



PLANNING COMMISSION

MINUTES

Wednesday, April 16, 2025, at 7:00 PM

Work Session, 6:00 PM, Council Chambers Conference Room, City Hall,
114 North Broad Street, Salem, Virginia 24153

Regular Session, 7:00 PM, City Hall, 114 North Broad Street, Salem, Virginia 24153

WORK SESSION

1. Call to Order

A work session meeting of the Planning Commission of the City of Salem, Virginia, was held in the Council Chambers Conference Room, City Hall, 114 North Broad Street, at 6:00 p.m., on Wednesday, April 16, 2025, there being present the following members of said Commission, to wit: Denise P. King, Reid Garst, Jackson Beamer, Mark Henrickson, and Nathan Routt, constituting a legal quorum, with Chair King, presiding; together with Christopher J. Dorsey, City Manager and Executive Secretary, and H. Robert Light, Assistant City Manager and Deputy Executive Secretary, ex officio members of said Commission; Charles E. Van Allman, Jr., Director of Community Development; Mary Ellen Wines, Planning & Zoning Administrator; Maxwell S. Dillon, Planner, Melissa Wickham, Administrative Assistant, and Jim H. Guynn, Jr., City Attorney; and the following business was transacted:

Chair King reported that this date, place, and time had been set in order for the Commission to hold a work session.

The work session meeting was called to order at 6:00 p.m.

2. New Business

- A. 220 Brand Avenue Rezoning
- B. Brand Avenue Townhouse
- C. Comprehensive Plan Update

Item 2.A. Staff noted that a rezoning request was submitted by Gwynn Properties LLC to rezone the property located at 220 Brand Avenue from HBD with conditions to HBD without conditions and a discussion was held.

Item 2.B. Staff noted that a continuance had been requested from Riverland Oaks, LLC for the Brand Avenue Townhouse development to the May 14, 2025, Planning Commission meeting.

Item 2.C. Staff updated the commission on the current review of the comprehensive plan.

3. Adjournment

Chair King adjourned at 6:52 p.m.

REGULAR SESSION

1. Call to Order

The regular meeting of the Planning Commission of the City of Salem, Virginia, was called to order at 7:00 p.m. on Wednesday, April 16, 2025, in the Council Chambers of City Hall, 114 North Broad Street. Present were Chair Denise P. King, Vice-Chair Reid Garst, Commissioners Jackson Beamer, Mark Henrickson, and Nathan Routt, constituting a legal quorum. Chair King presided.

Also present were Christopher J. Dorsey, City Manager and Executive Secretary; H. Robert Light, Assistant City Manager and Deputy Executive Secretary; Charles E. Van Allman, Jr., Director of Community Development; Mary Ellen Wines, Planning & Zoning Administrator; Maxwell S. Dillon, Planner; Lisa D. Browning, Codes Compliance Investigator; and Jim H. Gynn, Jr., City Attorney.

Chair King noted that the meeting was properly advertised in the *Salem Times Register* and convened as scheduled.

A. Pledge of Allegiance

2. Consent Agenda

A. Minutes

- 1) Consider acceptance of the minutes from the March 12, 2025, work session and regular meeting.

Commissioner Henrickson noted a correction on Page 21 of the packet regarding a subdivision builder's name. The minutes incorrectly listed "NVR Bryant" and should be amended to "Ryan Homes."

Chair King confirmed no further corrections were raised and accepted the minutes as corrected.

3. New Business

A. **Amendment to the Zoning Ordinance**

Hold a public hearing and consider the request of Gwynn Properties, LLC, contract purchaser, to rezone the property located at 220 Brand Avenue (T/M# 74-2-8) from HBD Highway Business District with conditions to HBD Highway Business District.

Chair King opened the public hearing at 7:03 p.m. and asked for the applicant to present their request. They need to state their name and address for the record.

Ms. Edna Gwynn of 3491 Basin Road, Mebane, North Carolina, addressed the Commission. Ms. Gwynn, owner of Above & Beyond Mental Health Services, currently operates a location in Danville, Virginia. She intends to open a second office in Salem, providing services such as addiction counseling, marriage counseling, and psychiatric therapy.

