



**Planning Commission Meeting  
Agenda  
Wednesday, August 13, 2025, 7:00 PM**

Work Session, 5:00 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

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**WORK SESSION**

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1. Call to Order
2. New Business
  - A. "Comprehensive Plan 2045" for the City of Salem
  - B. Special Exception Permit for 1507-1511 Eddy Avenue
  - C. Amendment to Planning Commission By-laws for work session and regular meeting times
  - D. Items on the September Agenda
    1. Comprehensive Plan
    2. 1621 Longview Avenue special exception
    3. Chapter 78 Subdivisions code changes
    4. Chapter 106 Zoning Ordinance code changes
    5. Chapter 94 Nuisances code changes
3. Adjournment

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**REGULAR SESSION**

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

Consider acceptance of the minutes from the July 16, 2025 work session and regular meeting.

**3. New Business**

**A. Special Exception Permit**

Hold a public hearing to consider the request of Brill Holdings, LLC, property owner, for the issuance of a special exception permit in accordance with Sec. 106-314.2 (D) (5) of the Salem Zoning Ordinance to allow non-residential outdoor uses such as restaurant operations and live music events for the property located at 1507-1511 Eddy Avenue (Tax Map #183-3-10).

**B. Amendment to Planning Commission By-laws**

Consider amendment of Planning Commission By-laws to adjust the regular meeting time.

**4. Adjournment**



## **PLANNING COMMISSION MINUTES**

**Wednesday, July 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

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### **WORK SESSION**

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#### **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, July 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 Dorsey, City Manager and Executive Secretary and, Robert Light, Assistant City Manager and Deputy Executive Secretary, both 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, and Christopher Dadak, on behalf of Jim Guynn, City Attorney; and the following business was transacted:

Chair Denise 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. Items from the July agenda**

1. 106-110 Butt Hollow Road rezone from BCD to LM with proffered conditions
2. 319 Rowan Street special exception request for a cell tower
3. 638 Dalewood Avenue rezone from AG to RSF  
638, 672, and 696 Dalewood Avenue special exception request for Cluster Housing Overlay
4. 1002 and 1108 Newman Drive rezone from LM with proffered condition to RMF

5. Introduction of proposed time change for work session and regular meetings
6. Remote participation policy

B. Items from the August agenda

1. Comprehensive Plan review, work session
2. 1507-1511 Eddy Avenue special exception request for non-residential uses out of doors
3. Amendment to the PC bylaws regarding time change for meetings

3. Adjournment

Chair King adjourned at 6:54 p.m.

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**REGULAR SESSION**

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1. Call to Order

A regular 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 7:00 p.m., on Wednesday, July 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 Dorsey, City Manager and Executive Secretary and, Robert Light, Assistant City Manager and Deputy Executive Secretary, both 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, and Christopher Dadak, on behalf of Jim Guynn, City Attorney; and the following business was transacted:

Chair Denise King called the July meeting of the City of Salem Planning Commission to order at 7:00 p.m. Chair King stated that, before the meeting went any further, if there was anyone who wished to speak and had not had an opportunity to sign up to let her know.

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

A. **Pledge of Allegiance**

B. **Roll call**

Mr. Routt - Here  
Mr. Henrickson - Here  
Mr. Beamer - Here

Mr. Garst - Here  
Chair King – Here

## 2. Consent Agenda

### A. Minutes

- 1) Consider acceptance of the minutes from the June 11, 2025 work session and regular meeting.
- 2) Consider acceptance of the minutes from the June 25, 2025, joint work session with City Council.

Chair King stated that under the consent agenda, they were going to be accepting the minutes from the June 11th work session and regular meeting and also the June 25<sup>th</sup> joint work session with City Council on the Comp Plan. She noted that on the first set of minutes, there was one correction that was made. The word proper was showing as property and that has been amended for the official minutes. On the second set of minutes, the consultants name was misspelled in one of the 3 places where it appears. That has also been amended. She asked if there were any questions or comments from the Commission. None were stated and the minutes were adopted as amended.

Chair King asked to have our first item on the agenda.

## 3. New Business

### A. Rezoning Request and Special Exception Permit

Hold a public hearing to consider the request of J Cline Properties LLC, property owner, to rezone the property located at 106-110 Butt Hollow Road (Tax Map #174-1-7) from BCD Business Commerce District to LM Light Manufacturing District with proffered conditions and to request the issuance of a Special Exception Permit to allow athletic instruction services.

Proper legal notice has been given and all adjoining property owners have been notified of said hearing.

Chair King asked the applicant on this petition to come forward to give information on their request. She asked that anyone who speaks tonight to state their name and address for the minutes.

Jerry Cline of 1910 Carleton Drive, Salem addressed the Commission. Mr. Cline stated he was looking to have this property rezoned so that he could have more home services companies move in there where they could maintain material and pieces of equipment in a yard on the exterior of the property that is already fenced-in and maintained. With the current zoning, he cannot do that. He stated he had a non-profit company in Salem that

wanted to teach kids wrestling and they were looking for a place where they could expand and have more time with the kids. That was why he was asking for the special exception permit.

Chair King asked what the hours of operation were going to be for the wrestling classes.

Mr. Cline stated that they would be from 5 to 8.

Chair King asked if he meant 5 to 8 at night.

Mr. Cline confirmed 5 to 8 at night and on Saturday.

Chair King confirmed weekend times as well.

Mr. Cline stated that he does not represent them but that was what he had been told.

Chair King reiterated that was what he was told and asked if there were any questions of the applicant at this time from the Commission.

Having no further questions from the Commission, Chair King reminded everyone in attendance that they were a respectful community and they expect their citizens to be respectful of each other. At this time, she opened the public hearing at 7:04 p.m. and if there was anyone here to comment on the petition before them right now, please come forward and give your name and address. Upon seeing none, she stated that the public hearing was closed at 7:04 p.m. She asked for a motion on this agenda item.

Mr. Henrickson made a motion to recommend the rezoning from BCD to LM Light Manufacturing with proffered conditions. Mr. Beamer seconded.

Chair King called for a roll call vote.

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

Chair King stated that the motion carried. The Planning Commission is a recommending and research body to City Council so they would be making a recommendation to City Council to approve the request. They would be notified once the request was placed on the calendar for City Council. Chair King stated if at any time your agenda item has been addressed and you wish to leave, you are free to do so. The Commission did ask that they leave quietly and stated that it does not have a negative effect on their application if they choose to leave.

Mary Ellen Wines addressed the Commission and stated that there should be two votes within this item, one for the rezoning and one for the special exception permit for the athletic instruction.

Chair King agreed and asked for a motion to allow the special exception permit for the athletic instruction services.

Mr. Henrickson made a motion to approve. Mr. Beamer 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 stated that, again, this would go on to City Council and they would be notified. She asked to have the second item on the agenda.

## **B. Special Exception Permit**

Hold a public hearing to consider the request of McJohn Investments LLC, property owner, for the issuance of a Special Exception Permit to allow a telecommunications tower on the property located at 319 Rowan Street (Tax Map #232-1-1).

Proper legal notice has been given and all adjoining property owners have been notified of said hearing.

Chair King asked the applicant for this special exception permit to come forward to make their presentation to the Commission and state their name and address for the record.

Laurie Schweller, Attorney with Williams Mullen addressed the Commission and stated that she represents the applicant, Verizon Wireless. Stuart Squire with GD Insights was also present who was the zoning manager for the project. She stated she did have a presentation for the Commission requesting their recommendation of a special exception permit for a communications tower at 319 Rowan Street. This was a warehouse and industrial district and, fortunately, the view of the tower from most locations would be obscured and would blend in with other infrastructure. She had photo simulations to illustrate what she meant. The photo simulations showed the location of the proposed cell tower. It was at 319 Rowan Street, Parcel #232-1-1. Ms. Schweller stated that this was a 13 and a half acre parcel. The location is south of the railroad in a manufacturing district, just north of the Roanoke River. As they can see from the zoning map, the parcel marked with a star and nearby properties are all zoned Heavy Manufacturing. The closest residential zoned district is over 612 feet to the south, across the river. She showed a photo of the subject property and stated that the entire parcel was paved. As part of their request, they were asking for a waiver of the landscaping requirement, as there was no dirt for planting in this area. Also, the property is in a flood zone. If approved, the applicant would construct the cell tower and ground equipment on a 6 foot platform. There are no

co-location opportunities or, in other words, no other cell towers or vertical structures tall enough on which to place antennas to avoid building a new cell tower. This is the area they were searching for to serve in the ring so a new tower was needed in the area. Another photograph was a close up of the site location and the drawing shows the abutting property owners which also includes the City of Salem. The City property was the closest actual residence. The residence itself is 900 feet south across the river. The railroad is a neighbor. Virginia Appalachian Properties LLC and Graham White Manufacturing are the abutting properties. The site layout would be within a 50' x 100' leased area and within that would be a fenced compound for the ground equipment and the monopole which would be 35' x 80'. She presented a schematic that showed that the monopole would be 195' tall with a 4' lightning rod. It would have additional space on it that could serve other wireless providers who wanted to co-locate on that monopole. It would be matt galvanized steel and, because it was under 200 feet and not within 5 miles of an airport, no lighting was required. As she mentioned, the balloon test was done to evaluate the visual impact of the proposed tower. These locations on the map are locations where they will see on the photographs; the ones in red are places where the balloon and, thus the tower, could be seen and the ones in blue at the bottom of the screen are locations where the balloon could not be seen. In these photographs, these are photo simulations and there was a little arrow pointing to an actual simulation of the monopole in the distance. They can see that there was a theme throughout the photos that there are lots of electric towers, electric poles and telephone poles and lines. There is a lot of infrastructure, and the cell tower basically blends in with existing infrastructure. This location was from Colorado Street viewed from the northwest. This view was the view that the closest home would have and so they can see that in the view from the southwest, there was a large tree buffer which was south of the Roanoke River. That helps to screen and block the entire compound area and would screen the bottom portion of the tower from that residential area. The view from Electric Road southeast of the site has more poles in the foreground and then the proposed cell tower was in the distance. This was the view from Roanoke Boulevard northeast of the site. This was the view from 9th street north of the site. This is the view southwest from Eddy Avenue and Union Street. Finally, these are the 2 locations that are southeast of the site and the balloon was not visible from these locations. In summary, they would like to submit to the Commission that their application complied with the City of Salem zoning ordinance and was also in line with the goals of the Comprehensive Plan of the City of Salem. This communications infrastructure was needed for business, industry, education, government services and the convenience of their citizens, as well as visitors to the area. She stated she would take any questions they might have.

