



**Planning Commission Meeting  
AGENDA**

**Wednesday, July 14, 2021, 7:00 PM**

Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia

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1. Call to Order
  2. Pledge of Allegiance
  3. Consent Agenda
    - A. **Minutes**

Consider acceptance of the minutes from the June 16, 2021, work session and regular meeting.
  4. New Business
    - A. **Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of the Salem Historical Society, property owner, for rezoning the property located at 1936 West Main Street (Tax Map # 138-2-7) from CBD Community Business District with proffered conditions to CBD Community Business District without conditions.
    - B. **Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of Property Catalyst Group, Inc., applicant, and Layman Candy Company, Inc., property owner, for rezoning the property located at 1637 East Main Street (Tax Map #77-3-13) from LM Light Manufacturing with proffered conditions, to HBD Highway Business District without conditions.
    - C. **Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of Property Catalyst Group, Inc., applicant, and Layman Candy Company, Inc., property owner, for rezoning the property located at 23 Dalewood Avenue (Tax Map #77-3-12) from HBD Highway Business District with proffered conditions, to HBD Highway Business District without conditions.
    - D. **Special Exception Permit**

Hold public hearing to consider the request of Property Catalyst Group, Inc., applicant and Layman Candy Company, Inc. and George W. Givens Jr. & Susan K. Givens, property owners, for the issuance of a Special Exception Permit to allow personal storage on the properties located at 1637 & 1641-1647 East Main Street, and 11, 15, & 23 Dalewood Avenue (Tax Map #s 77-3-13, 77-3-16, 77-3-15, 77-3-14, and 77-3-12).
  5. Adjournment

Work Session, Wednesday, July 14, 2021, 6:00 p.m.  
Council Chambers Conference Room, City Hall

City Council meeting, July 26, 2021, 6:30 p.m.  
Council Chambers, City Hall, 114 North Broad Street

UNAPPROVED MINUTES  
PLANNING COMMISSION WORK SESSION  
June 16, 2021

A work session of the Planning Commission of the City of Salem, Virginia, was held in Parlor B, Salem Civic Center, 1001 Roanoke Boulevard, at 6:00 p.m., on June 16, 2021, there being present the members of said Commission, to wit: Vicki G. Daulton, Chair; Denise P. King, Vice Chair, Reid A. Garst II, N. Jackson Beamer, and Neil L. Conner; together with H. Robert Light, Assistant City Manager and Deputy Executive Secretary, ex officio member of said Commission; William L. Simpson, Jr., City Engineer, Mary Ellen Wines, Zoning Administrator; Benjamin W. Tripp, City Planner; and Jim H. Guynn, Jr. City Attorney; and the following business was transacted:

Whereas Chair Daulton called the meeting to order at 6:02p.m. and reported that this date, place, and time had been set in order for the Commission to hold a work session; and

Whereas a discussion was held regarding the order of the items on the regular meeting agenda. The Commission agreed to proceed with the agenda as presented; and

In re: Hold public hearing to consider the request of Bethel Baptist Church, Inc., property owner, for rezoning the property located at 6 Front Avenue (Tax Map # 234-6-2) from RSF Residential Single-Family District to HBD Highway Business District with proffered condition; and

Whereas staff noted the following: the subject property consists of a single parcel of approximately 0.88 acres, located at the southwest corner of the intersection of Front Avenue and South Colorado Street, near the intersection of South Colorado Street and Apperson Drive. It is occupied by a single large building used as a gymnasium and for other religious assembly purposes; and

Whereas, staff and the Commission discussed the rezoning request, the proffered use limitation and sign sizes; and

In re: Hold public hearing to consider the request of Peter R. Fields and Vivian D. Fields, property owners, for rezoning the property located at 303-305 South Colorado Street (Tax Map # 121-10-4) from RMF Residential Multi-Family to TBD Transitional Business District; and

Whereas staff noted the following: The subject property consists of a single parcel of approximately 0.11 acres, located at the southwest corner of the intersection of First Street and South Colorado Street, near the intersection of South Colorado Street and Boulevard. It is occupied by a single-story office building; and

The building was built in 1960s as an office building and has always been operated as an office building. After the mass rezoning in 2005, the property then contained a non-conforming use. In July 2009, a Special Exception Permit was approved on the condition that medical office use would be allowed but outpatient mental health and substance abuse clinics would be excluded; and

Whereas staff and the Commission discussed the rezoning request and Commissioner Conner's request to be recused; and

In re: Hold public hearing to consider the request of MCLIP Properties, LLC, property owner, for rezoning the property located at 901 South Colorado Street and 110 7th Street (Tax Map # 184-4-8) from LM Light Manufacturing District to CBD Community Business District; and

Whereas staff noted the following: The subject property consists of a single parcel of approximately 0.2 acres, located at the southwest corner of the intersection of Seventh Street and South Colorado Street. It is occupied by an older storefront building on the South Colorado Street frontage, and by a two-story building on the Seventh Street frontage. The property was recently added to the Salem Historic Register; and

Whereas staff and the Commission discussed the rezoning request; and

In re: Hold public hearing to consider the request of Timothy J. Toohig and Lonzie L. Linkous, Jr., property owners, for the issuance of a Special Exception Permit to allow a two-family dwelling on the property located at 335 Roanoke Boulevard (Tax Map # 146 - 1 - 3); and

Whereas staff noted the following: The subject property consists of a single parcel of approximately 0.344 acres, located at the north corner of the intersection of the Boulevard and Virginia Avenue. It is occupied by a single-family home built in 1940, and two accessory structures, one cottage and one garage. The property was rezoned in 1973 and the home converted to offices; and

Whereas staff and the Commission discussed the special exception permit request; and

In re: Hold public hearing to consider the request of Total Motion Performance, lessee, and 751 Union Station, LLC, property owner for the issuance of a Special Exception Permit to allow athletic instruction services on the property located at 773 Union Street (Tax Map # 183 - 1 - 1); and

Whereas staff noted the following: The subject property consists of a single parcel of approximately 8.51 acres, located on the west side of Union Street north



of 7th Street and south of the northern most railway crossing. It is occupied by several multi-tenant warehouse buildings; and

Whereas staff and the Commission discussed the special exception permit request; and

In re: Consider the request for preliminary and final approval of proposed subdivision plat filed by Simms Property, LLC., property owner/developer, for a 7.564-acre tract known as Simms Farm Section 1; and

Whereas staff noted the following: This plat would create 26 new lots (not 25 as listed in the staff report, lots 113-149) for Phase 1 of the “Simms Farm” subdivision. This phase includes residential lots, open space lots, and new streets. The lots are located along and to the north of Upland Drive, near the intersection with Westclub Drive; and

Whereas staff and the Commission discussed the plat request and the addition of the request to approve the subdivision plan. Mr. Tripp explained the plan in detail, Mr. Simpson discussed the stormwater and erosion and sediment control requirements, and Ms. Wines discussed the plan’s adherence to substantial conformance of the master plan and the proffered conditions of the rezoning of the property; and

Whereas a discussion was held regarding the continuation of the formation of by-laws for the Commission; and

THEREUPON, the Commission took no action at this work session.

There being no further business to come before the Commission, the work session was adjourned at 6:55 p.m.

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Chair

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Executive Secretary

**Planning Commission Meeting**  
**MINUTES**  
**Wednesday, June 16, 2021, 7:00 PM**

Salem Civic Center, Community Room, 1001 Roanoke Boulevard, Salem, VA 24153

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**1. Call to Order**

A regular meeting of the Planning Commission of the City of Salem, Virginia, was held after due and proper notice in the Community Room, Salem Civic Center, 1001 Roanoke Boulevard, Salem, Virginia, at 7:00 p.m., on June 16, 2021. Notice of such hearing was published in the June 3 and 10, 2021, issues of the "Salem Times Register", a newspaper published and having general circulation in the City. All adjacent property owners were notified via the U. S. Postal Service.

The Commission, constituting a legal quorum, presided together with Jim H. Guynn, Jr., City Attorney; Rob Light, Assistant City Manager and Deputy Executive Secretary; William L. Simpson, Jr, City Engineer; Benjamin W. Tripp, City Planner; and Mary Ellen Wines, Zoning Administrator; and the following business was transacted:

Chair Daulton called the hearing to order at 7:03 p.m.

**2. Pledge of Allegiance**

**3. Consent Agenda**

**A. Amend Agenda**

Reid Garst motioned to amend Item F to consider the request for preliminary and final approval of a proposed subdivision plat AND PLAN filed by Simms Property, LLC, property owner/developer, for a 7.564-acre tract known as Simms Farm Section 1. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

**B. Minutes**

Consider acceptance of the minutes from the May 12, 2021, work session and regular meeting.

Jackson Beamer motioned to accept the minutes from the May 12, 2021, meeting. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

#### **4. New Business**

##### **A. Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of Bethel Baptist Church, Inc., property owner, for rezoning the property located at 6 Front Avenue (Tax Map # 234-6-2) from RSF Residential Single-Family District to HBD Highway Business District with proffered condition.

Hilton Jeffries, 2125 Stonemill Drive, lead pastor of Bethel Baptist Church, appeared before the Commission on behalf of the church; he presented pictures of the sign and proposed changes to the sign; he stated the location of the sign will not change and the same structure will be used; the center of the sign will be replaced with a screen that will be pointed toward 7-Eleven.

A discussion was held regarding the existing sign--lighting, etc. and the proposed sign lighting, etc.

Adam Hughes, 4620 Buck Run Drive, Apartment E, Roanoke, associate pastor, appeared before the Commission to further explain the sign; the static sign at the top does not do any type of moving or lettering, but the original design of the top part of the sign did have a static light that was set on a timer to go off at a certain time of night--it does not scroll or do any video, it just shows the name of the church.

No other person(s) appeared before the board to speak on the matter.

It was noted that a sign permit would be required to place the sign on the property. Vice Chair King complimented the preschool staff at Bethel Baptist Church.

Reid Garst motioned to consider the request of Bethel Baptist Church, Inc., property owner, for rezoning the property located at 6 Front Avenue (Tax Map #234-6-2) from RSF Residential Single-Family District to HBD Highway Business District with proffered condition. Jackson Beamer seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

##### **B. Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of Peter R. Fields and Vivian D. Fields, property owners, for rezoning the property located at 303-305 South Colorado Street (Tax Map # 121-10-4) from RMF Residential Multi-Family to TBD Transitional Business District.

Commissioner Conner requested to be recused due to a conflict. Chair Daulton approved.