Ms. Gwynn confirmed she would utilize the existing building with interior renovations only and has no plans for development in the grassy area behind the structure. She also intends to install a 6' privacy fence along Carey Avenue.

Mr. Keith Dalton, Realtor for the property, confirmed that the fence would front Carey Avenue only, not extend to adjacent property lines.

Chair King stated that each speaker would have 3 minutes to speak, and the clock is sitting right there so they can keep an eye on where they are in relationship to those 3 minutes. She asked if anyone would like to speak about this item to please come forward. They need their name and address.

Mr. Kenneth Griggs of 145 Carey Avenue addressed the Commission and stated he lives right behind the property that is being talked about. His main concern is what are they going to do about the water situation there. He stated that he has been asking the City for over 32 years to come in and fix that water problem. Behind his house and on the property, Ms. Gwynn wants to buy, it floods badly. The water is not even 10' from his house coming in and goes all the way around his property. He is circled from it. He stated that something needs to be done about the water situation on that property.

Mr. Phillip Bland at 312 Carey Avenue addressed the Commission and stated his concern is the same as Mr. Griggs. He wanted to elaborate a little more. The water that is continually coming down is surface water runoff every time there is heavy rain. Most people here are probably aware of it. Not only does it flood Mr. Griggs property and around there, it floods across the street to the residences over there. They have talked about this before and nothing has been done about it. This is a situation that was the result of the extension of Harrison Avenue. Natural run-off used to go across to what is now VDOT and down through there into the creek. They blocked that off. They also constructed a main sewer line from Harrison Avenue down and connected onto the main sewer on Carey. They created an open culvert that takes all that water from the north end of Carey Avenue and the north end of Brand Avenue. It filters downhill into the lot that she is purchasing. He does not have a problem with any of that as long as it is resolved prior to making any developments on that land. It has to be resolved. It should be resolved whether there are developments or not. His neighbors get flooded all the time. He does not. He is higher but he has great neighbors. Mr. Griggs is not the only one that lives on an island until that water evaporates. This is a situation that the City developed years ago, and they just keep kicking the can down the road as they continue developing. There is nothing really effective that has been done to take care of it.

Chair King asked Ms. Gwynn up to the podium to clarify some information. Chair King asked if she was correct from the application that Ms. Gwynn was not developing this land, and she intends to use the building already in existence with some potential changes to the inside of the building.

Ms. Gwynn confirmed that is correct.

Chair King asked if Ms. Gwynn has any plans whatsoever at this time for anything in the grassy area behind the building.

Ms. Gwynn answered no. They are actually going to put a privacy fence in the back.

Commissioner Henrickson asked if she could elaborate on that a little.

Ms. Gwynn answered that there is a neighborhood behind the building. They are planning on putting a 6' privacy fence to separate it from the neighborhood.

Vice-Chair Garst inquired if it would be at the parking lot.

Ms. Gwynn stated no. Where the chain link fence is now, they would replace that with the privacy fence.

Chair King asked just to verify if the privacy fence was actually going to front Carey Avenue rather than Brand Avenue.

Ms. Gwynn stated yes.

Chair King asked if anyone else had questions for Ms. Gwynn.

Commissioner Beamer asked if she was going to just run it up the side or just at Carey Avenue.

Mr. Keith Dalton, Realtor of 817 Craig Avenue, one block away from this property, addressed the Commission and stated that right now their plans are for the fence to front just Carey Avenue. He had not even talked to them about going up the side to the adjoining property. Right now, just Carey Avenue was the only thing they had talked about.

Chair King stated she noted when she was on-site at the property that there was a fence along what would be the southerly border of that property.

Mr. Dalton asked if that was the one with the double gate.

Commissioner Beamer said no. The double gate was what they call the east side.

Mr. Dalton stated on the north side there was none, and he could not understand why, but there was nothing beside it.