Chair King asked if anybody had any questions of the applicant. She stated that this was one of the most thorough presentations they had seen, and they appreciate that.

Ms. Wines asked if she could address the waiver of the landscaping. She stated that was something that would be handled through the site plan review process and there is a modification section in the zoning ordinance that would allow them to work with the applicant on those requirements.

Mr. Garst asked if that did not need to be addressed in a motion.

Ms. Wines confirmed that it did not.

Chair King opened the public hearing at 7:14 p.m. and asked if anyone wished to speak on this agenda item. She asked them to come forward and state their name and address. Upon seeing none, Chair King closed the public hearing at 7:14 p.m. and asked for a motion.

Mr. Garst motioned for approval. Mr. Routt seconded.

Chair King asked for roll call vote.

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

Chair King stated that the same thing applies to this situation as well. The Planning Commission is a research and recommending body to City Council. It will go to City Council and, at that time, they will be notified when this appears on their agenda. If your agenda item is over, you are free to leave. She then asked for the next item on the agenda.

### **C. Rezoning Request and Special Exception Permit**

Hold a public hear to consider the request of Brad Graham Real Estate LLC, contract purchaser, to rezone the property located at 638 Dalewood Avenue (Tax Map #33-2-3) from AG Agricultural District to RSF Residential Single-Family District and to request the issuance of a Special Exception Permit for 638, 672 and 696 Dalewood Avenue (Tax Map #s 33-2-3, 33-2-2 and 33-2-1) to allow the inclusion in the Cluster Housing Overlay.

Proper legal notice has been given and all adjoining property owners have been notified of said hearing.

Chair King asked if the applicant was there to make their presentation to the Commission.

Brad Graham of 726 Ambler Lane, Salem. Mr. Graham stated he started with 638 Dalewood that was a 9.77 acre parcel of land that was for sale with one house on it. They found that they needed a couple more parcels for sight distance and getting in and out of the property, as the grade on the original property was a little steep. They have 3 parcels that are part of this request.

Chair King asked if the Commissioners have any questions.

Mr. Henrickson stated that the proposed subdivision plan looked very nice. His concern was the cluster overlay. It is a minimum lot width of 40 feet. He asked was the 40 feet

going to be what they were expecting.

Mr. Graham stated that it was note. They have been aware of some of the other cluster subdivisions lately. The number 51 sticks out in his mind and they in no way want to compete with that operation. They wanted to be larger. He has had conversations about whether that would be proffered or not. He would say the plan now was a minimum of a 60-foot-wide lot. Except for cul-de-sac lots because of what they are. By the time you get to the minimum building line, you are wider. He was not opposed to a proffer that would say 60 foot minimum but he would have to address the whole cul-de-sac thing.

Mr. Garst asked if it would be easier to have a minimum that he could accept regardless of cul-de-sac such as 50.

Mr. Graham stated, according to Chris Burns with Balzer, what they did on the Dorsey property that, after the meeting, the Planning Commission had some concerns. Then, between that meeting and City Council, they came up with that number. He could tell you 60 foot except for those cul-de-sac lots. That was the best he had right now. He did not know if that was reasonable. Right now, they have a plat that was predominantly 60 foot lots and 37 total. If he could word that somehow, everything but the cul-de-sac was 60 foot lots and 37 total. He would be good.

Chair King stated they were concerned about the potential for 40 foot lots.

Mr. Graham stated that would be no.

Chair King asked Ms. Wines to talk about buffer requirements for a project of this nature.

Ms. Wines stated that this is a single family detached cluster housing overlay. It would not have a required buffer because it is residential abutting residential.

Chair King asked about a statement on their plat that refers to a portion of the property along Dalewood being taken out to provide greater sight distance. This appears as a statement but she questioned that it is down here on the very left.

Mr. Graham stated that was because they might have to grade. It is kind of a steep bank there and they are saying, if they need to grade, they were going to do takes to get sight distance.

Chair King stated that they have had residents who have raised an issue over the potential sight situations.

Mr. Graham stated that John Kelly was there and was a neighbor. He did not know if he needed to speak or not. Mr. Kelly told him that there were around 2 major crashes a year because of that so they think it would be an improvement to go in and grade that bank out. Right now, there was no sight distance. They would be improving the sight distance.

Mr. Routt asked if they plan on keeping the one structure.

Mr. Graham stated he had not made that decision. He was leaning toward keeping the existing house on 638 Dalewood. The Kelly's residence at 672 Dalewood was a very nice house so for sure that one. Probably, the old church building at 696 Dalewood would have to go.

Chair King asked, since Mr. Graham referenced the potential for crashes, one of the things that the Commission did was to request information from the police chief regarding traffic conditions. He would be interested to know that in the 600 block and, that is the only thing they asked him for at this point, there have been zero crashes in the last 3 years. Now that does not take into account other aspects of Dalewood. She would imagine Dalewood closer to the thru-road that goes all the way into Roanoke County and Roanoke City would be a different story. She stated they always want to check to see that information.

Mr. Graham stated it was a tight turn right now and would get better with the grading.

Chair King asked if there was anything else from him or his engineer.

Mr. Graham indicated not unless they had questions.

Mr. Beamer about the 37 lots.

Mr. Graham stated that the current plan is 37 lots.

Mr. Beamer asked where 36 and 37 were at. He asked if they would actually be on Dalewood because it said it was possible.

Mr. Graham stated that would be 36 and 37.

Mr. Beamer asked if that was not right now though. He was not trying to nail him down, it states possible.

Mr. Graham stated his way of thinking has changed since day one. He has typically in the past taken down every house and started anew but, market conditions as they are, he has leaned more toward getting some conforming lots. 672 Dalewood, the one beside it to the right and the one beside that to the right could be conforming because they are on an existing street. They can do the residential single-family 70 foot lots.

Chair King asked if they could build without any questions.

Mr. Graham confirmed and said he thinks he would have to add those 2 in there to get to the 37.

Mr. Beamer asked if John Kelly's big piece there was really not considered one of the 37.

Mr. Graham confirmed no.

Chair King asked if anyone else had questions or wanted to speak. She opened the public hearing on this matter at 7:24 p.m. and stated that they have 3 people who have asked to speak on this. She asked if they would start to come forward so that they could get them one right after another. The first one is Jenna Lyles. The second is Jeanette Watkins. The third is Catherine Martin. She stated that they have the clock over here. There was a 3-minute time limit and they were to speak to them. She told them not to worry if they went over the 3 minutes, they would let them know. She asked them to state their name and address.

Jenna Lyles of 1667 Reese Road in Salem addressed the Commission. She stated she lives at the corner of Reese Road and Dalewood Avenue and would be directly impacted by the proposed rezoning. She expressed strong opposition to the proposal, not out of resistance of growth but out of deep concern for the safety, character and quality of life in their neighborhood. Their street already experiences a significant amount of traffic. It has become a busy cut through between two major roads and the volume is noticeable. They routinely see trash thrown out in their yards. Cars regularly speed down the road, making it unsafe for residents, especially for the many children and animals who live and play nearby. As a mother of 2 young boys, their safety was her top priority. Like many families in her neighborhood, they worry every time their kids are outside playing, riding bikes or walking with them. The road already was dangerous, and increased traffic would only heighten the risk. To make matters worse, there are no sidewalks on Dalewood. Families and children, joggers and people with pets are forced to use the sides of the road which was dangerous, especially with the speeding and the volume of traffic they already deal with. In fact, speeding has become such an issue, she has looked into how to request speed bumps to measure how traffic safety was an issue. The road itself was not in great condition. As it stands, adding more homes and, therefore, more cars would only make things worse. More wear and tear, more congestion, more noise, more litter, more risk. Rezoning would change the character of their neighborhood and not for the better. It would accelerate the transition towards denser development, bringing problems that they already struggle to manage. They ask them to consider the long-term impact, not just the short-term opportunity. Please help them preserve what makes the community special and help them keep their children safe. She respectfully urged the Commission to deny this rezoning request.

Jeanette Watkins of 1609 Reese Road addressed the Commission. She stated that she did not know what was left to say but would say there are a lot of folks here from Reese Road and Dalewood area. Everybody kind of wants to raise their hand. There are a lot of folks back there that are older citizens and she was kind of representing a lot of them who did not want to speak. They do have a lot of concern and, like Jenna said, not out of not having growth because they certainly want Salem to grow, but there are a lot of accidents. There was a bad curve there in Dalewood. There are a lot of speeders that come through there. Since the light was installed there at Lakeside Baptist, there has been tons of accidents. Lots of poles down Route 419, as soon as they put one up, somebody takes it out. It is just gone. She asked what can the current residents expect. She knows this was a flood zone. She knows that the property shows three holding ponds. She asked what that was going to look like for them that are down at the end of Reese and how was that going to run down on us. She questioned the value of these

new homes and how that was going to affect their property. In the smaller properties and many other homes along Reese Road, some of those folks have lived there for over 50 years. They have grass growing up in the middle of the road. The roads have not been paved. She asked what does that look like and what can they expect to happen for the existing people that are on that road right now. She asked again about what the value of these homes are going to be and what does that look like. They thought that was a lot of houses for that area up there. It was a nice green area and they do have a lot of concern. They asked the Commission to look at a lot of that for them.