Peter Fields, 6416 North Barrens Road, Roanoke, property owner, appeared before the Commission; he stated that the reason for the request is to allow for the operation of a hair cutting salon in the building, which is not allowed under the current RMF zoning with a

Special Exception Permit; he feels the business is in conformance with the way the building was built in the 1960s as it was originally built as a dental practice; the building has always either been a dental office or an office building since it was constructed and he does not know how the property became to be zoned a residential multi-family zoning; he stated that the use of the building hasn't changed and isn't changing with the request, the request will properly zone the building for what it's always been used for.

No other person(s) appeared before the board to speak on the matter.

Denise King motioned to consider the request of Peter R. Fields and Vivian D. Fields, property owners, for rezoning the property located at 303-305 South Colorado Street (Tax Map #121-10-4) from RMF Residential Multi Family to TBD Transitional Business District. Jackson Beamer seconded the motion.

Ayes: Beamer, Daulton, Garst, King

Abstain: Conner

### **C. Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of MCLIP Properties, LLC, property owner, for rezoning the property located at 901 South Colorado Street and 110 7th Street (Tax Map # 184-4-8) from LM Light Manufacturing District to CBD Community Business District.

Leslie McVay, 2655 Lees Gap Road, Fincastle, representing MCLIP Properties, appeared before the Commission to explain the request; she stated that there are two buildings located on the property; the structures are not set up for light manufacturing--there are no docks, drive-ins, etc.; it has never been used as light manufacturing; it's always been used as retail/office commercial on the first floor with an apartment above for the 901 S. Colorado Street building, and the building that fronts on 7th street is still being used in that way as a grandfathered use. The structure at 901 S. Colorado Street was the former Hickson Lock and Key business and had an apartment above the business, but it has been vacant for more than two years and is in need of renovation. The plan is to renovate the structure to display its historic features for it to be used as a commercial/retail space with an apartment above as there is a need/demand for that type of space. She stated that they already have a permit to renovate the upstairs apartment in the structure located at 110 7<sup>th</sup> Street as it had a tenant up until last year.

No other person(s) appeared before the board to speak on the matter.

Neil Conner motioned to consider the request of MCLIP Properties, LLC, property owner, for rezoning the property located at 901 S. Colorado Street and 110 7th Street (Tax Map #184-4-8) from LM Light Manufacturing District to CBD Community Business District. Denise King seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

#### **D. Special Exception Permit**

Hold public hearing to consider the request of Timothy J. Toohig and Lonzie L. Linkous, Jr., property owners, for the issuance of a Special Exception Permit to allow a two-family dwelling on the property located at 335 Roanoke Boulevard (Tax Map # 146 - 1 - 3).

Timothy Toohig, 5719 Glen Meadow Drive, Roanoke, property owner, appeared before the Commission to explain the request; he stated that the property has been used in the past as an office--ad agency on one side, oral surgeon in the other--they would like to use it as a duplex as it backs up to nice residential properties on Pennsylvania Avenue. The property has been in a bit of disrepair but would like to renovate the property for a two-family dwelling.

Vice Chair King noted that there is a garage on the property and questioned if the garage would be split between the duplex, or would it be used for only one side.

Mr. Toohig stated it would be left for one.

No other person(s) appeared before the board to speak on the matter.

Denise King motioned to consider the request of Timothy J. Toohig and Lonzie L. Linkous, Jr., property owners, for the issuance of a Special Exception Permit to allow a two-family dwelling on the property located at 335 Roanoke Boulevard (Tax Map #146-1-3). Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

#### **E. Special Exception Permit**

Hold public hearing to consider the request of Total Motion Performance, lessee, and 751 Union Station, LLC, property owner for the issuance of a Special Exception Permit to allow athletic instruction services on the property located at 773 Union Street (Tax Map # 183 - 1 - 1).

Ashton King, 9 Alleghany Street, Christiansburg, partner and Director of Performance at Total Motion, appeared before the Commission to explain the request; he presented a proposed layout of the space and a plan of business for the property; he stated that Total Motion Performance partners with Total Motion Physical Therapy to operate an out-patient physical therapy clinic out of the space to better utilize service to cater to athletes. Total Motion Performance would be the main lessee of the building that would provide athletic training services with a monthly membership rather than a session-by-session basis to cater to golfers and baseball players, as well as football, basketball, etc.; a lot of the green area would be taken up with cages, etc., as well as a track man golf simulator for golf clientele, and a full weight room for all of the other performance clientele. The main base of operation for the performance operations and offices would be upstairs, which is a different, added on space that is listed on the floorplans. He stated that physical therapy would operate from 8 a.m. to 5 p.m. and performance would operate from 8 a.m. to 8 p.m.

The number of employees for physical therapy would be two and there would be two for performance with future projections having three for physical therapy and up to six for performance. He further stated that the employee number would stay very low compared to what the property was previously used for. There is plenty of parking available for the businesses. Given the property's close proximity to the Moyer Sports Complex, it would be opened up during those weekends if batting practice or anything else was needed for the teams playing at Moyer. They currently hold tournaments and camps at their current location in Blacksburg, and plan to do the same at this location as well. With it being a former warehouse, there isn't an issue for noise, etc. He clarified that the physical therapy offered would be for existing clients/athletes/members of the facility, not post-op patients.

Chair Daulton questioned if membership would be offered to individuals or teams.

Mr. King stated that memberships would be offered to both. A team membership would be offered a consulting membership where members of the team would train individually and one of the consultants would work with the team to consult along the lineups or any implementation of on-field strategy.

Vice Chair King questioned if physical therapy would be allowed since the request is to allow athletic instruction on the premises.

The Zoning Administrator stated that physical therapy would be allowed as an accessory to the business.

A discussion was held regarding services offered at the proposed business and how it differs from a regular gym membership; accessory businesses allowed as part of the request, etc.

Mr. King further explained the physical therapy services that would be offered--it would be a "get back to play" type of therapy for members, not referrals from doctors for post-op or neurological patients. It would also be used for research and data collection to help develop better treatment.

Vice Chair King noted that the Special Exception Permit goes with the property, not the business. She also questioned if a stop sign should be placed at the entrance of the property.

A discussion was held regarding a stop sign, parking, average group size, etc.

Member Conner questioned why this property versus another property.

Mr. King started that they got a good deal on the building and plans to move the business from Blacksburg to Salem.

No other person(s) appeared before the board to speak on the matter.

Jackson Beamer motioned to consider the request of Total Motion Performance, lessee, and 751 Union Station, LLC, property owner, for the issuance of a Special Exception

Permit to allow athletic instruction services on the property located at 773 Union Street (Tax Map #183-1-1). Denise King seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

#### **F. Simms Farm Section 1**

Consider the request for preliminary and final approval of proposed subdivision plat filed by Simms Property, LLC., property owner/developer, for a 7.564-acre tract known as Simms Farm Section 1.

Chair Daulton stated that the request is not a public hearing and requested that staff speak regarding the matter.

Mary Ellen Wines, Zoning Administrator, appeared before the Commission to speak on the zoning aspects of the proposed plat and plan. She reviewed the conditions that were placed on the property as part of the rezoning and Special Exception Permit--the property shall be developed in substantial conformance with the master plan dated September 17, 2019. All new homes constructed within the development shall have roof materials of architectural grade shingles, designer shingles, and/or metal; all front elevations shall have a combination of masonry finish and siding; all above grade foundations shall be faced with brick, stone, synthetic stone, or equivalent materials; the hours of construction associated with the development are 7 a.m. to 5 p.m. Monday thru Friday, 8 a.m. to 3 p.m. on Saturdays, and no construction on Sundays; all homes constructed on the cluster lots shall be a maximum of one and half stories; a Type B landscape buffer will be provided along Upland Drive along the western property line of Tax Parcel 273-2-2; the minimum front setbacks of Lots 1, 2, 3, 4, 5, 136, 137, 138, and 139 shall be a minimum of 40 feet; the houses will be constructed in substantial conformance with exterior architectural styles depicted on the Simms Farm Architectural Styles exhibits filed with the rezoning request dated September 26, 2019, and all commercial vehicle construction traffic will be prohibited from using Franklin Street for access to and from the project site. She stated that before the Commission is Section 1 of the Simms Farm project and not all of the conditions apply at this point. Anything that has to do with the appearance, the architectural style, the materials used, the one and half stories tall will be handled on a building permit level once submitted; but everything else currently meets the conditions as part of Section 1.

Member Garst noted that what is being presented is what was originally presented and there aren't any changes.

Will Simpson, City Engineer, appeared before the Commission to review the storm water, erosion control issues with the project. He stated that the plan submitted has been reviewed for all drainage, storm water, and erosion and sediment control. The calculations submitted, which include drainage structures, storm water ponds, was submitted with the plans and meets the city and state standards; it will be containing all of the water that is created with the development of the plan. Any additional runoff that is created by the development of the plan--new houses, roads, etc.--will be captured and contained within the proposed storm water management facilities. As far as erosion and sediment control,

all of the measures proposed in the plan as submitted, do meet the current state standards, which is what the City of Salem follows. This development will require a state permit through DEQ, which has its own set of standards.

Member Garst questioned if the standards referred to are both construction and final finish development standards.

Mr. Simpson confirmed the standards. He stated that during construction, there is a set of standards that have to be met for the erosion and sediment control; and then at post-construction there is a set of standards that have to meet for storm water runoff. The engineer that designed the plan, has taken into account both sets of standards, and it meets both sets of standards.

A discussion was held regarding water runoff on Upland Drive, sewer line inspections, mud in roadway, etc.

Benjamin Trip, City Planner, appeared before the Commission and noted that staff has reviewed the subdivision plans at length through the plan review process. The process involves all of the departments in the city. The plans are reviewed and discussed at length. A list of comments and questions are produced which are sent to the developer. The developer has to respond to the comments and questions, and make necessary corrections/changes, which will then be reviewed by all of the departments. The staff has approved the proposed subdivision plan, which is what is presented to the Commission.

Jackson Beamer motioned to consider the request for preliminary and final approval of proposed subdivision plat and plan filed by Simms Property, LLC, property owner/developer, for a 7.564-acre tract known as Simms Farm Section 1. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

## 5. Adjournment

Member Garst thanked the Deputy Sheriff present at the meeting.

Meeting was adjourned at 7:50 p.m.

Work Session, Wednesday, June 16, 2021, 6:00 p.m.  
Parlor B, Salem Civic Center

City Council meeting, June 28, 2021, 6:30 p.m.  
Auditorium of Andrew Lewis Middle School



AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF SALEM,  
VIRGINIA HELD AT COUNCIL CHAMBERS, CITY HALL, 114 NORTH BROAD STREET,  
SALEM, VIRGINIA

**AGENDA ITEM:**

**Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of the Salem Historical Society, property owner, for rezoning the property located at 1936 West Main Street (Tax Map # 138-2-7) from CBD Community Business District with proffered conditions to CBD Community Business District without conditions. Advertised in the July 1 and 18, 2021 issues of the Salem Times-Register.