Chair King stated that it is heavily timbered and with brush. Mr. Dalton asked if this is what they refer to as a natural fence. Chair King confirmed yes.

Mr. Dalton confirmed that on the east side, they have not talked about getting anything done on that. They have talked about just the Carey Avenue side for now.

Vice-Chair Garst asked for clarification that no drugs would be distributed here. He asked if this was all mental health therapy.

Ms. Gwynn confirmed there would be no drugs. They are licensed by DMAS with the State of Virginia. She has been licensed since 2019, and she is a licensed mental health therapist.

Commissioner Beamer stated he was very familiar with where Mebane and Danville are. He asked if she lived in Mebane.

Ms. Gwynn stated that she does live in Mebane.

Commissioner Beamer asked if she works in Danville.

Ms. Gwynn stated that her husband is from Danville, Virginia and that is why she ended up on this side of the country. She grew up in Florida but married someone from Danville.

Commissioner Beamer asked if she was going to work in Salem some.

Ms. Gwynn stated that no. She would be here in the summer if she gets approval to get this started, but she would not live in Salem. She has little children in school.

Commissioner Henrickson asked how many employees she would figure to have in that facility.

Ms. Gwynn answered typically when they have groups, only 12. It is a State-run program, so they have guidelines. When they have groups, every group of 12 gets 5 employees. If they decide to do a second group, it would be another 5 employees. It is all State guideline regulated.

Chair King asked what her hours of operation would be.

Ms. Gwynn answered 9-5, Monday through Friday.

Commissioner Beamer asked if this was for children or adults or everyone.

Ms. Gwynn stated she is licensed for adults. She is not licensed for children.

Commissioner Beamer asked if 18 and up.

Ms. Gwynn stated yes.

Commissioner Beamer asked how many she anticipated might be on-site, staff and patients, at any time.

Ms. Gwynn stated probably 25 at the most. That would probably be at least 6 staff because they do have a secretary and a security person.

Commissioner Beamer responded by asking does that put it at 31.

Ms. Gwynn stated no. She runs it every day. The one she has now, they probably had 23 people on-site today and that includes employees and staff.

Chair King asked if there were any other questions. She asked Charles Van Allman if he could shed any light on the water management situation as head of the Community Development Department.

Mr. Van Allman stated that the citizens on Carey Avenue are correct in saying there are water issues up there. The City is looking at possibilities to alleviate those problems. There are a lot of technical issues regarding the curvature of the road and how deep the sewer is going to be. They are looking at a way of getting some of the water out of there. They are in the initial stages, and he really cannot comment any further on what is going to be done exactly, but they have started planning stages to try to do something to help up there.

Chair King asked if there was anyone else to speak.

Richard Smith of 208 Brand Avenue addressed the Commission and stated he owns the property beside this establishment. He asked if they had decided that they were going to be 9 to 5, no overnight stays and nobody on the premises after hours.

Ms. Gwynn confirmed.

Mr. Smith stated that his biggest concern was the neighborhood behind him. He has become friends with most of these neighbors and they watch his property. They have had break-ins, and they have seen people and so forth. His other question was were they changing the zoning to accommodate the medical part of this or what was the zoning change actually doing.

Ms. Wines stated that originally, when the property was rezoned, there was a condition placed on the property that said it would be used for a union hall and union hall office only, so that is all that can be there. If they want to use the property for any other purpose, they have to remove that condition. That is what they are asking for tonight is to remove the condition. The zoning stays the same, so whatever is allowed in the HBD Highway Business District by right would be allowed at that location.

Mr. Smith stated he had noticed that everything down through there had a different type of highway business tag on it. His property is actually zoned single-family business, and he had never heard of that. That was his biggest concern. He asked for confirmation that they have a privacy fence they are going to put up. The gentleman that spoke about the water in his backyard, if he was him, he would say you have to do more than 6' because he is on the bottom, and they are above him so he can see everything. That is something they can work out, but the water condition is definitely an issue. They did not notice that one of the things that is cheap and quick and would not cost a lot is a pumping station. It is a 4" line over to the next street. It would empty it out in about an hour. His main concern was that there are no overnight stays because there are a lot of small children on that street. He asked if they had contracts with certain agencies.