Chair King stated that Catherine Martin has opted not to speak. She asked if there was anyone else to speak on this matter. At this point, she asked for either the applicant or his engineer to address some of the issues because she thought there were some questions that they could probably get answers to.

Ms. Wines stated that she wanted to make sure that the public understands that the cluster housing request was for a reduced size lot for the single-family homes, but it does have to be offset with required open space on a foot by foot basis or 15%, whichever was greater. The lots are smaller, but they are more condensed in a certain area to allow for more open space throughout the development. She wanted that out there for the public and for the record.

Chair King stated that they had heard the questions about the value of the homes going in and that kind of thing. She asked what kind of response did they have to offer.

Mr. Graham stated it was hard to say but certainly more than anything on Reese Road or anywhere in that area. He would say probably \$450,000. They cannot build a new home for less than \$450,000, so he would say a range would be starting there but, who knows what everybody wants. He thought toward a concept of trying to build a model and not plat out all the lots. Hopefully, people would come up and say they want a 100 foot wide lot and if they do, they will accumulate a list of names and make more 100 foot wide lots. It is more expensive, but he was all about it. If any of the people want to see his houses, they can go to Ambler or Phillips Brook or anything that he has done. It is a quality home.

Chair King did have one question that perhaps Mr. Burns could respond to dealing with the stormwater that people are concerned about. The flooding and that kind of thing. It is a requirement of the City when they have new subdivisions coming in that stormwater be addressed, so if he could make comments on that they would appreciate it. He asked him to state his name and address.

Chris Barnes, Balzer and Associates, 1208 Corporate Circle, Roanoke addressed the Commission and stated, as mentioned, stormwater management was something that they handle at the site plan review stage with the engineering staff. They take it into account when they put together the concept plan so they have it laid out where they would expect those facilities to be. They would meet all City of Salem and State requirements. Salem has more stringent requirements than any other locality in the area that they work in. They were more stringent than the State standards. He was not aware of exactly where the floodplain may be around there but he could say that the development of the property would be elevated above the road so it would not be impacted. They would meet all

stormwater management requirements and all of that would be designed at the site plan stage.

Mr. Henrickson stated that stormwater management requirements are they are not allowed to run anymore stormwater off the property after it is developed than the state that it is in right now, so they either have to retain or detain the water that would be impacted by putting in the streets, putting in the houses, the driveways and everything. That has to be managed to where no more water is running off that site than the way it is in its natural state. He asked if that was not correct.

Mr. Burnes confirmed that is correct. Whether it is an existing channel or an existing pipe system. Obviously, those pipe systems were designed on a certain amount of water, so they need to make sure that they are not increasing that and not putting any more burden than what is there today.

Chair King that she would like to reiterate for those of them who were there that he was correct that the City of Salem standards or their requirements are more strict than the State standards. She hoped that would make residents feel better about that.

Mr. Burnes stated it is a reduction.

Chair King confirmed that it is a reduction.

Mr. Rob Light stated that, since the question came up about the floodplain, none of this area was in the floodplain. The floodplain starts to the west of Electric Road with the 500-year, then it gets to the 100-year, then when get to Masons Creek, it is the floodway there. Nothing to the east is in the floodplain.

Chair King stated she did not think that it was. For those of them who are attending a Planning Commission hearing for the first time, they do go to the property. She tried to imagine where the floodplain would be because this property sits up. She asked if there was anything else from anybody or the Commission.

Mr. Garst stated the biggest concern was traffic and speeding. They as planners have to assume that drivers are obeying laws. We cannot take that into consideration. Pedestrian traffic or pedestrian walkways, he could see where that would be a problem. He asked if they would consider putting in sidewalks on anything that abuts Dalewood.

Mr. Graham stated that there are no other sidewalks to connect to. It is a steep site, everything on that side of Dalewood is relatively steep.

Mr. Garst agreed that they would be improving the sight line but it was still a curve.

Mr. Graham stated he would have to say no on that. It is not a sidewalk place and there are no other sidewalks around there. It would not make any sense. He would rather see that bank remain natural. There are some beautiful old oak trees there. To go in and cut 200 year old oak trees down to try to lay the curb back, probably with solid rock and it is almost straight up and down. That makes no sense. It is not a sidewalk place. He would

say that they will have walking trails on this property and open space. They can look at Heritage Downs and see what they have done in the past. They have deeded walking trails all around the whole property and they will do the same here. He would much rather walk on a natural trail through the woods than on a sidewalk.

Mr. Garst asked if the walking trails would be open to the public.

Mr. Graham stated he did not see why not and they would commit to that being open to the public.

Chair King asked if there was anything else from the Commission.

Ms. Wines stated that they had received three emails from neighbors that are not here to speak. They have Tammy Powell who was opposed to the development. They have a Miss Karen and Miss Gardner who both support the development with the improvements along Dalewood such as sidewalks and widening the road. It is in the packet and they wanted to make sure that they mentioned it as part of the official record.

Chair King asked for one last call from anyone who wished to speak.

Catherine Martin of 1781 Greenridge Road, Salem, Virginia addressed the Commission. She stated that she had just heard about the walking trails in the wooded area. She asked what was going to be done to ensure that folks do not wander onto the properties that are butting up to these properties. They already have issues with people coming from the City or the County and coming through trying to access Green Ridge Road. If they are intentionally putting more people walking in between their properties, she asked what could be done to make sure they know where the property lines are and not to trespass on their property.

William Powell of 526 Dalewood Avenue, Salem addressed the Commission. He stated he had heard the presentation from the developer. It was his opinion that it was a poor presentation. It did not give him any type of good feeling and no matter what anybody tells you, Dalewood Avenue has been screaming for help for years and years. Dalewood Avenue reminds him of a road he would find in a third world country. It is that bad. There is one section where a house can barely be seen from Dalewood and right in front of that house, there is a blind curve. Even though there was no place to put sidewalks, they could make a place to put sidewalks. It is not that difficult. One side of Dalewood is gullies. That is all there is here. There is no place for anyone to take a walk on that road. The other side across the street from him, it at least has curb and gutter. He does not have curb and gutter. He believes there is a lot of room to make improvements on that road without a doubt. He knows that nobody wants to throw good money after bad, but that road is just screaming for help. No one wants to walk down that road and it is heavily used for a cut-through. He stated there was probably more people cutting through from Green Ridge to Electric Road than the people in the community. They do speed down that road and he hears it all the time. He asked them to please reconsider. He stated that their opinions or votes on this was very important to the residents in that community.

Chair King stated that was the last one to speak on this matter and she closed the public

hearing at 7:39 p.m. She asked for a motion. She stated there were two motions, one on the rezoning and one on the special exception permit. She reminded everyone that the rezoning is only for 638 Dalewood Avenue.

Mr. Garst motioned to recommend approval of the rezoning to Residential Single-Family for 638 Dalewood Avenue. Mr. Henrickson seconded.

Chair King called for a roll call vote.

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

Chair King stated that the second matter was the special exception permit for 638, 672 and 696 Dalewood Avenue. She stated this would allow for the cluster housing overlay. She asked for a motion.

Mr. Garst motioned to recommend approval for the special exception for 638, 672 and 696 Dalewood Avenue to allow the inclusion in the cluster overlay with the conditions of 60 foot minimum lot width, with the exception of cul-de-sacs, and that the walking trails be open to the public. Mr. Henrickson seconded.

Chair King called for a roll call vote.

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

Chair King stated that both motions passed and would be going on to City Council. They would be notified as to the date and time of that hearing before City Council. She stated that, at this time, if anyone here for this agenda item wished to leave, they could and asked that they leave quietly. She then asked if the Commission was ready for the next agenda item.

Mr. Beamer stated that, before they get started, after much consideration and a lot of sleepless nights, he was recusing himself on this matter as he owns property and grew up in that area.

Chair King stated that the Commission would accept that conflict of interest and thanked him. She asked for a reading of the item.

#### **D. Rezoning Request and Special Exception Permit**

Hold a public hearing to consider the request of ABoone Real Estate Inc., contract purchaser, to rezone the properties located at 1002 and 1108 Newman Drive (Tax Map #s 58-1-1 and 58-1-2) from LM Light Manufacturing District with proffered conditions to RMF Residential Multi-Family District.

Proper legal notice has been given and all adjoining property owners have been notified of said hearing.

Chair King stated there were several people who would be speaking. First, they asked for the applicant to come forward to make their presentation to the Commission and may they have their names and addresses.

Leonard Wheeler of 6181 Mount Chestnut Road, Roanoke, Virginia. He stated that his family has owned the property on Newman drive for coming up on 50 years. They operated it as radio towers for 6:10 AM which at one point in the 1960s and 1970s was maybe the most listened to radio station in the marketplace. AM radio and the migration of listening has changed and has migrated to FM and streaming, as well as other audio sources. It does not serve what they have known for a length of time that the value of this property would be much more in the utility of doing something else than continuing to run AM plants from this property. That time certainly is upon them. It is expensive to run the AM stations for the small audience that it carries in terms of power, upkeep of the property and real estate taxes. He knew they would do something else with the property and that time had come. He understands the zoning for light manufacturing with conditions, but they also felt that was not a direction they would be asking for development. They felt that, after conversations with Alexander Boone, there was a much more favorable use of the land in terms of development that would help contribute to Salem's home need and contribute tax revenue for the Salem community.