**SUBMITTED BY:**

Benjamin W. Tripp, AICP, CEcD, City Planner

**SUMMARY OF INFORMATION:**

Zoning: CBD Community Business District  
Future Land Use Plan Designation: Commercial  
Existing Use: Vacant  
Proposed Use: Personal Services

The subject property consists of a single parcel of approximately 9.4 acres, located along the south side of West Main Street, east of the intersection with Wildwood Road. It is occupied by a historically designated two-story home.

Previously, the owner of the property requested the zoning be changed to CBD with proffered conditions to allow a restaurant. They are now requesting those conditions be changed in order to allow more flexibility for the property, and to allow "Glow Healing Arts" as a tenant.

**SUMMARY OF PROPOSED CHANGES:**

The applicant is requesting these conditions be removed:

*The use of the property will be limited to the following:*

*Civic Use Types*

*Administrative Services  
Cultural Services*

*Office Use Types*

*General Offices*

*Commercial Use Types*

*Antique Shops*

*Assembly Hall  
Homestay Inn  
Micro-brewery (If allowed by the underlying zoning)  
Restaurant  
Retail Sales  
Studio, Fine Arts*

*Miscellaneous Use Types  
Mixed Use (if allowed by the underlying zoning)  
Outdoor Gathering*

**FISCAL IMPACT:**

Adjusting the conditions to allow a new tenant to use the space will produce a positive fiscal impact.

**STAFF RECOMMENDATION:**

Staff recommends approval.

June 11, 2021

Mr. James E. Taliaferro, II  
Executive Secretary  
City of Salem Planning Commission  
114 North Broad Street  
Salem, VA 24153



Dear Mr. Taliaferro:

On behalf of the Board of Directors of the Salem Historical Society, which owns the property located at 1936 West Main Street, I respectfully request the rezoning of that property, commonly known as the Preston Place. The Board voted unanimously to request this rezoning at our recent meeting on June 7, 2021.

The Preston Place was built in 1821 and is one of the oldest surviving structures in Salem. It was a private residence until 2014 when it was donated to the Salem Historical Society by the family of the last resident, Dr. Esther Brown. To return the structure to productive use, the Society requested a rezoning in 2016 from Residential Single Family/Highway Business District to Highway Business District with conditions. As a rent-paying tenant is essential to the sustainability of the property, the change in zoning permitted occupancy by a restaurant: the White Oak Tea Tavern. The Tea Tavern, formerly located in Botetourt County, brought new vibrancy and a destination attraction to West Main Street.

Unfortunately, the White Oak Tea Tavern fell victim to the pandemic and is no longer operating. We have found a new tenant in GLOW Healing Arts, currently located in Roanoke County. The business describes its use as "gentle," and therefore more compatible with the needs of our old house.

GLOW Healing Arts is categorized as a Personal Service business, which is permitted under the current zoning, Commercial Business District, but which was not included in the list voluntarily proffered by the Society in 2016. Therefore, we request the property be rezoned to eliminate the list of conditions currently in place, and allow the property to be utilized by any business use permitted by right in the Commercial Business District.

We thank you for your consideration of this matter. Please let us know if we can answer any questions.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Bain".

Lisa Bain  
President, Board of Directors  
Salem Historical Society

# PETITION FOR ZONING AMENDMENT (REZONING)

## *City of Salem Community Development Department*

Benjamin W. Tripp, AICP - City Planner

Email: [btripp@salemva.gov](mailto:btripp@salemva.gov)

Telephone: 540-375-3032

1. Applicant(s): Salem Historical Society
2. Legal Owner(s) of property requested to be rezoned: Salem Historical Society
3. Location of Property:
  - Address: 1936 W. Main Street, Salem, VA 24153
  - Subdivision:
  - Official Tax Map Number: 138-2-7
4. Characteristics of Property:
  - Size (Acreage): 9.331 acres
  - Deed Restrictions: Historic easement held by the VA Dept. of Historic Resources
  - Present Use: Most recently a restaurant; currently vacant
5. Zoning Classification:
  - Present Zoning: CBD with conditions
  - Proposed Zoning: CBD without conditions
  - Land Use Designation: Commercial
6. Reason(s) for Rezoning Request (Including proposed use):

Request rezoning to remove conditions proffered during the 2016 rezoning of the property.

The sustainability of the property relies on having a tenant. Such a tenant has been identified whose business category is personal services, which is permitted under the current CBD zoning but is not in the list previously proffered.
7. Agent(s) or representative(s) of property owner(s): (Specify interest)

Lisa Bain, President of the Board of Directors, Salem Historical Society

  - Mailing Address: 801 E Main Street, Salem, VA 24153
  - Telephone Number: 540-521-4666

## PETITION FOR ZONING AMENDMENT (REZONING), continued

8. Affidavit:

A. The undersigned person certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief, Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Applicant Signature: Lisa Bain Date: June 11, 2021

Applicant Interest in Property: Lisa Bain, President of the Board of Directors,  
Salem Historical Society

Applicant Mailing Address: 801 E Main Street, Salem, VA 24153

Applicant Phone Number: 540-521-4666

Owner Signature: Lisa Bain Date: June 11, 2021

Owner Interest in Property: Lisa Bain, President of the Board of Directors,  
Salem Historical Society

Owner Mailing Address: 801 E Main Street, Salem, VA 24153

Owner Telephone Number: 540-521-4666





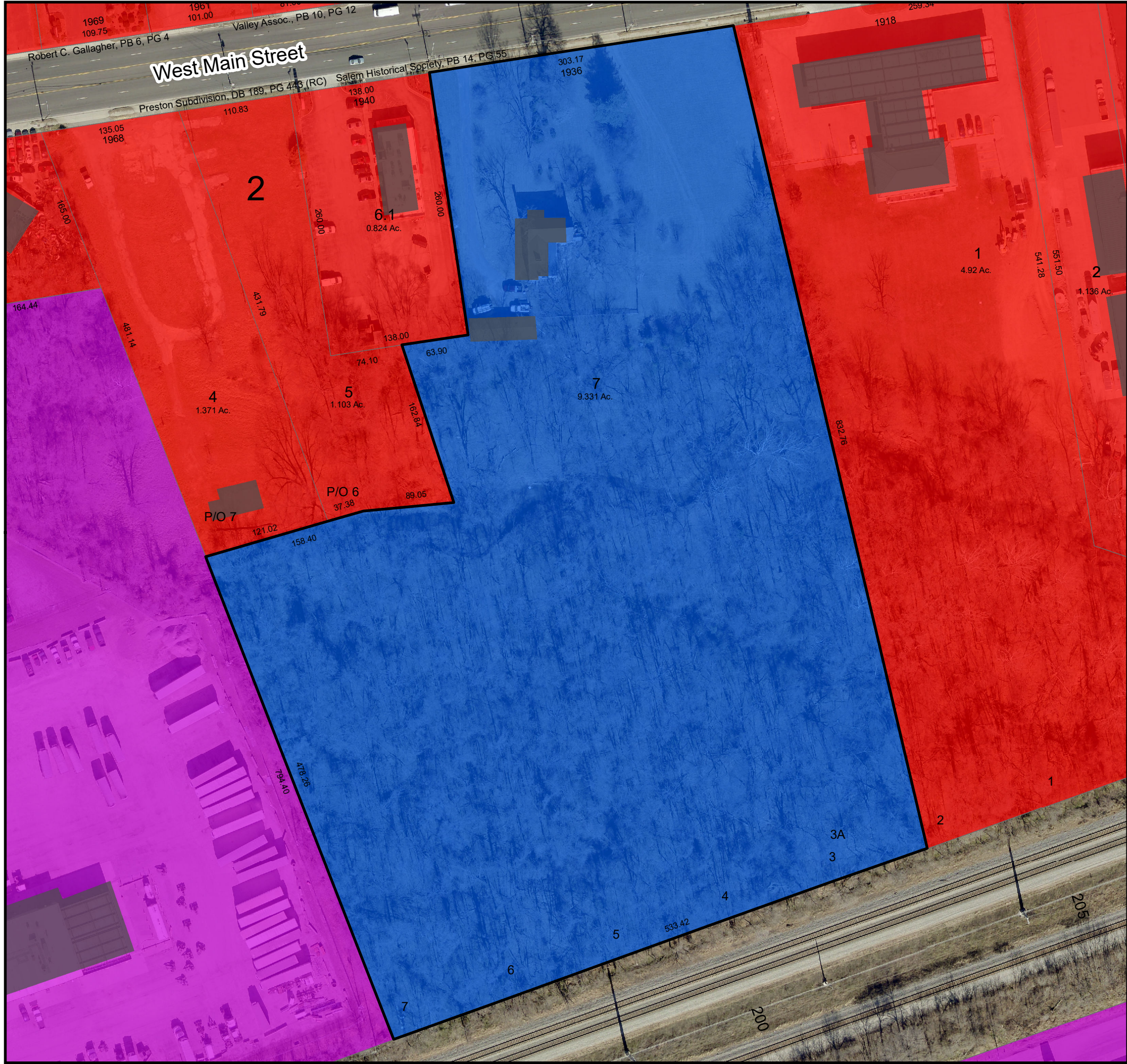
**Legal Description for Tract 3A – Tax #138-2-7 City of Salem, Virginia**

Beginning at an iron pin found on the southern right of way line of West Main Street (U.S. Rte. 460), being approximately 900 feet west of the intersection with Hurt Lane; thence leaving said right of way along the western property line of the Go-Mart, Inc. property S 12°35'02" E, 832.76 feet to a pin found on the northern right of way line of the Norfolk Southern Corporation; thence along the said right of way S 71°41'23" W, 553.42 feet to a pipe found at the intersection of the eastern property line of USF Propco I, LLC; thence with said property line N 20°35'13" W, 478.26 feet to a point; thence leaving said property line along the southern boundary line of the mill race (area of unknown ownership) the following three (3) courses: N 77°42'12" E, 152.23 feet to a point; thence S 79°38'48" E, 57.00 feet to a point; thence N 82°46'12" E, 42.71' to a point; thence still with the mill race and the eastern property line of GES Properties, LLC property N 17°38'00" W, 216.41 feet to a point at the intersection with the southern property line of the White Oak Ventures II, LLC property; thence with said property's southern and eastern property lines the following two (2) courses: N 82°36'00" E, 63.90 feet to a pin found; thence N 7°24'00" W, 260.00 feet to a pin found at the intersection with the southern right of way line of West Main Street; thence with said right of way line N 82°36'00" E, passing through a pin found on line at 165.17 feet, a total of 303.17 feet to the point of beginning and being Tract 3A, containing 9.331 acres total, as shown on the plat titled "Combination Plat for the Salem Historical Society" by Parker Design Group dated December 15, 2015 and recorded in the City of Salem, Virginia Circuit Court Clerk's office in P.B. 14, PG. 55, Slide 224.