Ms. Gwynn stated no.

Mr. Smith stated that was the other thing. When they start making contracts with government issues, they get people in there that they really do not want to have. That would be a concern of his. He stated that was really the only thing he had other than the overnight stays.

Chair King asked if anyone else wanted to speak on this tonight.

Commissioner Beamer asked if all three of the speakers' properties were toward Main Street from this property.

Chair King stated they are all on Carey Avenue.

Chair King inquired if anyone else wanted to speak on the matter and hearing none closed the public hearing at 7:17 p.m.

She asked if the members of the Commission had any questions.

Chair King stated that she thinks they have clarified that there is not going to be development on this property. She wants to make sure that everyone understands that and that their request is to remove the condition that was made. Chair King stated she would entertain a motion.

Commissioner Henrickson stated that he believed all the questions that they had were answered. They have heard and, hopefully, the City can somehow take care of this water issue. He did not think that concerned why they were there which was to remove one condition, so he made a motion to go ahead and remove the condition and that the property be rezoned HBD Highway Business District. The motion was seconded by Mr. Beamer.

Chair King asked for a roll call vote:

Mr. Routt - Aye
Mr. Henrickson - Aye
Mr. Beamer - Aye
Mr. Garst - Aye
Chair King - Aye

Chair King explained that the Planning Commission is a research and recommending body to the City Council. This matter has been approved with a 5-0 vote and will now go to City Council. Attendees will need to appear at the City Council meeting when this is on their Agenda. They will be notified of the time and date once it has been placed on their Agenda. For those of the public, everything will appear in the Salem Times Register or the Roanoke Times, as well as the website for the City of Salem.

B. Amendment to the Zoning Ordinance

Hold public hearing and consider the request of Riverland Oaks, LLC, property owner, to rezone the property located at 19 Carey Avenue (T/M# 83-1-11) from RSF Residential Single-Family District to RB Residential Business District with proffered conditions. **The petitioner has requested to continue this item to the May 14, 2025, meeting.**

Chair King asked if there was anyone present to speak on behalf of the applicant.

Patrick Snead of 302 Live Oak Court, Salem addressed the Commission and officially requested a continuance to the May 14, 2025, Planning Commission meeting.

Chair King asked if he wanted to share the reason for the continuation.

Mr. Snead stated that they have been having conversations with the City regarding some of the concerns of the neighborhood. They had a meeting yesterday and they thought it was a little too close to today's meeting and needed to see how that conversation went. They just need a little bit more time.

Chair King asked for clarification that they are requesting to have it continued until the May meeting.

Mr. Snead stated yes.

Chair King asked for a motion.

Commissioner Henrickson asked if it would be okay if anyone present tonight wished to speak on this matter.

Chair King stated no because he had requested a continuation.

Chair King asked for a motion. Mr. Garst so moved, and Mr. Routt seconded. Chair King asked for a roll call vote:

Mr. Routt - Aye
Mr. Henrickson - Aye
Mr. Beamer - Aye
Mr. Garst - Aye
Chair King - Aye

Chair King confirmed that this matter will be continued until the May meeting.

Mr. Snead asked if new notices would be sent out to the residents so they would know the exact date.

Ms. Wines confirmed that new letters would be sent to the neighbors as they were before.

Vice-Chair Garst asked for confirmation that everything had to be restarted. Chair King confirmed yes, the whole process restarts.

Chair King reminded everyone present that the Planning Commission is a research and recommending body to the City Council. This will appear on the City Council's Agenda. Attendees will need to appear at the City Council meeting when this is on their agenda. They will be notified once it has been placed on their Agenda. If they are interested in this matter, make sure that they know when the meeting will be held.

4. Adjournment

Chair King asked if there was anything further business for the Planning Commission. There being no further business, Chair King adjourned the meeting at 7:22 p.m.