Alexander Boone of 3934 Electric Road in Roanoke County addressed the Commission and stated that this is really an opportunity to talk about housing policy and he was not going to anything academic because this was very practical at this point. Leonard Wheeler called him approximately 2 and a half years ago and explained what was going on in the market. Mr. Boone stated that he listened to WFIR and knew they had switched over to 107.3 like a lot of people. Mr. Wheeler explained to him what they were doing at the property and asked him as a real estate developer about what he thought they should do with this. Mr. Boone stated he told him first, always go to the zoning. They looked at the zoning and it was light manufacturing with conditions. That was highly unusual as there are few parcels in Salem or the Roanoke Valley of this size that are relatively undeveloped. They looked at the zoning, at development options, talked with appraisers and commercial real estate brokers, and met with officials from the City of Salem. This is a unique property because they could potentially have a number of light manufacturing options here with the special exception. That was attractive to an economic developer and a city, but as they talked through it and had a number of meetings, it just did not feel right for the community. This has been a radio station for all these years. Honestly, they went into it not looking for housing. They thought that the City would probably want to maintain that light manufacturing zoning and go with a warehouse or distribution center.

They see the micro warehouses today that are so popular with the rise of Amazon and some of the quick delivery. Having a warehouse in a neighborhood made a lot of sense. It has been one of the most popular and successful real estate investments over the last 5 to 10 years. The more they talked, the more they realized and he gave Mr. Wheeler the credit for wanting this to be residential. The City of Salem agreed that this really needed to be residential so they started down that path. He understood why people were here to speak to say this was different. This was different than what they have and that is what development is. It is different, it is change and it is uncomfortable. At one point, this neighborhood was a farm. He spoke to Mr. Beamer after the community meeting last week and he confirmed that there was a farmhouse there. They knew this was a farm at one point. All of a sudden, it gets developed and he was sure people who lived close to that were probably not excited about losing their farm. That was a change in the character of the community to lose the farm. That was development. That was progress. He thought many people in this room were questioning how do they have this change and what was an appropriate change. They have looked at and discussed traffic. They have discussed stormwater management. They have discussed utilities. They have discussed roads. They had a great and well attended community meeting at Abundant Life Church last Tuesday night. It was well attended. They had a great dialogue with people. A number of people stayed after. He thought that the church had to ask them to leave around 8:30 just before the big storm. It was well attended, and they had great discussion. They worked hard with Mr. Burns who seemingly is at every Planning Commission session. Mr. Burns' team at Balzer has been outstanding. They have addressed all these issues. Mr. Burns and Court Rosen, who is the Director of Development for ABoone Real Estate, would be speaking briefly about these issues but with a little more precision than he has. The traffic clearly shows the roads in the community can support additional traffic. Some people say there is already too much traffic. They heard that in Mr. Graham's application. When they look at it, the numbers are actually very small for roads that go anywhere from approximately 20 feet wide to 30 feet wide, so these roads are pretty large throughout the community. They are narrower and he has spoken with a number of them about Newman Drive and he will get into more detail about that. They had a good dialogue the other night. They had a meeting with City of Salem Planning on Thursday. They talked about all the issues that came up. They have the notes from that meeting. The first thing was utility law. Somebody said that some utility lines were too low. The utility department is going to evaluate them and if they need to be raised, they would be raised. They thought they were sufficient but he wanted the neighbors to know that they did evaluate those. Another issue that they did talk about at length was another access to the community. He wanted the neighbors to know that they and the City Planners evaluated how else they could get to North Mill Road and how they could get to Brand Avenue. Unfortunately, there was not a way to do it. When people look at the map, they will see that you have to cross a stream, go uphill and through private property. One thing people do not think about is that there is a house on the other side of that street. They would have to take out the house and build another connection through to that road. He stated they are not looking to displace people. As they looked at the topography and the streams, it was not a viable course. Those are items, as he said that Mr. Burns and Mr. Rosen will address. They want to answer the questions but they are really here on the application to rezone to residential multifamily. They know they are not unlike other communities. All communities have housing issues right now. It is the result of the housing crash we had in 2008 and the lack of construction that went on for 15 years. That

is why they are here. It was ironic that the day that they had a community meeting, there was an article or a commentary in all the major newspapers across the Commonwealth that said that the housing crisis in Virginia is worse than they think. It dialed down into lack of permits, lack of new housing and that they are building basically 50% of the amount of housing that they need in the Commonwealth to be able to sustain any type of growth. They say that is Virginia, that they have the Golden Crescent, they have Northern Virginia and they have Tidewater, but they are Salem in the Roanoke Valley. In that case, they have to look at the fact that businesses do not go where their employees cannot live. Businesses cannot grow if their employees do not have a place to live and that really was an issue here. He thought that if they were together at a housing crisis discussion or summit or if they were all just at Mac and Bob 's having a beer talking about housing, everybody would agree they need more housing. They need different types of housing. But the disagreement comes when they want to build it in their backyard and that was the issue. As he shared upfront that their first plan was to go single-family housing. Chris Burns and him worked together to come up with a single-family concept. The problem with that was they ended up with about 61 or 62 lots. It was an interesting conversation earlier about the cluster overlay because they were also going under the cluster. They were using 51 foot lots to try to get more lots in because of the infrastructure cost. It did not work. They talked about this a lot last week about what does it mean it did not work. It means when they grade a piece of property like this, there is topography on it, there is steepness and a significant amount of grading. As they look at how do they get the housing on there, they have to put in roads and they have to build roads throughout the community. They have to build storm, they have to build water and all utility infrastructure. When they look at that, when it was spread that across 61 lots or whatever it was, the project was well underwater. Then how about if they go to single-family and some townhomes. That did not work because there was too much grading and too much infrastructure. They got into various mixes. They did not want to try to build apartments here and they did not even look at that. They thought could they build some condo buildings in here but that did not feel right. They did not think the market was right for condominium buildings. Townhomes really fit. In the words of Chris Burns, they fit the property perfectly because they ring the property. They can go in and ring the property and reach the different units. One important thing to realize was that this is a 40-acre tract but it is really a 20 acre developable tract because of the floodway and the floodplain. They could build in the floodplain, but they cannot build in the floodway. Instead of 171 units, as they look at the last row closer to the floodplain, they could actually build all the way down to the green line where the conservation area begins. There would be over 200 units there but that did not feel right. It worked fine from an engineering perspective, but they think it is too many units. Certainly, a number of people are going to tell them that 171 is too many units. They had a great conversation last week about how many was enough or how many was just right. He stated 171 was just right. He knows that was a lot of density but, in their case, it has to be viable. People asked does that mean maximum profitability. Not at all. Maximum profitability was to put 200 and some units on that property. They did not want to do that. Looking at the concept plan, they are going to conserve half of the property. The density on a per acre basis is very low. In the townhome community on the right when you first turn onto Parkdale has a much higher density on a per acre basis. They are spreading their density out across the 40 acres. Their density on a per acre basis was very low. They are going to have a buffer that rings the property and they are going to make sure that not only do they maintain the existing

buffer, but they are also going to add buffer. They are going to add trees as required by the ordinance but also for the community. They want to make sure that it is beautiful. It maintains a park-like setting for this project. This is a unique project for the Roanoke Valley. There is nothing like it. It will be very unique, and he thinks it will attract a lot of people in Salem to move and free up housing in Salem. It is also going to attract people from a lot of the surrounding localities to move to Salem because this is exactly what the market needs. Someone last week mentioned that he grabbed our poster of townhomes and this is what people want to buy. It is the only thing they can build in the \$300,000s. As Brad Graham stated and he was right. Mr. Boone stated he did not even know how Mr. Graham was going to build a \$450,000 house on his property. He suspects they would probably be in the \$500,000s and higher. Here, they would see homes in the low \$300,000s to probably \$400,000s. They are going to have a number of slabs and basements, so it will be a mix. They are going to see a mix of people living here. Different people of different ages, people with kids and people without kids. The grades support having some basements so that will allow people to finish basements and have more families in there. There are going to be a lot of singles and empty nesters because of the low maintenance and no maintenance on the exterior. Importantly, they are going to have parks and they are going to have playgrounds. They talked about walking trails on the last case. They will have walking trails. He has met with a number of the neighbors out there over the past few weeks. Every time he has been to the property, he has met a neighbor who has been walking their dog on the trails that the Wheelers have mowed for many years to open it up to the community. It is important to them that this was maintained. A community feeling and that the residents may continue to use these trails. They can use the playgrounds. They can use the amenities that will be open to the existing community. It was great that somebody asked that last week and said they would like to be able to use the trails and the playgrounds and amenities that will be there. That is a commitment that they make for the community. It was unfortunate because they wanted to do single family housing. As he said at the town hall meeting last week, if they hacked into Chris Burns' folder at Balzer, they would see their very first concept was single family with 60 foot lots. He was not sure if they even got to 50 of them and then they went to the 51 foot lot and got up to he thinks 61. This was a year or year and a half ago. Knowing that did not work, that was where their process started. Unfortunately, they cannot develop this property for single-family. He did not think anybody would do it. He cannot do it. It would be a loss. They would go into it knowing they were going to lose money. These projects are very risky. They can go into them and make money. They can lose money, but they pretty much never make the money they think they are going to because they always run into rock and extra grading. That is the unfortunate thing. He questioned what was going to happen to this property because it is not going to remain a station for the radio towers. It is going to be something, and they believe that introducing a great new community that can attract many new residents to the City of Salem is an excellent use for this project. To continue to be respectful of the neighbors and open this community up so that it could continue to be a magnet as it is now for people in the community. He stated he would answer any questions but would like to turn it over to Mr. Burns to answer questions about stormwater management, traffic or any other engineering type of issues.

