

Planning Commission Meeting MINUTES

Wednesday, August 11, 2021, 7:00 PM

**Work Session, 6:00PM Council Chambers Conference Room
Regular Session, 7:00PM Council Chambers**

WORK SESSION

1. Call to Order

A work session of the Planning Commission of the City of Salem, Virginia, was held in Council Chambers Conference Room, City Hall, 114 North Broad Street, at 6:00 p.m., on August 11, 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; Charles E. Van Allman, Jr., Director of Community Development, Mary Ellen Wines, Zoning Administrator; Benjamin W. Tripp, City Planner; and Christopher Dadek on behalf of City Attorney Jim H. Guynn, Jr.; and the following business was transacted:

Whereas Chair Daulton called the meeting to order at 6:05 p.m. and reported that this date, place, and time had been set in order for the Commission to hold a work session; and

Whereas Mr. Tripp discussed the change in format of the agenda; and

Whereas a discussion was held regarding moving item 4E to 4A; and

Whereas Vice-Chair King stated that there was an error on page 2 of the minutes of the July 14, 2021, regular session. Susan Menece should be spelled Susan Mini; and

Whereas Mr. Tripp acknowledge the presence of Mrs. Anne-Marie Green at the work session; and

2. New Business

A. Discussion item from the September meeting

Rezoning of 405 Kimball Avenue, Tax Map # 235-1-2 from RMF, Residential Multi-Family District with condition to RMF, Residential Multi-Family District without conditions.

Whereas Mr. Tripp introduced an item scheduled for the September regular session meeting. 405 Kimball Avenue rezoning to remove the condition that the only use allowed is that of a human care facility. He explained that the contract purchasers would like to build townhomes; and

B. Discussion items from the August Meeting

Discussion of items from the August 11, 2021, regular session agenda.

Whereas Mr. Tripp introduced the Apperson Drive rezoning item explaining that neighbors from the City of Roanoke planned to appear at the meeting tonight to discuss traffic issues and truck access. Commissioner Conner asked if staff had a recommendation regarding this item. Mr. Tripp replied that staff would recommend approval. That Mr. Light and the Economic Development Office had been working with the contract purchasers for some time trying to find a suitable location for their expansion; and

Whereas Mr. Tripp introduced the North Broad Street rezoning item explaining that the College wanted to rezone a portion of the property to allow for the construction of a residential single-family dwelling. He further explained that it is not known at this time if the College would build and use for faculty or sell the lot. Ms. Wines clarified that the buffer yard between the existing parking lot and the vacant lot would remain; and

Whereas Mr. Tripp introduced the Village at North Mill Phase Four item explaining that the first plat with the red markings was the preliminary plat that staff comments on and returns to the engineers for correction and that the second plat with no markings is the final plat. He further explained that both the plat and the plan have been through staff review and have been approved; and

Whereas Mr. Tripp introduced the Calhoun Townhomes item explaining that an update plat was sent noting that the adjacent alley was now shown as an eighteen-foot alley and not a public alley due to the indeterminate ownership of the alley. Ms. Wines explained that the facades facing Calhoun are actually the rear of the townhomes but will appear, from the street, as front facades. Chair Daulton inquired if there would be driveways onto Calhoun and Ms. Wines responded that there would be no individual driveways onto a right-of-way that there will be one access onto Calhoun and one on Chestnut; and

Whereas Mr. Tripp introduced the 401 South Market Street item stating that this history of this property makes it a good candidate for the Historic Register and that it also is a good contender for the State and National Registers as well. Ms. Wines explained that there is a condition on the property that it would be used for only a masonic temple and that would have to be removed prior to the petitioners making any changes to the property; and

3. Adjournment

Whereas Chair Daulton inquired if there were any other items for discussion and hearing none, adjourned the work session at 6:46 p.m.

REGULAR SESSION

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 Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia, at 7:00 p.m., on August 11, 2021. Notice of such hearing was published in the July 19 and August 5, 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 Christopher Dadek on behalf of Jim H. Guynn, Jr., City Attorney; Assistant City Attorney; Rob Light, Assistant City Manager; Charles E. Van Allman, Jr., Director of Community Development; 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 7:00 p.m.