Said area to be rezoned contains approximately 9.331 acres.



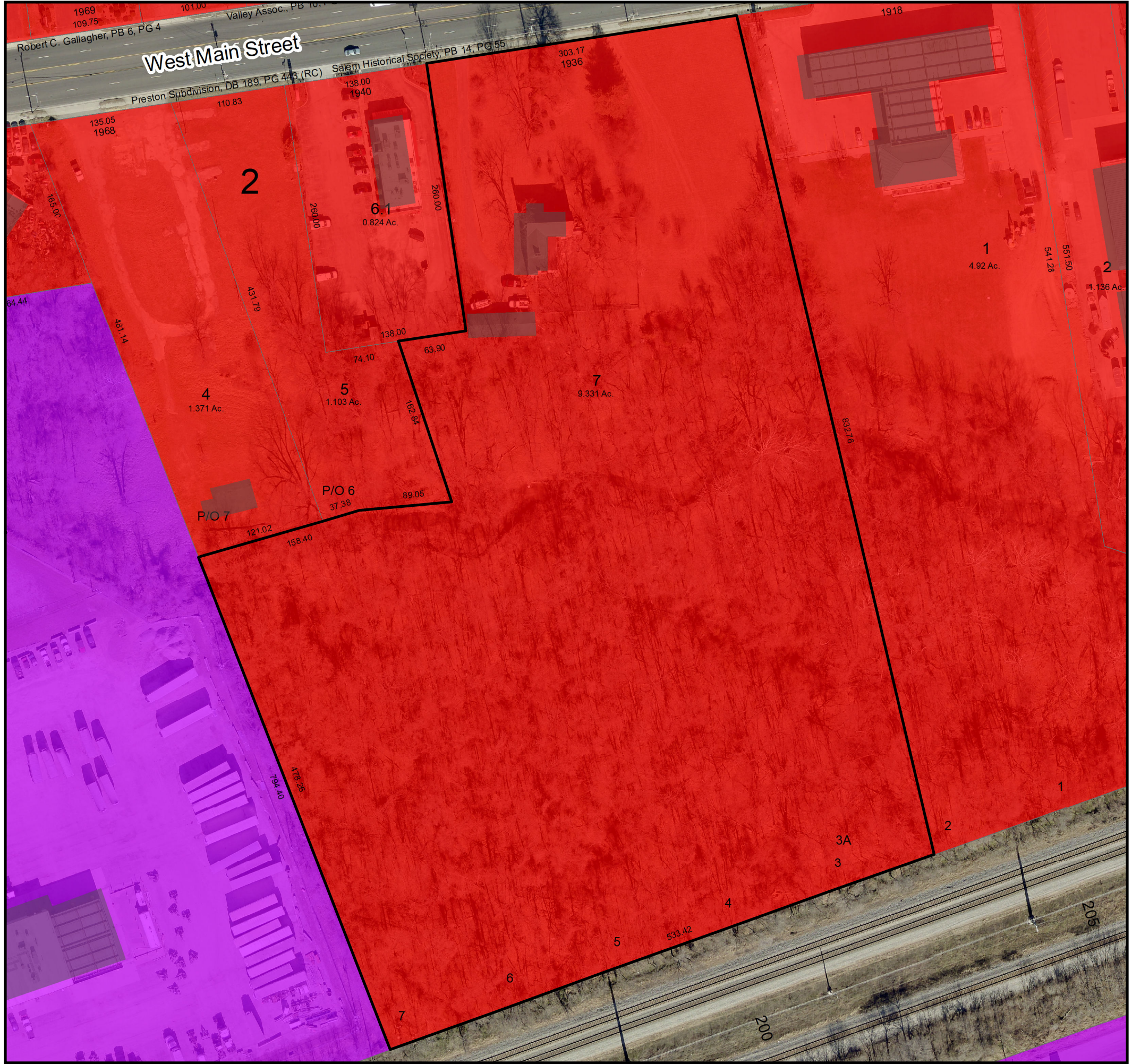
EXISTING ZONING



Tax Parcel 138-2-7 Buildings Parcels City Limits

- |  |   |
|--|---|
| AG - Agriculture District                                | PUD - Planned Unit District   |
| BCD - Business Commerce District                         | RB - Residential Business District                                    |
| CBD - Community Business District                        | RMF - Residential Multi-Family District                               |
| CUD - College/University District                        | RMF/RB - Residential Multi-Family/Residential Business District       |
| DBD - Downtown Business District                         | RSF - Residential Single Family District                              |
| HBD - Highway Business District                          | RSF/HBD - Residential Single/Highway Business District                |
| HBD/HM - Highway Business/Heavy Manufacturing District   | RSF/LM - Residential Single Family/Light Manufacturing                |
| HBD/LM - Highway Business/Light Manufacturing District   | RSF/RB - Residential Single Family/Residential Business District      |
| HM - Heavy Manufacturing District                        | RSF/RMF - Residential Single Family/Residential Multi-Family District |
| LM - Light Manufacturing District                        | RSF/TBD - Residential Single Family/Transitional Business District    |
| LM/HM - Light Manufacturing/Heavy Manufacturing District | TBD - Transitional Business District                                  |
| MHP - Manufactured Home Park District                    |   |

FUTURE LAND USE



Tax Parcel 138-2-7 Buildings Parcels City Limits

- |                           |                               |
|---------------------------|-------------------------------|
| Commercial                | Mixed Use                     |
| Downtown                  | Public Parks and Recreational |
| Economic Development Area | Residential                   |
| Industrial                | Transitional                  |
| Institutional             |                               |



**PAYMENT DATE**

06/22/2021

**COLLECTION STATION**

Engineering/Inspections

**RECEIVED FROM**

The Salem Museum Salem

Historical Society

**DESCRIPTION**

City of Salem

P.O. Box 869  
Salem, VA 24153**BATCH NO.**

2021-00006126

**RECEIPT NO.**

2021-00139355

**CASHIER**

Loretta Prillaman

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT
ENG LAND USE	Land Use Application Fees Rezoning Application fee - 1936 W Main Street - Planning Commission Meeting - July 14, 2021	\$425.00
	<div>Total Cash\$0.00 Total Check\$425.00 Total Charge\$0.00 Total Wire\$0.00 Total Other\$0.00 Total Remitted\$425.00 Change\$0.00 Total Received\$425.00</div>	
Total Amount:		\$425.00

Customer Copy



June 24, 2021

Salem Historical Society  
Attn: Lisa Bain  
801 East Main Street  
Salem, Virginia 24153

RE: Rezoning Request  
1936 West Main Street  
Tax Map # 138-2-7

Dear Mrs. Bain:

You and/or your agent shall appear before the Planning Commission on:

**Wednesday, July 14, 2021  
at 7:00 p.m. in**

**Council Chambers, City Hall,  
114 North Broad Street**

**AND**

Salem City Council on:

**Monday, July 26, 2021, at 6:30 p.m. in**

**Council Chambers, City Hall,  
114 North Broad Street**

for consideration of your request for rezoning the property located at 1936 West Main Street (Tax Map # 138-2-7).

If you have any questions regarding this matter, please contact our office at (540) 375-3032.

Sincerely,

Mary Ellen H. Wines, CZA CFM  
Zoning Administrator



**IMPORTANT NOTICE OF PUBLIC HEARINGS  
PROPOSAL TO CHANGE USE**

Notice is hereby given that a request of the property owner/petitioner of the property described below has been filed with the City of Salem. The Planning Commission of the City of Salem will consider this request at its meeting listed below and make a recommendation to the City Council. The City Council of the City of Salem will also consider this request and the recommendation of the Planning Commission at its meeting listed below. City Council will make the final decision in this matter.

**Property Owner/Petitioner:**  
Salem Historical Society

**Location of Property:**  
1936 West Main Street (Tax Map # 138-2-7)

**Purpose of Request:**  
For rezoning the property located at 1936 West Main Street (Tax Map # 138-2-7) from CBD Community Business District with proffered conditions to CBD Community Business District without conditions.

The date, time, and place of the public hearing scheduled by the Planning Commission on this request are as follows:

**WEDNESDAY, JULY 14, 2021 – 7 P.M.  
COUNCIL CHAMBERS OF CITY HALL  
114 NORTH BROAD STREET, SALEM, VIRGINIA**

The date, time, and place of the public hearing scheduled by City Council on this request are as follows:

**MONDAY, JULY 26, 2021 – 6:30 P.M.  
COUNCIL CHAMBERS OF CITY HALL  
114 NORTH BROAD STREET, SALEM, VIRGINIA**

Additional information on this request may be obtained in the Community Development Department, 21 South Bruffey Street, Salem, Virginia or at (540) 375-3032.

James E. Taliaferro, II  
Executive Secretary  
Planning Commission

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF SALEM,  
VIRGINIA HELD AT COUNCIL CHAMBERS, CITY HALL, 114 NORTH BROAD STREET,  
SALEM, VIRGINIA

**AGENDA ITEMS:**

**B. Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of Property Catalyst Group, Inc., applicant, and Layman Candy Company, Inc., property owner, for rezoning the property located at 1637 East Main Street (Tax Map #77-3-13) from LM Light Manufacturing with proffered conditions, to HBD Highway Business District without conditions.

**C. Amendment to the Zoning Ordinance**

Hold public hearing to consider the request of Property Catalyst Group, Inc., applicant, and Layman Candy Company, Inc., property owner, for rezoning the property located at 23 Dalewood Avenue (Tax Map #77-3-12) from HBD Highway Business District with proffered conditions, to HBD Highway Business District without conditions.

**D. Special Exception Permit**

Hold public hearing to consider the request of Property Catalyst Group, Inc., applicant and Layman Candy Company, Inc. and George W. Givens Jr. & Susan K. Givens, property owners, for the issuance of a Special Exception Permit to allow personal storage on the properties located at 1637 & 1641-1647 East Main Street, and 11, 15, & 23 Dalewood Avenue (Tax Map #s 77-3-13, 77-3-16, 77-3-15, 77-3-14, and 77-3-12).