Chris Burns Balzer and Associates of 1208 Corporate Circle, Roanoke addressed the

Commission. Mr. Burns stated he did want to touch on the grading just for a minute. Alexander mentioned it a lot and the reason that this plan works so much better for this piece of property was, with the elevation changes that it has, if they were to develop residential single family, with the width of the roads and the depth of the houses, it would essentially destroy that whole property trying to flatten it out to do that. This type of development is going to allow that property to remain much more like it is today in terms of the topography and so that is why he felt like it fits so well. He did want to touch on some items that came up at the community meeting, mainly stormwater management, floodplain and traffic. As far as floodplain and stormwater management goes, they heard a lot of concerns from the neighbors. Most of those seem to be around the overall drainage that comes through here. He wanted to give some background information and context. The floodplain that comes through here is Gish Branch. It is the stream. It is a FEMA defined floodplain, and it is important to note that Gish Branch conveys a lot of drainage that comes from up above this property. It comes straight through the property and continues on downstream. That is happening separately from any of the development that they are talking about. He did research after the community meeting. The drainage area for Gish Branch is over 1,000 acres. That is coming from everything from Penguin Club, Interstate 81 and everything above Interstate 81. That is over 1,000 acres. They are talking about developing 15 to 20 acres here. In the scheme of the drainage that is coming through there, they are less than 2%. He wanted to point that out because they are going to do their part. They are going to do stormwater management. They are going to meet all the regulations talked about during the last hearing. That should improve the situation but, in the scheme of things, they are not going to have any noticeable impact good or bad on what is draining through there. As far as traffic goes, he wanted to talk a little bit about their process and with the results of the traffic study. All of them have a copy. It is 50 pages long and he would try to boil it down. They met with City staff early on. They know that traffic is a concern on a project like this and really any larger project. Alexander already touched on the access challenges here where they really only have one access point. There really is not another feasible location to get in and out of the property. He wanted to note that traffic evaluation is really about studying the intersections that are going to experience that traffic. They met with staff and discussed which intersections needed to be studied, what the scope should be, followed all of that and that is what the study is based on. They follow the same procedure for every traffic study that they do. There are regulations that VDOT has, there are standards that they have to meet, trip generation is based on a standard document and they use standard software. They followed those same requirements here. The traffic analysis is based on analyzing the AM peak hour when everybody is going to work in the morning. PM peak hour when everybody is coming home at the end of the day. Those are the times of the day when traffic is the most. That is what they look at as a worst-case scenario. They model the intersections in synchro software and all of that was submitted to the City of Salem engineering department. It goes through a review with them. The results of the study are the levels of service that they measure a letter grade. They were unchanged at the intersections that they looked at. Very minimal increases in delay. They are going to wait for another second or two at the stop sign which is really what the result was. They heard a lot of questions at the community meeting about how does this compare to single-family. He did a comparison and, if this property were to be developed as single family versus townhomes, they would have about 30 less trips in the peak hours. Essentially, one car every 2 minutes. They can stand here for 2 minutes and think about

one car going by but that is the level that they are talking about as far as the difference between single-family and townhomes. At the end of the day, the existing street network can support the development. The City of Salem engineering department concurred with that. They are happy to answer any questions about it.

Mr. Garst asked if the study was done August 28 which was a school day.

Mr. Burns confirmed that schools were in session, and they always do them Tuesday, Wednesday or Thursday when schools are in session. That was also standard.

Mr. Garst commented that was usually a higher traffic time.

Mr. Burns confirmed he thought that it was during the third week of school last year.

Mr. Garst stated, looking at the report, none of these numbers are projected to downgrade the level of service grade from A to B to B to C etc.

Mr. Burns confirmed that was correct. All the letters stayed the same. They even broke it down by approach. The longest delay at any approach or the biggest increase was about 3 seconds.

Mr. Garst stated that the build out for East Main and Parkdale was going to be about 4 or 5 seconds. That takes it up to about 24 seconds.

Mr. Burns confirmed yes but he thought Mr. Garst may be comparing proposed to existing and some of that is also background growth that is factored in. As Alexander mentioned, it is going to be developed with something so they are comparing to nothing. There was going to be traffic there regardless of what ends up happening.

Chair King asked if anybody else had questions. For the record, she stated that the police chief was contacted on the intersection that appeared to be the one most people are interested in. That is Parkdale and East Main Street. In the last 4 years, in 2022, there was one crash there and that crash was vehicular against a deer. In 2023, there were no crashes whatsoever. In 2024, there were two crashes. One had a failed report. Apparently, it was perhaps somebody who had pulled into the back end of somebody else, decided that no damage had been done and they failed to make the report. There was one vehicular to vehicular accident. In 2025, so far and into the 7th month, there has been one crash. Generally speaking for what she had been told was a heavy crash area, she was looking for much larger numbers than those. She wanted to share that information with them and to put that on the record. She asked for any other questions at this time.

Mr. Garst asked Mr. Wheeler to come back up. Mr. Garst stated, as the Planning Commission, they determine highest and best uses of land, but they only can make decisions based on what applicants put in front of them. Today, Mr. Wheeler was putting in front of them a multifamily cluster development. If they make a recommendation yes or no to City Council, they are going to make their own decision. He asked, if the City Council voted no and refused this project, what was his next best choice because he

needed to make money on this property and cannot let it just sit there with inoperable towers.

Mr. Wheeler stated they are operable, and they serve some purpose. If he were to look at 610 AM where people listen to that station and the sports station, 15% or less of their listenership comes to 610 AM. For all the expense of continuing to operate there, that is a low base of audience for that station. That is not like Q99 which is one of their stations, so it just makes no sense to continue to operate there. To answer the question, if this direction were to be turned down, then they would be coming back and talking about the light manufacturing direction and what conditions they could meet.

Mr. Garst asked if the next best alternative was to try and remove the special exception and go to light manufacturing. From what he understood talking to the City, he asked staff if that was something that could happen immediately after the City Council voted.

Ms. Wines confirmed that is correct. There is no waiting period for a different application.

Mr. Henrickson asked if the special exception have to be removed.

Ms. Wines stated that it was the condition on the previous rezoning that would have to be removed. They would have to make that request and come back through this process but there is no waiting period for them to do that.

Chair King stated there is no waiting period because it would not be an extension of the application.

Mr. Garst stated, one way or the other, they would have to vote that the land stay basically fallow or remove the condition.

Chair King asked if anybody else had any questions before she opened the public meeting. She opened the public meeting at 8:13 p.m. and asked that the following people come and get in line because they have 20 people who wished to speak. They will go with the first 3 names.

Mr. Garst stated the first 3 names are Rev. Dr. Roudebush, Whitney Leeson and David Foster. Then Mr. Chrisfield and Mrs. Chrisfield. That would be the first 5.

Chair King asked for their name and address and the clock was right there so that they could see the time limit.

Rev. Dr. Jake Roudebush of 1124 Newman Drive, Salem addressed the Commission. He stated that he and his wife have had the pleasure of raising their kids on Newman Drive for the last 15 years. They have 15 years more to go on their mortgage. His wife is a Salem native, born and bred and she never fails to remind him about it. Their three children have had wonderful experiences with the Salem schools; GW Carver, Andrew Lewis and Salem high school. Two of his children ran cross-country, two went to State with the high school forensics team and all three were involved in the marching band. His daughter is a senior this year and is slated to play electric guitar in the pride of Salem

marching field show this fall. They love Salem. He pastors a church just over the Bedford County line on the other side of Vinton and drives that round trip daily. He loves Salem and has shared with some folks close to him that he is thankful to pay taxes here in Salem. He would rather pay them to live here than anywhere else. When he taught his kids to drive, he admonished them to take care coming home on Newman Drive. They have kids, they have dogs and dog walkers, they have bikes, they have regular walkers on Newman Drive during all hours of the day. Newman Drive was where he taught his kids how to ride a bike. They love Salem. Two primary concerns that they have with the possibility of rezoning is one, the integration of new water and sewer lines into the established. He is at 1124 Newman, one house from the end of the road. His house is below street level, and he has an ejector pump. He is concerned about how all that will play out long term. Two, with the proposal of 171 units, that would be several hundred cars added to Newman Drive at least once a day. If every unit has 2 cars, around 350 cars would be added to Newman Drive and Doyle Street, then to Parkdale and Stoutamire Drives, then Kesler Mill Road and Main Street. He asked the gentleman presenting the proposal last week how would they handle the extreme increase of traffic in their neighborhoods. The responses he received were not based on perspectives of homeowners, parents or neighbors but responses rooted in terms of progress, a new day or change. In this neighborhood, they are homeowners, they are parents, they are grandparents and they are neighbors. They love Salem and they have concerns about this rezoning.