2. Pledge of Allegiance

3. Consent Agenda

A. Minutes

Consider acceptance of the minutes from the July 14, 2021, work session and regular meeting.

Denise King motioned acceptance of minutes from the July 14, 2021, work session and regular meeting as amended. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

4. New Business

Jackson Beamer motioned to move Item 4E to 4A. Reid Garst seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

A. Salem Historic Registry

Consider petition from JASS Properties, Inc., for inclusion in the Salem Historic Registry of the property located at 401 South Market Street (Tax Map # 145-10-2). Staff noted the following:

This building was originally erected in 1918 for Dr. William Rufus Brown, an important figure in Salem's African American Water Street community, and the town's only African American doctor at the time. Dr. Brown was also an active member of the John Wesley Methodist Church, the NAACP, YMCA, and the Salem/Roanoke County Civic League. He also helped to build Carver High School.

The building later served as "Mae's Inn," a prominent restaurant in Salem's then segregated African American community owned by Ethel May Myers Whitfield. After the restaurant was sold in the late 1950s it became a Masonic lodge (Salem Lodge 120).

On June 17, 2021, the Virginia Department of Historic Resources deemed this property to be eligible for nomination to the National Register of Historic Places and the Virginia Landmarks Register.

This property meets Criteria B and D for inclusion on the registry. Staff recommends approval.

Shirley Everette, 1239 Wildwood Road, Salem, appeared before the Commission to speak on behalf of the request; she handed the Commission a presentation on the property. She stated that the history came to light with the support of Mike Pulice, Mike Stevens, Benjamin Tripp, Francine Ferguson, John Long, Benita VanCleave, clerk in the Real Estate Office, and the trustees of the Masonic Lodge. The building originally served as an apartment building for Dr. William Rufus Brown who died in 1964. Dr. Brown came to Salem after migrating from Trinidad in 1911 as a physician. Mrs. Everette stated that she and her twin sister lived in the building when they first came to Salem. She went on to discuss more history of the structure and shared photos with the Commission.

Neil Conner motioned to approve petition from JASS Properties, Inc., for inclusion in the Salem historic Registry of the property located at 401 South Market Street (Tax Map #145-10-2). Denise King seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

B. Amendment to the Zoning Ordinance

Hold public hearing to consider the request of Layman Candy Company, Inc., contract purchasers, and Lewis-Gale Medical Center, LLC, property owner, for rezoning a portion of the property located at 2105 Apperson Drive (Tax Map # 281-1-2) from BCD Business Commerce District to LM Light Manufacturing District. Staff noted the following:

The subject property consists of a single parcel of approximately 9.4 acres, located along the north side of Apperson Drive, adjacent to the Eastern City Limits. It is occupied by a single large building that was part of the original shopping center, but which was most recently used as offices, a technical college, and as storage. This building is being subdivided off separately, so the request only applies to it.

The owner of the property is requesting that the large building and its tract be rezoned to Light Manufacturing in order to allow the relocation and growth of their warehousing and distribution business. The applicant states that this new location will enable them to add product lines, increase sales significantly, and that they intend to add one hundred new employees in the next five years as they grow. Staff recommends approval.

Ben Crew with Balzer and Associates, 1208 Corporate Circle, Roanoke, appeared before the Commission on behalf of Layman Candy Company. He noted that Glenn Bowe, Vice President of Layman Candy Company was also present. He stated that it is an exciting time for Layman Candy Company and the rezoning will allow them to relocate the business from West Main Street to this currently vacant and larger facility off of Apperson Drive. The relocation will also allow the company to work on the growth projection for the next five years, which are outlined in the narrative provided with the request.

A discussion was held regarding tractor trailer/truck traffic to and from the site--tractor trailers deliver goods, box trucks then distribute goods. Number varies, but possibly ten trucks a day typically more in the early morning.