**SUBMITTED BY:**

Benjamin W. Tripp, AICP, CEcD, City Planner

**SUMMARY OF INFORMATION:**

Zoning: LM Light Manufacturing (77-3-13), and HBD Highway Business District

Future Land Use Plan Designation: Commercial (77-3-13 and 77-3-16) and Residential (77-3-12, 77-3-14, and 77-3-15)

Existing Use: Warehouse, residential, retail.

Proposed Use: Personal Storage

The subject property consists of five parcel totaling approximately two acres, located at the northeast corner of Electric Road and East Main Street. They are occupied by a large L

shaped warehouse, parking areas, two single family homes, and a two story commercial structure.

Tax Map 77-3-12 and 77-3-13 have the following conditions:

*The following conditions voluntarily proffered shall apply in addition to the regulations contained in Chapter 32 of The Code of the city of Salem:*

*1. A fifty-foot setback will be observed from the centerline of Dalewood Avenue should the rental property be moved for future building expansion.*

*2. Proper screening will be provided on the north side of the property.*

### **SUMMARY OF PROPOSED CHANGES:**

The applicant is requesting the LM zoned property be rezoned to HBD without conditions (Item B), that the HBD property with conditions have its conditions removed (Item C), and that a Special Exception Permit be granted in order to allow the Personal Storage use on all of the properties (Item D). The existing buildings would be demolished, and a new 99,000 sq ft three story self-storage building would be constructed on the site.

Note that though there is only one staff report, there are three separate requests which must be voted on.

### **FISCAL IMPACT:**

Replacing dilapidated vacant structures with a new structure, containing an active use, will produce a positive fiscal impact.

### **STAFF RECOMMENDATION:**

Staff recommends the following conditions be applied to the Special Exception Permit, if granted:

1. Contingent on the city vacating the right-of-way between 77-3-12 and 77-3-14.
2. Contingent on the city and VDOT removing the “controlled access” status of Electric Road north of East Main Street.
3. The property will be developed in substantial conformance with the conceptual site plan prepared by Balzer and Associates, Inc. entitled “Layman Candy Company” dated June 7, 2021 subject to any changes to access that may be required by the City of Salem and the Virginia Department of Transportation during the site plan review process.

4. The building will be developed in substantial conformance with the provided architectural perspective rendering indicated as Exhibit B and dated July 6, 2021.

# PETITION FOR ZONING AMENDMENT (REZONING)

## *City of Salem Community Development Department*

Benjamin W. Tripp, AICP - City Planner

Email: [btripp@salemva.gov](mailto:btripp@salemva.gov)

Telephone: 540-375-3032

1. Applicant(s):

Property Catalyst Group, Inc.

2. Legal Owner(s) of property requested to be rezoned:

Layman Candy Company, Inc.

3. Location of Property:

Address: 1637 East Main Street & 23 Dalewood Avenue

Subdivision: LAKEVIEW

Official Tax Map Number: 77-3-12 and 77-3-13

4. Characteristics of Property:

Size (Acreage): 1.33 Acres

Deed Restrictions: None

Present Use: Various Warehouse & Recreational Temporary Uses

5. Zoning Classification:

Present Zoning: LM, Light Manufacturing District & HBD, Highway Business District with Conditions

Proposed Zoning: HBD, Highway Business District

Land Use Designation: Current - Industrial / Future - Commercial

6. Reason(s) for Rezoning Request (Including proposed use):

See Narrative

7. Agent(s) or representative(s) of property owner(s): (Specify interest)

Benjamin Crew - Balzer & Associates

Mailing Address: 1208 Corporate Circle, Roanoke, VA 24018

Telephone Number: 540-772-9580

8. Affidavit:

- A. The undersigned person certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief, Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Applicant Signature:  Date: June 1, 2021

Applicant Interest in Property: Property Catalyst Group, Inc., Developer

Applicant Mailing Address: 133 Kirk Avenue SW, Roanoke, VA 24011

Applicant Phone Number: 540-491-9988

Owner Signature: \_\_\_\_\_ Date: June 1, 2021

Owner Interest in Property: Layman Candy Company, Inc., Owner of Record

Owner Mailing Address: 1630 West Main Street, Salem, VA 24153

Owner Telephone Number: 540-389-2000

# PETITION FOR ZONING AMENDMENT (REZONING)

## City of Salem Community Development Department

Benjamin W. Tripp, AICP - City Planner

Email: [btripp@salemva.gov](mailto:btripp@salemva.gov)

Telephone: 540-375-3032

1. Applicant(s):  
Property Catalyst Group, Inc.
2. Legal Owner(s) of property requested to be rezoned:  
Layman Candy Company, Inc.
3. Location of Property:  
Address: 1637 East Main Street & 23 Dalewood Avenue  
Subdivision: LAKEVIEW  
Official Tax Map Number: 77-3 - 1 3 and 77-3-12
4. Characteristics of Property:  
Size (Acreage): 1.33 Acres  
Deed Restrictions: None  
Present Use: Various Warehouse & Recreational Temporary Uses
5. Zoning Classification:  
Present Zoning: LM, Light Manufacturing District & HBD, Highway Business District with Conditions  
Proposed Zoning: HBD, Highway Business District  
Land Use Designation: Current - Industrial / Future - Commercial
6. Reason(s) for Rezoning Request (Including proposed use):  
See Narrative
7. Agent(s) or representative(s) of property owner(s): (Specify interest)  
Benjamin Crew - Balzer & Associates  
Mailing Address: 1208 Corporate Circle, Roanoke, VA 24018  
Telephone Number: 540- 72-9580
8. Affidavit:
  - A. The undersigned person certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief, Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Applicant Signature: \_\_\_\_\_ Date: June 1, 2021  
Applicant Interest in Property: Property Catalyst Group, Inc., Developer  
Applicant Mailing Address: 133 Kirk Avenue SW, Roanoke, VA 24011  
Applicant Phone Number: 540-491-9988  
Owner Signature: Judy Kross, President Date: June 1, 2021  
Owner Interest in Property: Layman Candy Company, Inc., Owner of Record  
Owner Mailing Address: 1630 West Main Street, Salem, VA 24153  
Owner Telephone Number: 540-389-2000





133 Kirk Avenue SW  
Roanoke, VA 24011  
Phone: 540.491.9988  
info@pcgva.com

June 1, 2021

Mr. Jay Taliaferro  
City Manager  
City of Salem Community Developer  
21 South Bruffey Street  
Salem, VA 25153

Re: 1637 & 1641 East Main Street  
11, 15 & 23 Dalewood Avenue  
Tax Parcels 77-3-12, 77-3-13, 77-3-14, 77-3-15, & 77-3-16  
Rezoning & Special Exception Applications

Dear Mr. Taliaferro:

Property Catalyst Group is the developer of the above-mentioned parcels and now submits the attached official applications, supporting documents and associated fees required for the Rezoning of 77-3-13 and Special Exception Permit. These applications will allow for the redevelopment of this neglected property into a modern high-quality storage facility that will transform the challenged corner into a stately and functional property.

#### **PROJECT NARRATIVE**

After a long history of operating on this prominent corner, Layman Candy Company and Givens Books ceased operations at this location in 2008 and 2017, respectively. Since 2008, the property has been listed for sale with minimal activity due to various challenges presented as potential buyers contemplate higher traffic uses.

#### **Existing Conditions**

The existing structures were constructed from 1939 to 1952 and have no useful life remaining. With this fact clearly apparent to current ownership, tenants have been interim in nature and repairs have not been regularly conducted. The result of the past 13 years of minimal maintenance is multiple dilapidated and unattractive improvements. All improvements will be demolished as part of the development process. Replacement with a prominent modern structure as shown in Exhibit A will cure this long-term hindrance on the surrounding community.

#### **Rezoning Application**

The provided Rezoning application has been submitted to combine the existing split zoning designations (LM and HBD) into a single HBD designation. Personal Storage is an allowed use with a Special Exception Permit under each of these zoning designations. Therefore, this rezoning request is effectively for administrative convenience through the development process.

### **Proposed Site Plan & Elevations**

As shown, the proposed civil concept site plan and architectural elevation concept rendering greatly enhance the aesthetics and functionality of the property. In addition to the condition of the improvements, the placement of industrial structures immediately adjacent to residential property boundaries is cause for concern. This issue will be improved by adherence to the Use and Design Standards imposed on Personal Storage in the City of Salem, which are above and beyond standard development regulations. In addition, placement of the access drive will provide additional buffer, as shown within Exhibit B.

### **Traffic & Safety**

As Personal Storage is one of the lower traffic generating uses allowed within the HBD zoning designation, the proposed development is considered to enhance the safety and functionality of this historically challenged corner.

Considering the amount of rentable area in the proposed facility, ITE estimates 120 trips per day for this project. It should be noted that this figure is substantially higher than other very similar projects we have operated over the last five years. We expect to see an average of 25 customers per day equating to 50 trips per day.

### **Summary**

The Special Exception Permit process's focus is on site specific items and how they relate to public health, safety, and welfare of the surrounding neighborhood and community. Considering the horrendous state of this prominent corner in the City of Salem, the proposed development will have no adverse impact, but will in fact enhance the overall aesthetics of the high traffic corridor.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Joseph Thompson", written over a horizontal line.

Joseph E. Thompson

June 1, 2021

Mr. Jay Taliaferro - City Manager  
City of Salem Community Development  
21 South Bruffey Street  
Salem, VA 24153

**RE: 23 & 31 Dalewood Avenue – Salem, VA 24153**  
**Balzer and Associates, Inc. Job # 04210024.00**  
**Removal of Existing Proffered Conditions**

The owner hereby requests the removal of two existing proffered conditions enacted by Ordinance #90 which was passed by City Council on May 14, 1984 and effective May 24, 1984. The two existing conditions to be removed are listed below.