Whitney Leeson of 212 North Broad Street, Salem addressed the Commission. She stated she was there speaking on behalf of 4 Grapes, the Salem Museum and Historical Society, the Roanoke Valley Preservation Foundation, the Department of Historic Resources and the Roanoke Chapter of the National Railway Society. They all want to remind everyone and public, as well as Alexander Boone, of the importance of the Gish Branch Bridge of the Valley Railroad located on the Wheeler property. They wanted to see the proposed development with Mr. Boone so that they can continue to see the same good stewardship exhibited by Leonard Wheeler to the State. They encouraged Alexander Boone and the Planning Commission to guarantee the bridge's protection in perpetuity via conservation easement. There are several reasons as to why the Gish Branch Bridge is so significant that it appears on both the Virginia Landmark Registry and the National Register of Historic Places. The information she shared comes courtesy of research done by John Hildebrandt, Author of Iron Horses of the Valley and Mike Pulis at the Department of Historic Resources. First, there are only 3 remaining arch structures in the area, as much of the completed railroad bed has already been destroyed by the construction of Route 11, the widening of Route 117 between I-581 and Williamson Road and residential development. Second, of the 3 limestone arches, this expansive barrel-vaulted tunnel with railroad bed atop is the largest and most imposing. Built in 1873 by a team of Irish immigrants and formerly enslaved African Americans under the direction of Thomas Meniffee. It is, in fact, an example of the very best stonework of any period found in the area. Third, it is also in the best condition of any such structure in the region south of Lexington. She also wanted to emphasize that the Gish Branch Bridge is an integral aspect of Virginia's Reconstruction Era history and the building of a New South post-civil war chartered by the General Assembly in 1866. The 113-mile Virginia Valley Railroad project aimed to connect the Baltimore and Ohio at Harrisonburg to the Virginia and Tennessee at Salem. As you go down I-81 just south of Staunton, look over and they will

see those barrel vaults in a field. Robert E. Lee served as the second president of the Valley Railroad Company. Claiborne Rice Mason, Stonewall Jackson's bridge builder, received the contract to build the Staunton to Salem segment in 3 years, an unsurprising choice given Mason's reputation for quality construction and daring feats of engineering. Along with Claudius Crozet, it was the Mason Syndicate that completed the 19-mile crossing of the Blue Ridge at Rockfish Gap for the Virginia Central Railroad including the impressive 1,300-foot Blue Ridge Tunnel. These historical circumstances, coupled with the fact that the potential exists to create a walking trail along the Gish Branch that connects the Mason Creek Greenway and the Hanging Rock Battlefield Trail should encourage all actors involved in the planned development to prioritize permanent protection of this structure.

David Foster of 342 High Street, Salem addressed the Commission. He stated his job would be much easier because one of the things he was going to urge them to do, Whitney Leeson just did more eloquently than he could. On the map of the project, they see the green stops up there at the top where the bump out is on the north. He thought the whole top part up there needed to be green to protect the Valley Railroad right-of-way. A couple decades ago, he and other citizens worked with the Virginia Department of Historic Resources and got that major stone arch structure over Gish Branch onto the National Register so that they have a National Register listed feature up there. He believed that the National Register feature and all the corollary railroad infrastructure along there needed to be protected from development. That was one condition he was going to urge the Planning Commission to impose if this project ultimately comes to fruition. The Valley Railroad up there needed to be protected. Another thing he wanted was to urge as a condition was the green area. Along the area on the opposite side of the creek and between the creek and the base of the wooded hills, they need to have a greenway easement in there. For a future Gish Branch greenway, a good time to do that was when a property was being transferred like this to establish that it was encumbered by a greenway easement. When he was working with Liz Belcher a few years back when she was the greenway coordinator, they walked this whole thing to try to come up with a route to join the Hanging Rock greenway with Longwood Park. This was a key piece. There are other problems of course but this was a key piece. It would help a lot if they could nail this down and say that this property was now encumbered by a greenway easement along Gish Branch. He would urge them to do one thing for history and that was to preserve the Valley Railroad right-of-way and one thing for the future which was to provide for the Gish Branch greenway.

Mr. Garst stated that he had went down there and took pictures of the arch for Mr. Hildebrand and showed them to the developer. Perhaps he can talk about their intentions about that later.

Ben Chrisfield of 948 North Mill Road, Salem addressed the Commission. He stated that their property abuts the proposed development. He wanted to speak on the potential negative impact on the property taxes and affordability of those living in the area if they move forward with putting 171 townhomes priced at a \$300,000 to \$400,000 sales price. He and his wife moved to the area in 2021. At that time, the City valued their home at \$268,000. It is now valued at \$350,000. It is an increase of about \$1000 a year in property taxes. Those assessments are based on ensuring fairness and equality according to the

Salem government. His concern was if they then have townhomes that are being sold at the current assessed property value of his home, which fortunately has a whole acre, how was that going to potentially impact the overall assessment of his property over time. He asked if that could potentially spike those prices and make the price of living here less affordable over time. He and his wife are fortunate enough to be employed in the area but what about those in the community who are retired and on a fixed income. He asked if this was going to help solve the shortage of housing or is it going to slowly make housing less affordable over time and force out existing community members.

Kayleigh Chrisfield of 948 North Mill Road, Salem. She stated that Benjamin was her husband. She works in the healthcare industry so something that she was particularly concerned about, especially with the high density of housing in this development, is their first responders and how they will be able to handle the increased call volume given they only have 56 paid firefighters and EMS currently employed in Salem. Seven of those are trainees so there is a prolonged period of time for them to be adequately trained to deal with these stressful and essential services that they provide for the community. She stated, when they think about the single access point to all of these homes, they have to think about evacuations, mass casualty events and natural disasters. Having people essentially trapped in one area with the inability to exit in a timely fashion or for emergency responders to be able to enter the property is a huge safety concern for her, as well as the surrounding community. Last year, Salem EMS took over 4,000 calls. In speaking with individuals at Station One, they think it is closer to 7,000 calls that they fielded with only 56 employees. They have 20 people on shift for 24 hours at a time. In order to respond to a fire, at least 4 firefighters are needed per truck. If it is in a high-density area, they would need 14 firefighters to respond adequately to an emergency in that area. She would encourage them to consider not rezoning this area, particularly for this plan, given safety concerns, the effect on the community and how Salem would be able to front the cost of improving emergency services as a responsibility to all the citizens.

Mr. James Myer, 464 Chamberlain Lane, Salem addressed the Commission. He stated that his wife has lived here in this area since 1992 and he has been here since 1998. In 1995, they experienced a serious sewage backup in their basement resulting from drainage that came down the hill from the high point where this property is located. Sewer lines were defective at the time which allowed roots to intrude, caused blockages and, therefore, with the heavy rain, sewage backed up in their basement through the floor drain. This was the worst it was. She had it before in the past. The City installed a new sewage line after this occurred. Thus far, this has corrected the problem. The City was good about reimbursing them for their expenses, including 7 and a half hours of sweeping out their basement which he will not describe. Their concern and question with the development on the table was will the denuding of the property for construction create more issues with drainage, creating more of an accumulation of water at the low point and, thereby, creating flooding problems in the area where they live. Another concern they have was increased traffic flow. The streets in their neighborhood, it appeared to him, were developed to take care of the neighborhood as they were originally designed. They are adding a considerably large new neighborhood to this area of town. He questioned just how well the traffic will be able to flow with this development. Based on these factors, he asked that they not approve this recommendation.

Matthew Kendrick of 842 North Mill Road, Salem addressed the Commission. He stated that his property abuts the property in question and heard Mr. Boone talk about how this is just what the market wants. He asked what about the residents on Newman, Parkdale and Stoutamire and what they want. The streets they have talked about are narrow. They do not have any sidewalks. He was sure that the distinguished people sitting here in front of him do not like to think about 1,000 or more vehicles moving through your neighborhood that are already there. He walked his overweight corgi up and down the hills of this neighborhood every day. The hills were helpful, and he dropped a couple of pounds. He sees kids riding bikes, families walking and neighbors jogging through these streets. This increased traffic resulting from this proposal will put them all in danger. These roads were never built to handle this level of flow, and they cannot be safely adapted to do so. They are also concerned about emergency access and evacuation as Kaylee said earlier. So few exits in such tight road conditions. Fire trucks or ambulances could be delayed in an emergency. Hundreds of residents trying to evacuate through one or two narrow streets could lead to a preventable tragedy. They are not against growth. We know that change will happen, but they are relying on them to maintain the safety of the residents and the character of an established neighborhood through thoughtful and collaborative community planning. This proposal is none of those things. He asked that they deny the change in zoning for this property.

Doug Woodson of 702 Doyle Street, Salem. He stated that he has lived in the neighborhood for 28 years. He formerly lived at 437 Chamberlain Lane. Due to the wonderful job that the City of Salem has done handling floodwater, the house he lived in is gone. FEMA took it. The two houses across the street, 434 and 450 are on the list to be taken. One of them has been waiting 7 years. The other family decided to sit things out even though they cannot buy insurance because they are in the floodway now. It went from flood zone to floodway. There is another house and he had pictures. He did not know they could present something like this to the Commission or the neighborhood probably would have. He asked if they would like to see the pictures. He handed them out and pointed them to one from the bridge on Parkdale. The house still stands. That whole bottom. There is a house facing Parkdale still there. Right now, that whole bottom gets full of water. He has seen the bottom wastewater creek channel probably hit 12 feet. This is not going to make that situation any better. It will just make it worse. The City of Salem had such a great plan about wastewater and he asked when are they going to start implementing that plan. The water was deep for a walk-out basement, their car got totaled because it came at 5:30 in the morning and they were in bed. This is a problem. He would like to see some type of detailed plan about their wastewater, as well as the general problem with the water coming down North Mill. Permits have been handed out for many years without thought to this bottom down on Chamberlain Lane.