Glenn Bowe, Vice President of Layman Candy Company, 1630 West Main Street, Salem, appeared before the Commission to help explain truck traffic, egress, etc. with Ben Crew.

A discussion was held regarding the travel path for the trucks--the standard is for all truck traffic to use the signalized intersection, which is a controlled access point. Trucks will then go to the back of the building to the loading docks where the majority of the trucks will be located to do unloading and reloading. It was noted that employees will park in the front of the building; there are two main shifts of employees--7 a.m. to 4 p.m. is the main shift and a shift that comes in at 6 a.m. and works until finished. Initially there will be less than 50 employees working at one time. It was also noted that the way the property is being subdivided there will be a property owners' association and it will have cross access easements to ensure that the main parcel and all out parcels are covered from an access and maintenance standpoint.

The Director of Community Development noted that there are more conflict points on West Main Street where you can have traffic problems in addition to overflow traffic from Interstate 81 compared to Apperson Drive where it is a clear intersection with less conflict points.

Bill Turner, 1302 Belle Aire Lane, Roanoke, VA, appeared before the Commission and stated that his property is in the City of Roanoke, but it overlooks the property. He

stated that he has lived here for almost three years and the main shopping center has been vacant, but Lewis Gale Hospital has been a very good neighbor. He reviewed the history of the businesses that he remembers being in the property over the years. He stated that the notice that was sent out stated that the address of the property is 2105 Apperson Drive and he drove down the property and could not find that address on the main shopping center building. He stated that 2105 Apperson Drive is located on what he considers a "strip mall" perpendicular to Wendy's, which is not large enough to house a candy store much less a distribution center. He spoke with the Zoning Administrator regarding the address issue, and the truck traffic to the property. He stated that he is concerned about the truck traffic coming to and from the property. He further stated that he received a call from Sergeant Beard with the Salem Police Department regarding the truck traffic to and from the property. The concerns he addressed with Sergeant Beard were regarding trucks entering the property by the former Sakura Restaurant, site distance, truck traffic blocking the entrance to Wendy's, truck traffic going in front of the Small Steps Day Care Center, etc. He stated that there is another entrance, but it is privately owned.

Chair Daulton asked that Mr. Crew and Mr. Bowe address Mr. Turner's concerns.

A discussion was held regarding the address issue of the notice. It was noted that the description of the property to be rezoned is noted by the meets and bounds of what is being rezoned. It was further noted that the address listed is the "master" number of the tax parcel.

Jeff Cheater, 1305 Belle Aire Lane, Roanoke, appeared before the Commission. He stated that he looked the property up and there are four buildings on the property with the same parcel number. He questioned what building on the property is being rezoned.

The Zoning Administrator stated that the building in the back, which is the one requesting the rezoning, will be subdivided into its own tax parcel at a later date.

Mr. Cheater stated that he feels that the truck traffic should have been addressed in the initial presentation.

Chair Daulton stated that is why the Commission asked specific questions regarding the truck traffic.

Chair Daulton again asked Mr. Crew and Mr. Bowe to address the traffic concerns.

Mr. Crew stated that Lewis-Gale is the seller and does not have any concerns with there being a conflict of users; therefore, he does not see there is a concern. It was noted that Lewis-Gale is also a landlord to other businesses located on the parcel. He stated that the majority of the truck traffic should be dissipated by 8 a.m. and there will not be a multitude of tractor trailers coming to and from the property, it will be approximately ten in-bound tractor trailers a day; one out-bound tractor trailer a day going to North Carolina, and ten plus or minus box trucks per day for "regional" delivery. He further stated that he feels that the businesses will be able to work together. The Virginia Varsity Storage access is private and is not connected to the development. He noted that

it is a standard operational procedure by Layman Candy Company that truck traffic is to use a signalized intersection to access the property.

A discussion was held regarding tractor trailer and truck traffic loading, unloading and turning radius in the back of the building, and the number of vehicles coming and going from the property. The location of truck traffic near the daycare center--it was noted that there is a designated turn-in area for the daycare; therefore, the truck traffic will not be near the children. It was further noted that the actual route the truck traffic will take on the property has yet to be determined.