1. A fifty-foot setback will be observed from the centerline of Dalewood Avenue should the rental property be moved for future building expansion.
2. Proper screening will be provided on the north side of the property

Owner

Print Layman Candy Co., Inc. By Judy N. Ross  
Sign Judy N. Ross, President  
Date June 1, 2021

## EXISTING CONDITIONS







AN ORDINANCE TO AMEND SECTION 32-9, ARTICLE II, CHAPTER 32, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

WHEREAS, Layman Candy Co., Inc., has heretofore petitioned to have property at 23 and 31 Dalewood Avenue rezoned from Residential District R-2 to Business District B-3; and

WHEREAS, in said petition, Layman Candy Co., Inc., did voluntarily proffer written conditions in addition to the regulations provided for in Business District B-3 into which this property is requested to be rezoned; and

WHEREAS, Council has reviewed the proposed conditions and is of the opinion that the requested rezoning without the proposed conditions would not be in the best interests of the City and that the conditions proffered will more closely comply with the intent of the Land Use Plan heretofore adopted; and

WHEREAS, Council has adopted the provisions of Chapter 320 of the 1978 Acts of the General Assembly of Virginia, Sections 15.1-491.1 through 15.1-491.6, relating to conditional zoning; and

WHEREAS, the Planning Commission at its regular meeting held on April 11, 1984, did recommend to Council after holding a public hearing that such rezoning be done with the conditions as proffered; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 32-9, Article II, Chapter 32 of The Code of the City of Salem, be amended, revised, and reordained to read as follows and the map referred to shall be changed in this respect and no other:

Section 1. That the following described property, presently zoned Residential District R-2 in the City of Salem, be and the same is hereby changed from Residential District R-2 to Business District B-3 and the map referred to shall be changed in this respect and no other. However, in addition to the regulations for such zoning district as contained in Chapter 32 of The Code of the City of Salem, Virginia, there is hereby incorporated the conditions set forth in Section 2 of this ordinance to the same extent and purpose as though such conditions were herein fully set out at length:

BEGINNING at an old bolt on the westerly side of Dalewood Avenue at the southeast corner of property owned by Fred C. Wright (Deed Book 21, page 744) and corner also to property owned by Layman Candy Co.; thence with the westerly side of Dalewood Avenue, S. 1° 28' 38" W. 80.78 feet to an old pipe; thence still with Dalewood Avenue, S. 3° 15' E. 78.0 feet to a point of curve; thence along the arc of a circle to the right whose radius is 10.1 feet, whose tangent is 10.0 feet, an arc distance of 15.7 feet to a point on the

northerly side of an alley; thence with the line of said alley, S. 85° 48' W. 134.1 feet to a point; thence leaving the alley and with the line between the original 0.33 acre tract and the 1.06 acre tract now owned by Layman Candy Co., N. 5° 00' W. 102.8 feet to an old iron; thence with the southerly line of the 0.40 acre tract N. 88° 19' 56" W. 67.0 feet to a concrete highway monument on the easterly side of Virginia Secondary Route 419; thence with the line of Route 419, N. 5° 03' 12" W. 81.54 feet to an iron pin at the southwesterly corner of property owned by Fred C. Wright; thence with the line of Fred C. Wright, S. 88° 33' 57" E. 222.94 feet to the place of BEGINNING and containing 0.73 acres.

Section 2. The following conditions voluntarily proffered shall apply in addition to the regulations contained in Chapter 32 of The Code of the City of Salem:

1. A fifty-foot setback will be observed from the centerline of Dalewood Avenue should the rental property be moved for future building expansion.
2. Proper screening will be provided on the north side of the property.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect ten (10) days after its final passage.

Upon a call for an aye and a nay vote, the same stood as follows:


Alexander M. Brown - Aye  
Jane L. Hough - Absent  
Carl E. Tarpley, Jr. - Aye  
W. Mac Green - Absent  
James E. Taliaferro - Aye

Passed: May 14, 1984

Effective: May 24, 1984

/s/ James E. Taliaferro  
Mayor

ATTEST:

  
Randolph A. Smith  
Clerk of Council  
City of Salem, Virginia





SITE & ZONING SUMMARY:

SITE ADDRESS: 11-15 DALEWOOD AVE  
SALEM, VA 24153

OWNER: LAYMAN CANDY COMPANY INC.

OWNER ADDRESS: PO BOX 1015  
SALEM, VA 24153

TAX MAP NUMBERS: 77-3-12, 77-3-13, 77-3-14, 77-3-15

EXISTING LOT SIZE AND ZONING:

77-3-12: 0.297 AC - HBD - HIGHWAY BUSINESS DISTRICT  
77-3-13: 1.040 AC - LM - LIGHT MANUFACTURING DISTRICT  
77-3-14: 0.194 AC - HBD - HIGHWAY BUSINESS DISTRICT  
77-3-15: 0.211 AC - HBD - HIGHWAY BUSINESS DISTRICT  
77-3-16: 0.230 AC - HBD - HIGHWAY BUSINESS DISTRICT

EXISTING ORDINANCE #90

PASSED: MAY 14, 1984

EFFECTIVE: MAY 24, 1984

EXISTING CONDITIONS TO BE REMOVED WITH REZONING REQUEST

PROPOSED ZONING: HBD - HIGHWAY BUSINESS DISTRICT WITH SEP

77-3-12: 0.297 AC  
77-3-13: 1.040 AC  
77-3-14: 0.194 AC  
77-3-15: 0.211 AC  
77-3-16: 0.230 AC

OVERALL PROPERTY TO BE REZONED TO HBD: 2.10 AC

PROPOSED USE: PERSONAL STORAGE WITH SPECIAL EXCEPTION REQUEST

SITE ADDRESS: 1641 E MAIN ST  
SALEM, VA 24153

OWNER: GEORGE W GIVENS JR & SUSAN K GIVENS

OWNER ADDRESS: 1320 SAINT JUDE ST  
SALEM, VA 24153

TAX MAP NUMBER: 77-3-16

EXISTING LOT SIZE: 0.23 AC

EXISTING ZONING: HBD- HIGHWAY BUSINESS DISTRICT

ZONING REQUIREMENTS - HIGHWAY BUSINESS DISTRICT:

MINIMUM LOT AREA: 7,200 SF

MINIMUM FRONTAGE: 60' ON A PUBLIC STREET

MINIMUM SETBACK REQUIREMENTS:

FRONT YARD: 30' FROM STREET CENTERLINE  
SIDE YARD: NO MINIMUM  
REAR YARD: NO MINIMUM

PER ZONING REGULATIONS:

EAST MAIN ST: 55' FROM CENTERLINE  
ELECTRIC RD: 55' FROM CENTERLINE

PER SUPPLEMENTAL REGULATIONS FOR PERSONAL STORAGE:

FRONT YARD: 30' FROM R.O.W. LINE

MAXIMUM HEIGHT OF STRUCTURES: 80'

MAXIMUM BUILDING SIZE: NO MAXIMUM

BUFFER YARD:

TYPE B EVERGREEN BUFFER FOR HBD ADJOINING RSF

OPTION 1: 8' BUFFER YARD, ONE ROW OF SMALL EVERGREEN TREES,  
ONE ROW OF EVERGREEN SHRUBS

OPTION 2: 15' BUFFER YARD, ONE ROW OF SMALL EVERGREEN TREES

PARKING SUMMARY:

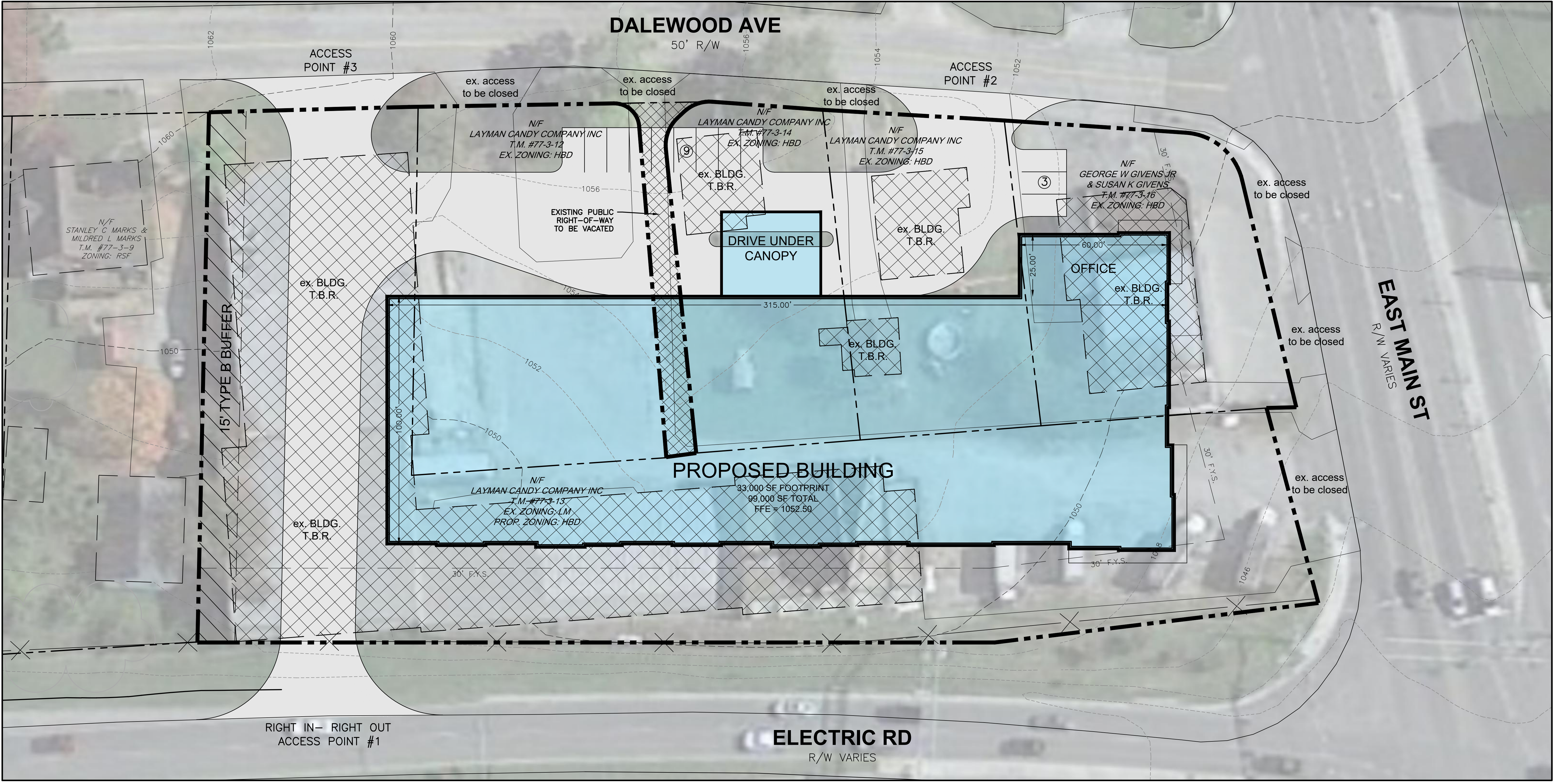
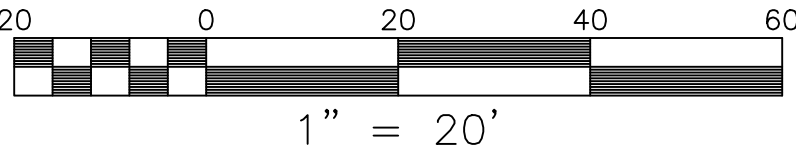
PARKING REQUIRED: 2 SPACES PER 100 UNITS