Karen Monroe Walker of 462 Parkdale Drive addressed the Commission. She stated that she was speaking on behalf of her neighbor, Lauren Strong, Roanoke College graduate in Biological Sciences and seasoned professional on environmental compliance and stormwater permitting. She has worked extensively with regulatory agencies and brought both technical insight and genuine concern for their community. The rezoning proposal raises serious red flags. Advancing it without independent hydrology studies or proper wetland delineations would be reckless. Even low-density construction will alter

stormwater flow downstream of Gish Branch, increasing flood risk for homes in areas like Parkdale and Chamberlain. The concern extends beyond simple runoff. Lauren and others have highlighted critical discrepancies in how flood risk is assessed. Presently, FEMA flood maps only depict the 100 year flood zones with a 50 percentile confidence. What that means plainly is that it is just a coin flip chance that 100-year flood would actually remain inside the FEMA lines. In addition, a recent study shows that three times more people live in the 100 year flood zone than FEMA recommends so when they make development decisions based on these maps, they are relying on uncertainty, not safety. In addition, climate scientists are forecasting 100-year floods are more likely to recur every 30 years due to sea level rise along the northeast coast of the United States and every 15 years for southern states such as Alabama. Their neighbors in North Carolina recently enduring 78 floods between 1996 and 2020. Of those, 43% of the damaged buildings occurred outside the known flood zone. It is no wonder that flooding increasingly occurs well outside those official zones. Properties marked as low risk may, in actuality, be highly vulnerable. Especially with new development pushing natural systems past their limits. This is not just theoretical, it is measurable foreseeable harm to long standing residents. Just look at the horrific flooding events occurring in the country just this month alone. Lauren also gathered input from the community and compiled those voices into a formal petition with over 160 signatures. That document outlines a full spectrum of concerns, environmental risk, infrastructure strain, traffic safety, neighborhood character loss and economic impacts. What she was sharing here represented just a portion of what their neighbors have brought forth.

Chair King asked her if she had the petition. It was provided.

Carol Sovine of 1229 Forest Lawn Drive addressed the Commission. She stated that she and her husband have lived in this neighborhood for 45 years. When you drive in the neighborhood, right now, at the corner house, there is a gentleman has free flowers that he has grown and cut for the taking. Down the street, there is a tiny little church in the neighborhood who cares about their people. The important part of this statement is it is a neighborhood. It is not downtown Salem. It is not a subdivision. It is a neighborhood. They knew that this land would eventually be developed, but the plan, the thought of putting 171 cookie cutter townhomes in a circle across was way beyond anything they could have thought they would do. She understood only 20 of these acres are developable, but that does not concern them. What they are concerned about was what they will do with that land. If they put two cars per townhouse, each time you go up and down the road and they all take a million trips up and down their streets, then add on the daily delivery trucks from Amazon and UPS. If they let them build it, then add all the construction vehicles that are going up and down. She asked if they could imagine what that would do to their neighborhood. They asked at the meeting the other day about looking for different venues in and out of either Brand or North Mill or whatever. They said it was not feasible. It would be too hard or cost too much. At the base where this goes up and into where it would be located is multiple families with children that live right there where all of this will take place. They all play outside. There are no sidewalks. We do not have sidewalks. More housing is not the only key to keeping Salem great. Maybe there should be a pause. Less townhouses. Maybe better access. She does not know the answer. They have all chosen to live in this neighborhood because of its charm. They have all chosen to live in Salem because it is a special and unique place to live. They

ask them to please help keep it that way.

Marie Varney of 453 Parkdale Drive addressed the Commission. She stated she would like to address the flooding that is already present at the area where she lives. About 100' of her property backs up to Gish Branch. They do not even need it to be a serious storm in order for there to be flooding. She presented a picture of some of the flooding in her backyard. She stated she did not know if anyone could see it, but this was without the development. She understood stormwater management. She stated she was an E & S inspector for the County of Chesterfield, Virginia so she did understand what the engineer was saying as far as the runoff. However, when they have a stormwater management basin or pond, she was not sure if it would be retention or detention, the runoff from that basin will be concentrated. Yes, it will be the same amount of runoff as if they did not have that development. When they concentrate that runoff, it will go into Gish Branch and create more concentrated runoff instead of the property having the impervious areas that would be more of a gentle runoff. She was worried about that and about the traffic. She lives on Parkdale Drive where the people are picking up speed as they come down. They already speed. It is a dangerous area. They have to be very careful about backing out. She double checks that there is nobody coming because they do come down Parkdale Drive very fast. The flooding that they have encountered also involves their neighbors. She is located right to the left as you come across the little bridge on Parkdale Drive where the branch is trying to turn, so they have erosion problems. Salem has already put in gabions which has helped but then, beyond the gabions, there are erosion problems. She knows there is going to be development in this area. She would like to request that it not be 171 units or maybe reduce the number of units.

Elizabeth Roberts of 566 Parkdale Drive, Salem addressed the Commission. She stated that she was 25 years old and lived with her husband at 566 Parkdale Drive. After graduating from Roanoke College, they made a very intentional decision to stay in Salem. She was originally from Hanover County but was drawn to Salem because it offered something increasingly rare, a balance of natural beauty, safety, access to nature and a strong sense of community. They bought their first home here just a few months ago in their quiet neighborhood with a dream of raising their future children there. The proposed townhome development threatens the future they envisioned in this community. She had concerns over the high-density aspect of this multifamily townhome proposal. This development would add an additional 1,000 or more vehicle trips per day through their small neighborhood roads where children regularly play, ride bikes in the streets and where they find people jogging and exercising. These roads already cannot support two-way traffic when residents park on the street. The volume increase is not just inconvenient, it is dangerous. At a recent community meeting, the developer compared this to the growth he experienced as a child in the area now surrounding Tanglewood Mall. He said he once played in the fields where the mall and high-density housing now stand and suggested that similar growth is inevitable here. To expand on his example, the area surrounding Tanglewood Mall now has a significantly higher population density and crime rate than Salem. A 2020 analysis by the US Department of Justice confirmed that increased residential density is associated with higher rates of property crime, particularly in areas undergoing rapid population growth or lacking adequate infrastructure. Increased density often brings more anonymity and less community cohesion. To further illustrate this concern, she reviewed the public crime data from

Roanoke's official crime mapping tool. Since January 1st, the high density townhome and condo complexes in the Tanglewood area have seen 13 assault cases, 6 vehicle break-ins, 3 burglaries, 3 thefts and 3 cases of vandalism. In contrast, their town and neighborhood west of Electric Road have not had a single reported crime during the same time frame. This stark difference further illustrates what is at stake if they choose to introduce large-scale developments rather than preserving low-density, community rooted neighborhoods. If they follow this analogy to its logical conclusion, then Salem's future is one of high-density housing, heavier traffic and higher crime. The developer also claimed that this project addresses a housing shortage in Salem but, as of this past Monday, July 14<sup>th</sup>, there were 123 homes, apartments, condos and townhouses currently for sale in Salem. There are also approximately 702 residences being built as we speak. That is not what a housing shortage looks like. This proposal is not about a housing need; it is more about profit at the expense of a safe and pre-existing neighborhood. She respectfully asked them to protect the culture of safety and integrity of their town and neighborhood. Please reconsider the rezoning request for multifamily homes. Growth can be thoughtful. Growth can be aligned with what Salem is and not just what developers want it to become.

Chair King asked about the number of houses that were for sale in Salem and where did that information come from.

Mrs. Roberts stated she zoned it in just using the Zillow housing app and put in Salem, Virginia and then 2 zip codes.

Chair King stated, just to clarify, when they put in Salem Virginia, they are going to pick up any property that has a Salem, Virginia 24153 address including parts of the County.

Mrs. Roberts stated that most of the homes that she looked at were within the City. She thought a few were up in the Bradshaw area, but most were in the City.

Connor Kinkema stated he lived at 566 Parkdale with his wife who just spoke. He stated he would mainly be addressing the economic impact of this development on Salem. He first wanted to address some of the information that was garnered at the beginning of this process. He talked to multiple civil engineers, land developers, real estate developers and economists and the three main takeaways that he got after the community meeting was one, the land was not best suited for townhomes. That is due to the grade. It is best suited for single-family residences. The issue is the roads as Chris did talk about not being able to fit in ample amounts to make the same profit margins. Speaking with a developer that works with Ryan homes, frequently, they found that with the land and pricing 60 homes between \$450,000 and \$550,000, they would still maintain an 8% margin on the total development, assuming normal land expenses and infrastructure costs. There, based on national data, they can see that over the next 5 years, home values in the surrounding area will most likely decrease by 9%, assuming a normal trend of 3% growth. Eliminating 3 years of growth in value. That equates to approximately \$8.1 million in lost growth within the neighborhood for land values. All of this was reputable national peer reviewed literature that he was citing from. Then, at a glance, they are looking at 171 units at approximately \$350,000 each. That brings in \$718,000 of tax revenue to the City. This looks great on paper, and he thinks everyone would want

\$718,000 going into the City. When they look at the impact of this on the City, they see that there are a lot of expenditures that are not seen right away. Some of the first ones being traffic. The literature that they used prior at the community meeting was a lower volume townhome study that they done approximating 4 to 5 trips per day for each townhome. These are going to be more family-oriented townhomes, so most research suggests that it is going to be closer to 8 trips per day. That is looking at 1,370 additional trips on roads versus a 60 single-family home project yielding 750 trips less than that, so over double then what they would expect from single-family residency. Addressing public safety. As townhomes are being built, approximately 30% of these will be bought up in the next 5 years to rent. Increased rentals led to a measurable increase in crime, leading to approximately \$1,000 per unit annually to the City. If they were to extrapolate just from this development, that is \$171,000 of taxpayer money that is going to policing, courts and EMS services. Most of them are not here to say no to growth. They were here to say yes to smart growth. He believed that development in Salem is necessary and good for the City, but it needs to be done in a way that aligns with City values and not just with individuals that might not live here and in these neighborhoods.