No other person(s) appeared related to the request.

Jackson Beamer motioned to approve request of Layman Candy Company, Inc., contract purchasers, and Lewis-Gale Medical Center, LLC, property owner, for rezoning a portion of the property located at 2105 Apperson Drive (Tax Map #281-1-20) from BCD Business Commerce District to LM Light Manufacturing District. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

C. Amendment to the Zoning Ordinance

Hold public hearing to consider the request of Roanoke College Trustees, property owner, for rezoning a portion of the property located at 232 North Broad Street (Tax Map # 87-7-7), from CUD College and University District to RSF Residential Single-Family District.

Staff noted the following: The subject property consists of a single parcel of approximately one acre located along the east side of North Broad Street, across the street from Shipman Alley. The use of the property divides roughly in half: it is occupied by a parking facility, accessed from Red Lane, on the eastern half, but is vacant on the half fronting on Broad Street.

The applicant is proposing to subdivide off about one-third of the property along North Broad Street and is requesting that this portion be rezoned to Residential Single Family in order to allow the construction of a new single-family residence. Staff recommends approval.

Ben Crew, Balzer and Associates, 1208 Corporate Circle, Roanoke, VA 24018, appeared before the Commission on behalf of Roanoke College. He noted that David Moen, Vice President of Business Affairs at Roanoke College, was also present. He stated that Roanoke College feels this property is "surplus" and would like to have the property rezoned as it is the best use for the parcel. He noted that Roanoke College does not have immediate plans to sell the property, but it may come on the market in the future.

It was noted that the residents who inquired about the rezoning were in favor of the rezoning once they found out it was for residential single family.

No other person(s) appeared related to the request.

Denise King motioned to approve the request of Roanoke College Trustees, property owner, for rezoning a portion of the property located at 232 North Broad Street (Tax Map #87-7-7) from CUD College and University District to RSF Residential Single-Family District. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

D. The Village at North Mill Phase Four

Consider the request for preliminary and final approval of proposed subdivision plan and plat filed by RFC2017 Land, LLC, property owner/developer, for a 7.767-acre tract known as The Village at North Mill Phase Four.

Staff noted the following: This plat would create seven new lots in phase 4 of the Village at North Mill. These lots are an extension of Woodside Drive, with a remnant lot to be included in a future phase.

This plat meets the City of Salem Subdivision Ordinance, and the Subdivision Plan has been approved by staff. Staff recommends approval.

Reid Garst motioned to approve the request for preliminary and final approval of proposed subdivision plan and plat filed by RFC2017 Land, LLC, property owner/developer, for a 7.767-acre trace known as The Village at North Mill Phase Four. Denise King seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

E. Calhoun Townhomes

Consider the request for preliminary and final approval of proposed subdivision plan and plat filed by Virginia Valley Properties, LLC, property owner/developer, for a 0.72-acre tract known as the Calhoun Townhomes.

Staff noted the following: This plat would create seven (7) new lots (6 townhomes, 1 common area lot) for the Calhoun Townhomes. Parking will be at the rear of the townhomes to include garages. The stormwater management area will be located within the common area lot.

This plat meets the City of Salem Subdivision Ordinance, and the Subdivision Plan has been approved by staff. Staff recommends approval.

The City Planner noted that the alley behind the property has changed from a designation of an 18-foot public alley on the preliminary plat to 18-foot alley on the final plat.

Neil Conner motioned to approve the request for preliminary and final approval of proposed subdivision plan and plat filed by Virginia Valley Properties, LLC, property owner/developer, for a 0.72-acre tract known as the Calhoun Townhomes. Jackson Beamer seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

5. Adjournment

On motion by Jackson Beamer seconded by Neil Conner and duly carried, Chair Daulton adjourned at 8:21 p.m.

Ayes: Beamer, Conner, Daulton, Garst, King

City Council meeting, August 23, 2021, 6:30 p.m.
Council Chambers, City Hall, 114 North Broad Street