Uses

- Accessory uses, not otherwise listed in this Table
- Homestay
- Outdoor display area
- Outdoor recreation facility lighting or sports stadium lighting. (By special exception only)
- Wind turbine, small. (By special exception only)

The following uses which are permitted of right or by special exception in CG zoning districts:

And the following additional use:

- Funeral Home

2. Valley Funeral Service will plant eight standard-size magnolia grandiflora trees, at least five feet tall and planted on 20 foot centers, shall be established and maintained in a 20 foot buffer strip located adjacent to the entire length of the Official Tax Map No.6110149.

3. Any new signage on the property will conform to the requirements of the City of Roanoke Zoning Ordinance, Table 668-1, for the CN, Commercial-Neighborhood District.