PARKING REQUIRED: 12 SPACES

PARKING PROVIDED: 12 SPACES

CONCEPT PLAN NOTE:

1. THIS PLAN IS FOR CONCEPTUAL PLANNING PURPOSES AND HAS BEEN PREPARED USING COMPILED INFORMATION. A CURRENT FIELD SURVEY HAS NOT BEEN PERFORMED TO VERIFY ALL EXISTING CONDITIONS ON-SITE.
2. AERIAL IMAGERY SOURCED FROM GOOGLE EARTH IMAGE, DATED NOVEMBER 2019



**BALZER  
& ASSOCIATES**  
PLANNERS / ARCHITECTS  
ENGINEERS / SURVEYORS

Roanoke / Richmond  
New River Valley / Staunton  
Harrisonburg / Lynchburg  
[www.balzer.cc](http://www.balzer.cc)

1208 Corporate Circle  
Roanoke, VA 24018  
540.772.9580

PRELIMINARY

LAYMAN CANDY COMPANY

CONCEPTUAL SITE PLAN

DRAWN BY: KAM  
DESIGNED BY: BTC  
CHECKED BY: BTC  
DATE: 06/01/2021  
SCALE: 1" = 20'  
REVISIONS:

**EX-A**  
PROJECT NO. 04210024.00



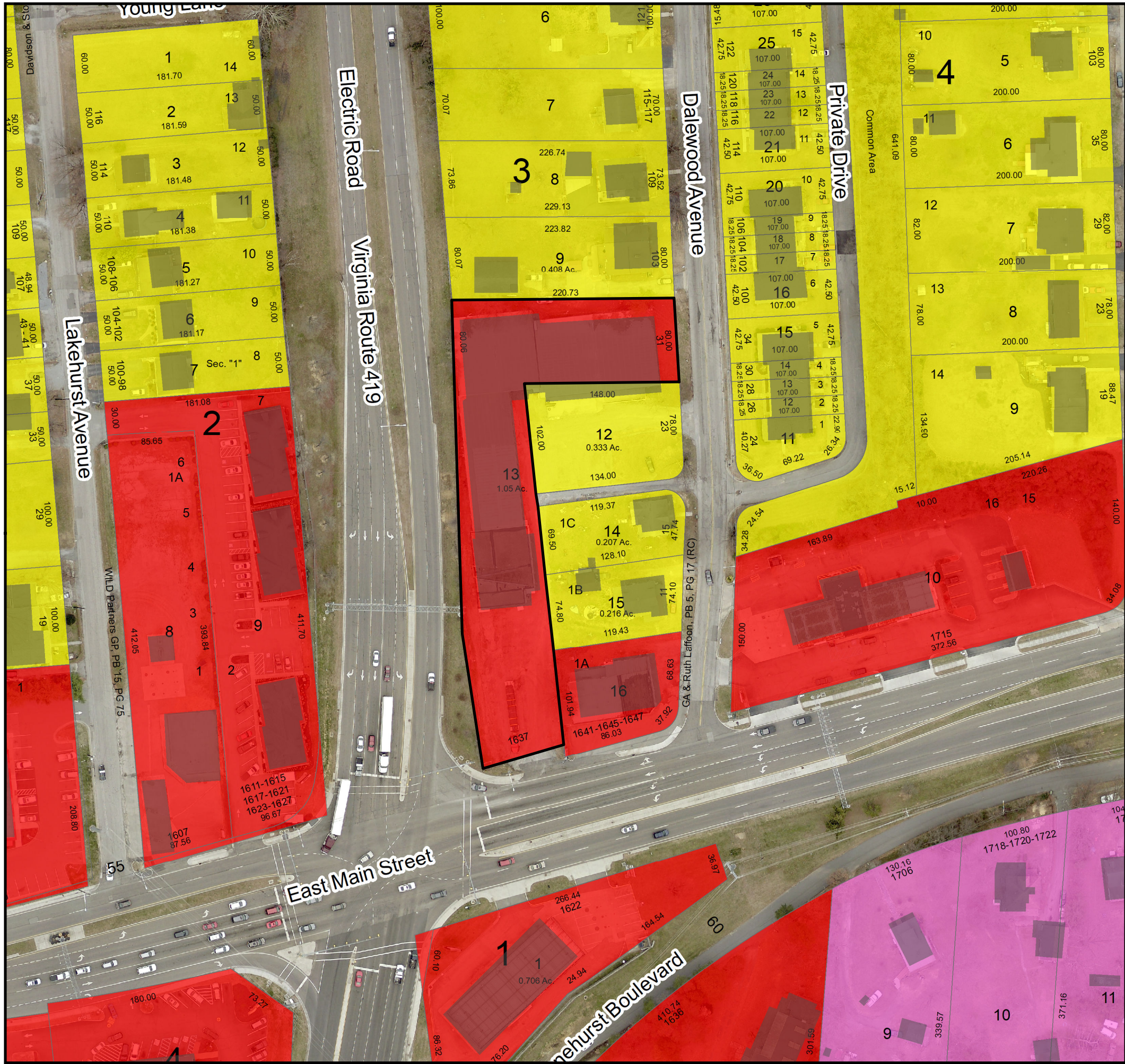
EXISTING ZONING



Tax Parcel 77-3-13 Buildings Parcels City Limits

- |  |   |
|--|---|
| AG - Agriculture District                                | PUD - Planned Unit District   |
| BCD - Business Commerce District                         | RB - Residential Business District                                    |
| CBD - Community Business District                        | RMF - Residential Multi-Family District                               |
| CUD - College/University District                        | RMF/RB - Residential Multi-Family/Residential Business District       |
| DBD - Downtown Business District                         | RSF - Residential Single Family District                              |
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| HM - Heavy Manufacturing District                        | RSF/RMF - Residential Single Family/Residential Multi-Family District |
| LM - Light Manufacturing District                        | RSF/TBD - Residential Single Family/Transitional Business District    |
| LM/HM - Light Manufacturing/Heavy Manufacturing District | TBD - Transitional Business District                                  |
| MHP - Manufactured Home Park District                    |   |

FUTURE LAND USE



Tax Parcel 77-3-13 Buildings Parcels City Limits

- |                           |                               |
|---------------------------|-------------------------------|
| Commercial                | Mixed Use                     |
| Downtown                  | Public Parks and Recreational |
| Economic Development Area | Residential                   |
| Industrial                | Transitional                  |
| Institutional             |                               |





**IMPORTANT NOTICE OF PUBLIC HEARINGS  
PROPOSAL TO CHANGE USE**

Notice is hereby given that a request of the property owner/petitioner of the property described below has been filed with the City of Salem. The Planning Commission of the City of Salem will consider this request at its meeting listed below and make a recommendation to the City Council. The City Council of the City of Salem will also consider this request and the recommendation of the Planning Commission at its meeting listed below. City Council will make the final decision in this matter.

**Property Owner/Petitioner:**

Property Catalyst Group, Inc., applicant  
Layman Candy Company, Inc., property owner

**Location of Property:**

1637 East Main Street (Tax Map #77-3-13)

**Purpose of Request:**

For rezoning the property located at 1637 East Main Street (Tax Map #77-3-13) from LM Light Manufacturing with proffered conditions, to HBD Highway Business District.

The date, time, and place of the public hearing scheduled by the Planning Commission on this request are as follows:

**WEDNESDAY, JULY 14, 2021 – 7 P.M.  
COUNCIL CHAMBERS OF CITY HALL  
114 NORTH BROAD STREET, SALEM, VIRGINIA**

The date, time, and place of the public hearing scheduled by City Council on this request are as follows:

**MONDAY, JULY 26, 2021 – 6:30 P.M.  
COUNCIL CHAMBERS OF CITY HALL  
114 NORTH BROAD STREET, SALEM, VIRGINIA**

Additional information on this request may be obtained in the Community Development Department, 21 South Bruffey Street, Salem, Virginia or at (540) 375-3032.

James E. Taliaferro, II  
Executive Secretary  
Planning Commission



June 24, 2021

Property Catalyst Group, Inc.  
133 Kirk Avenue S.W.  
Roanoke, Virginia 24011

Layman Candy Company, Inc.  
P. O. Box 1015  
Salem, Virginia 24153

RE: Rezoning Request  
1637 East Main Street, Tax Map # 77-3-13  
23 Dalewood Avenue, Tax Map # 77-3-12

Dear Mr. Thompson and Ms. Ross:

You and/or your agent shall appear before the Planning Commission on:

**Wednesday, July 14, 2021  
at 7:00 p.m. in**

**Council Chambers, City Hall,  
114 North Broad Street**

**AND**  
Salem City Council on:

**Monday, July 26, 2021, at 6:30 p.m. in**

**Council Chambers, City Hall,  
114 North Broad Street**

for consideration of your request to rezone the properties located at 1637 East Main Street, Tax Map # 77-3-13, and 23 Dalewood Avenue, Tax Map # 77-3-12.

If you have any questions regarding this matter, please contact our office at (540) 375-3032.

Sincerely,

Mary Ellen H. Wines, CZA CFM  
Zoning Administrator



EXISTING ZONING



□ Tax Parcel 77-3-12    ■ Buildings    □ Parcels    □ City Limits

- |  |   |
|--|---|
| AG - Agriculture District                                | PUD - Planned Unit District   |
| BCD - Business Commerce District                         | RB - Residential Business District                                    |
| CBD - Community Business District                        | RMF - Residential Multi-Family District                               |
| CUD - College/University District                        | RMF/RB - Residential Multi-Family/Residential Business District       |
| DBD - Downtown Business District                         | RSF - Residential Single Family District                              |
| HBD - Highway Business District                          | RSF/HBD - Residential Single/Highway Business District                |
| HBD/HM - Highway Business/Heavy Manufacturing District   | RSF/LM - Residential Single Family/Light Manufacturing                |
| HBD/LM - Highway Business/Light Manufacturing District   | RSF/RB - Residential Single Family/Residential Business District      |
| HM - Heavy Manufacturing District                        | RSF/RMF - Residential Single Family/Residential Multi-Family District |
| LM - Light Manufacturing District                        | RSF/TBD - Residential Single Family/Transitional Business District    |
| LM/HM - Light Manufacturing/Heavy Manufacturing District | TBD - Transitional Business District                                  |
| MHP - Manufactured Home Park District                    |   |

FUTURE LAND USE



□ Tax Parcel 77-3-12    ■ Buildings    □ Parcels    □ City Limits

- |                           |                               |
|---------------------------|-------------------------------|
| Commercial                | Mixed Use                     |
| Downtown                  | Public Parks and Recreational |
| Economic Development Area | Residential                   |
| Industrial                | Transitional                  |
| Institutional             |                               |





**IMPORTANT NOTICE OF PUBLIC HEARINGS  
PROPOSAL TO CHANGE USE**

Notice is hereby given that a request of the property owner/petitioner of the property described below has been filed with the City of Salem. The Planning Commission of the City of Salem will consider this request at its meeting listed below and make a recommendation to the City Council. The City Council of the City of Salem will also consider this request and the recommendation of the Planning Commission at its meeting listed below. City Council will make the final decision in this matter.

**Property Owner/Petitioner:**

Property Catalyst Group, Inc., applicant  
Layman Candy Company, Inc., property owner

**Location of Property:**

23 Dalewood Avenue (Tax Map #77-3-12)

**Purpose of Request:**

For rezoning the property located at 23 Dalewood Avenue (Tax Map #77-3-12) from HBD Highway Business District with proffered conditions, to HBD Highway Business District.

The date, time, and place of the public hearing scheduled by the Planning Commission on this request are as follows:

**WEDNESDAY, JULY 14, 2021 – 7 P.M.  
COUNCIL CHAMBERS OF CITY HALL  
114 NORTH BROAD STREET, SALEM, VIRGINIA**

The date, time, and place of the public hearing scheduled by City Council on this request are as follows:

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114 NORTH BROAD STREET, SALEM, VIRGINIA**

Additional information on this request may be obtained in the Community Development Department, 21 South Bruffey Street, Salem, Virginia or at (540) 375-3032.

James E. Taliaferro, II  
Executive Secretary  
Planning Commission

# PETITION FOR SPECIAL EXCEPTION PERMIT

## *City of Salem Department of Community Development*

Benjamin W. Tripp, AICP - City Planner

Email: [btripp@salemva.gov](mailto:btripp@salemva.gov)

Telephone: 540-375-3032

1. Applicant(s):

Property Catalyst Group, Inc.

2. Legal Owner(s) of property wherein special exception is to be conducted:

Layman Candy Company, Inc.

George W. Givens, Jr. & Susan K. Givens

3. Location of Property:

Address: 1637 & 1641 East Main Street and 11, 15 & 23 Dalewood Avenue

Subdivision: LAKEVIEW & RUTH LAFFOON

Official Tax Map Number: 77-3-12, 77-3-13, 77-3-14, 77-3-15, & 77-3-16

4. Characteristics of Property:

Size (Acreage): 1.972 Acres

Deed Restrictions: None Known

Present Use: Dilapidated rental housing and vacant former retail

Present Zoning Classification: LM, Light Manufacturing (Rezoning Request Submitted) & HBD, Highway Business

Land Use Plan Designation: Current - Commercial, SF Res & Industrial, Future - SF Res & Commercial

5. Proposed use of property: See Narrative

6. Agent(s) or representative(s) of property owner(s): (Specify interest)


Benjamin Crew - Balzer & Associates

Mailing Address: 1208 Corporate Circle, Roanoke, VA 24018

Telephone Number: 540-772-9580

7. Affidavit:

- A. The undersigned person(s) certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Applicant Signature:  Date: 6/1/2021

Applicant Interest in Property: Developer

Applicant Mailing Address: 133 Kirk Avenue SW, Roanoke, VA 24011

Applicant Telephone Number: 540-491-9988

Owner Signature: \_\_\_\_\_ Date: 6/1/2021

Owner Interest in Property: Owner of Record

Owner Mailing Address: \_\_\_\_\_

Owner Telephone Number: \_\_\_\_\_

# PETITION FOR SPECIAL EXCEPTION PERMIT

## City of Salem Department of Community Development

Benjamin W. Tripp, AICP - City Planner

Email: [btripp@salemva.gov](mailto:btripp@salemva.gov)

Telephone: 540-375-3032

1. Applicant(s):

Property Catalyst Group, Inc.

2. Legal Owner(s) of property wherein special exception is to be conducted:

Layman Candy Company, Inc.

George W. Givens, Jr. & Susan K. Givens

3. Location of Property:

Address: 1637 & 1641 East Main Street and 11, 15 & 23 Dalewood Avenue

Subdivision: LAKEVIEW & RUTH LAFFOON

Official Tax Map Number: 77-3-12, 77-3-13, 77-3-14, 77-3-15, & 77-3-16

4. Characteristics of Property:

Size (Acreage): 1.972 Acres

Deed Restrictions: None Known

Present Use: Dilapidated rental housing and vacant former retail

Present Zoning Classification: LM, Light Manufacturing (Rezoning Request Submitted) & HBD, Highway Business

Land Use Plan Designation: Current - Commercial, SF Res & Industrial, Future - SF Res & Commercial

5. Proposed use of property: See Narrative

6. Agent(s) or representative(s) of property owner(s): (Specify interest)

Benjamin Crew - Balzer & Associates

Mailing Address: 1208 Corporate Circle, Roanoke, VA 24018

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7. Affidavit:

- A. The undersigned person(s) certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Applicant Signature: \_\_\_\_\_ Date: 6/1/2021

Applicant Interest in Property: Developer

Applicant Mailing Address: 133 Kirk Avenue SW, Roanoke, VA 24011

Applicant Telephone Number: 540-491-9988

Owner Signature: *Judy N. Ross, President* Date: 6/1/2021

Owner Interest in Property: Owner of Record

Owner Mailing Address: *P.O. Box 1015*

Owner Telephone Number: *540-389-2000*

*1630 West Main St Salem Va 24152*



# PETITION FOR SPECIAL EXCEPTION PERMIT

## City of Salem Department of Community Development

Benjamin W. Tripp, AICP - City Planner

Email:

Telephone: 540-375-3032

1. Applicant(s):

Property Catalyst Group, Inc.

2. Legal Owner(s) of property wherein special exception is to be conducted:

Layman Candy Company, Inc.

George W. Givens, Jr. & Susan K. Givens

3. Location of Property:

Address: 1637 & 1641 East Main Street and 11, 15 & 23 Dalewood Avenue

Subdivision: LAKEVIEW & RUTH LAFFOON

Official Tax Map Number: 77-3-12, 77-3-13, 77-3-14, 77-3-15, & 77-3-16

4. Characteristics of Property:

Size (Acreage): 1.972 Acres

Deed Restrictions: None Known

Present Use: Dilapidated rental housing and vacant former retail

Present Zoning Classification: LM, Light Manufacturing (Rezoning Request Submitted) & HBD, Highway Business

Land Use Plan Designation: Current - Commercial, SF Res & Industrial, Future - SF Res & Commercial

5. Proposed use of property: See Narrative

6. Agent(s) or representative(s) of property owner(s): (Specify Interest)

Benjamin Crew - Balzer & Associates

Mailing Address: 1208 Corporate Circle, Roanoke, VA 24018

Telephone Number: 540-772-9580

7. Affidavit:

- A. The undersigned person(s) certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Applicant Signature: \_\_\_\_\_ Date: 6/1/2021

Applicant Interest in Property: Developer

Applicant Mailing Address: 133 Kirk Avenue SW, Roanoke, VA 24011

Applicant Telephone Number: 540-491-9988

Owner Signature: [Signature] Date: 6/1/2021

Owner Interest in Property: Owner of Record

Owner Mailing Address: 1320 Saint Jude St. Salem, VA 24153

Owner Telephone Number: 540-389-1293 (H) 540-819-1057 (C)



June 24, 2021

Property Catalyst Group, Inc.  
133 Kirk Avenue S.W.  
Roanoke, Virginia 24011

Mr. George and Mrs. Susan Givens  
1320 Saint Jude Street  
Salem, Virginia 24153

Layman Candy Company, Inc.  
P. O. Box 1015  
Salem, Virginia 24153

RE: Special Exception Permit Request  
1637 East Main Street, Tax Map # 77-3-13, 1641-1647 East Main Street, Tax Map #  
77-3-16, 11, 15, & 23 Dalewood Avenue, Tax Map #'s 77-3-15, 77-3-14, and 77-3-12

Dear Mr. Thompson, Ms. Ross, and Mr. and Mrs. Givens:

You and/or your agent shall appear before the Planning Commission on:

**Wednesday, July 14, 2021  
at 7:00 p.m. in**

**Council Chambers, City Hall,  
114 North Broad Street**

**AND**

Salem City Council on:

**Monday, July 26, 2021, at 6:30 p.m. in**

**Council Chambers, City Hall,  
114 North Broad Street**

for consideration of your request for a special exception permit to allow personal storage on the properties located at 1637 East Main Street, Tax Map # 77-3-13, 1641-1647 East Main Street, Tax Map # 77-3-16, 11, 15, & 23 Dalewood Avenue, Tax Map #'s 77-3-15, 77-3-14, and 77-3-12.

If you have any questions regarding this matter, please contact our office at (540) 375-3032.

Sincerely,

Mary Ellen H. Wines, CZA CFM  
Zoning Administrator



**IMPORTANT NOTICE OF PUBLIC HEARINGS  
PROPOSAL TO CHANGE USE**

Notice is hereby given that a request of the property owner/petitioner of the property described below has been filed with the City of Salem. The Planning Commission of the City of Salem will consider this request at its meeting listed below and make a recommendation to the City Council. The City Council of the City of Salem will also consider this request and the recommendation of the Planning Commission at its meeting listed below. City Council will make the final decision in this matter.

**Property Owners/Petitioners:**

Property Catalyst Group, Inc., applicant  
Layman Candy Company, Inc., property owner  
George W. Givens, Jr. and Susan K. Givens, property owners

**Location of Properties:**

1637 East Main Street (Tax Map #77-3-13)  
1641-1647 East Main Street (Tax Map # 77-3-16)  
11 Dalewood Avenue (Tax Map # 77-3-15)  
15 Dalewood Avenue (Tax Map # 77-3-14)  
23 Dalewood Avenue (Tax Map # 77-3-12)

**Purpose of Request:**

For the issuance of a Special Exception Permit to allow personal storage on the properties located at 1637 & 1641-1647 East Main Street, and 11, 15, & 23 Dalewood Avenue (Tax Map #s 77-3-13, 77-3-16, 77-3-15, 77-3-14, and 77-3-12).

The date, time, and place of the public hearing scheduled by the Planning Commission on this request are as follows:

**WEDNESDAY, JULY 14, 2021 – 7 P.M.  
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James E. Taliaferro, II  
Executive Secretary, Planning Commission