Sheila Via of 1342 Forest Lawn Drive addressed the Commission. She stated that her street would be one of the exits out of their neighborhood. They already have a lot of cut throughs on Forest Lawn. She is at the lower end of Forest Lawn that exits onto Kesler Mill Road. They have a blind spot. The City of Salem had to come and put up a hidden driveway because they have a hill that is very dangerous. You cannot see. When she pulls out, she does 2 or 3 looks because she does not know if somebody is going to shoot up over that hill. That is going to be a problem. The only other exit out of the neighborhood is going to be Stoutamire and on to Main. The one on main is a problem because they have to sit and wait on all that Main traffic coming through. One of my main concerns is that hill. This project, he was saying 171. She went on the Salem property search and counted the homes and townhouses. If her calculation is right, it was around 372 and that is counting a townhouse as one. This project is going to increase 50% of their neighborhood and that is something to think about. The flooding. There are a lot of problems here. She knows the property does need to be developed and she is sure the man wants to sell it, but they better think long and hard on this.

Becky Vest Thomas of 1316 Forest Lawn Drive addressed the Commission and stated she had lived on about every street in the area. This was coming from her heart that she was trying to save their neighborhood. She wanted to speak about the impact this proposed townhouse development could have on Salem's public service infrastructure. Right now, there are already over 700 new residential units approved or under construction in the City of Salem. That is a significant population increase. Potentially, thousands of new residents in a small town, in a very short period of time. And yet, we have not seen any clear analysis or public communication on whether the local schools, EMS, police, fire department and hospitals are equipped to handle this surge. There has been no transparent plan shared with the public to show that Salem services and infrastructure are ready for this kind of growth so why are they considering 171 townhomes before they even know whether they have the staffing, road access, emergency response capacity or school space to support the people already coming in. This was not just about the traffic or housing. It is about planning responsibly for public safety, health and quality of life. She was asking for a pause and reassessment and a

real look at how Salem can handle how quickly. Once the units are built, the people come and, if they are not ready, the burden falls on existing residents in the system they all rely on. She had one question, would they want this in their neighborhood because, she would go for townhomes, she would go for patio homes, for single living homes. She asked again would they really want this in their neighborhood.

Chair King stated that she would like to read into the record one of the other things that they do besides contacting the Police Department is to also contact the School Superintendent. He believes that they are still down in enrollment by approximately 300 students and he believes that the capacity would be there for the schools. He stated growth was a positive sign for Salem and it is their responsibility as a school division to proactively address the implications rather than discourage development. She wanted them to know that they are aware of considerations such as schools, but they do check with the school system to see if they feel that it is not going to be a burden on them.

Mr. Garst reiterated as well as public safety and utilities.

John Breen of 142 Bogey Lane addressed the Commission. He stated he had watched two of Mr. Boone's presentations. They are very thorough, very folksy and, for the most part, factually oriented. He touts how Salem will benefit from his project. Maybe and maybe not. Consider the average number of school age children in newly constructed single-family attached unit townhouses is less than one, with roughly 30.2 kids per 100 units according to the National Association of Homebuilders. This means that, on average, there are 0.3 children per townhome. For Boone's 171 units, the number of expected kids would be 52. The cost to Salem Schools is \$11,000 per student. There are currently 7 townhomes for sale in Salem at a median listing price of \$350,000 or well within the Boone stated price range. The estimated property tax for a \$350,000 unit is about \$4,130 or a deficit per student of \$6,870 per student per year, so the deficit to the Salem school system would be \$350,000 a year based on 52 students and the proposed 171 units. Generally, builders can make more profit and profit was not a dirty word to him or should be to anyone. He can make more profit with townhouses than single-family homes due to increased density and lower construction cost per unit. The ability to build more units on the same land significantly increases overall project profitability. The average build or gross profit from a townhome generally falls between 10% and 20% of the total sales price. Net profit margins which account for all expenses typically fall between 6% and 10%. With 171 units with a \$350,000 selling price means that the revenue from the project will be somewhere around \$59.8 million and using just the 6% net profit is \$3.59 million and he wished Mr. Boone all the best of luck getting there. Back to Mr. Boone's position that he wants to benefit Salem. Mr. Breen asked should Boone's project be approved as a suggestion to really give back to their community and do the right thing. To help enhance the number one selling element of Salem and that is their schools. He could help enhance Salem schools by creating the ABoone Salem school fund based upon just 1% of the net profit from each unit. This would be tax deductible. He respectfully requested Mr. Boone consider proceeding in this manner.

Chris McCart of 316 North Broad Street addressed the Commission. She thanked them for the time they have taken evaluating the proposal thus far, but she thinks the proposal

needs more information before they vote and urged them to table it until they have full information. Her first issue regarding information was Salem's population. They frequently hear about this need for new housing. This proposal states and, she quoted "as discussed throughout planning publications in recent years and months, localities throughout the United States and the Commonwealth of Virginia are experiencing a housing shortage". That is true for the country and the Commonwealth, but what about Salem. She asked where are the numbers and where is the evidence to support such growth. She understood that, according to the proposed comprehensive plan which used the U.S. census data, the conclusion was that they are growing. Remember, the U.S. census is only accurate once every 10 years and they are right at the midpoint. She asked if Salem is truly growing, then why would Virginia not use these numbers. Virginia uses estimates determined from the Weldon Cooper Center based at UVA to allocate State money to localities. According to the Weldon Cooper Center, as of last year 2024, Salem's population had dropped 1.4% from 2020. These are the numbers that the State uses to help fund them. If these numbers are low, then it means they are underfunded by the State. She questioned which was right, the numbers used by the State or a number extrapolated from 5-year-old data. She tended to believe the Weldon Cooper Center and the State. Either the population is going up, is going down or staying the same. In the 2012 plan, the same methodology for calculating populations used as is done by Weldon Cooper. That is, they start with a population, add the births, deduct the deaths and then add in the net migration. The U.S. census just extrapolates from the past. It is just a forecast for 10 years. She stated what happened here was, for 10 years, they forecast for the last 50 years out in which they were growing until 2020, but now they are decreasing. The bottom line was she would like to know what is happening with Salem's population before approving more high-density housing. Perhaps the belief is "build it and they will come". Look at Valleydale. The original estimate was to have over 300 units completed and rented during 2025. They are now halfway through 2025 and, to date, as of yesterday, there were 70 units rented, making occupancy rates less than 25% of expectation. She asked how about those cute little townhouses on West Calhoun Street. There, they have townhouses that 5 out of 6 are still owned by the original owner and have not been sold. Then they have Simms Farm and Fralin crying because he wants to build bigger houses because little houses do not sell. She had a couple things for them to read she thought they should look at. One is about sidewalks.

Thomas Goodrich Beaman Jr. of 1130 Forest Lawn Drive, Salem for 70 some years. He stated he had seen a lot. He was a graduate of Andrew Lewis High School, and they had an astronomy club that was formed right there in good old Forest Lawn and Parkdale Drive. As far as an astronomy club, they upgraded the scholastics of the neighborhood. These people have stolen his thunder. He was by education a geologist. His military service was as a terrain analyst for the military in Europe and NATO. He liked to crawl around in caves and climb mountains and hike and stuff like that, so he liked to walk around in this neighborhood. He lives on top of the hill. At one time, back around the 1950s, it was the highest. There was only one house higher than his in Salem and it was the one across the street. He thought that gentleman was going to get up to speak too. He is 80 years old and still walks around in the morning through these places. His observations here most of lately have been in the Parkdale/Newman area back to the antennas. What they have there is like a hill and valley terrain where if they have a flood situation, there will be a lot of water. There is a very shallow aquifer there that they can

pump water out of. They pumped water out of it for all of their houses on top of that hill a total distance of three hundred and some feet. That was how much water they pumped out of that. That well has been capped now. There is a very shallow layer there that blocks rainwater from soaking in and it creates a flood situation. There is a funnel up through there. In a flood situation, they will have sewer problems because of that. He asked if they have 20 acres up on a hill and they are going to put 171 townhouses up there, think of all those driveways and all of those cross streets and all of that water coming down towards Parkdale. Then, the day will come when there are 4 automobiles and double family habitation in those houses up there and that will multiply the cars too. They have too many cars to start with.

Russ West of 556 Chamberlain addressed the Commission and stated he had come to present redundancy because pretty much everybody had covered what he was going to cover. He was going to talk about road problems, but with everything and a 50-page traffic study, he was going to pass on that though he still believed there was a way to get to Carey Avenue and Harrison Avenue having done this before in his lifetime. He will talk to stormwater and he just had 9/10s of what he was going to say taken out but he was going to read it anyhow. He stated that they were all sitting there with a bunch of studies, different counts, flat sheets of paper and a map drawn that is flat. What he wanted to ask them to do was go up on the site on a rainy day, it has been raining off and on since February, and walk down through Gish Branch, all the way down the backyards of the houses on Newman Drive and observe the amount of erosion taking place. That gentleman just talked about the amount of water that is moving down through there. Follow around the Parkdale culvert, the Chamberlain Lane culvert and they will see, as mentioned earlier, the houses that have been basically condemned. They are all still living in condemned homes. Going back up to the site, look up that hill and if it is raining, they will be able to see the amount of runoff that is coming down around that knoll. The whole hill is filled with grass, trees and shrubs. Then close their eyes and imagine those 171 paved driveways, the 171 sets of rooftops, all the crossroads and the black top all the way around. As they are standing there, look to the left and they will see the retention pond. No matter how much it is controlled, there was still going to be run off. When they get storms like they have had in the last 2 weeks and this past Monday, all they have to do is watch the news about Rocky Mount. They are going to get hammered. That water is going to top and come down the ravine, flood underneath Parkdale and flood underneath Chamberlain. It is a fact. Then get all the way down and go underneath Robertson's parking areas there and then come out on Kessler Mill and that has flooded. There are ways to fix it, but it is going to cost. It is going to take a partnership between the City, the developer and the EPA. There is a lot of things that are going to need to take place to get down there. As planners, you have a fiduciary responsibility to protect the neighbors and the neighborhoods surrounding the new development so he was asking them all to apply logic. That is why they are sitting on that side of the table. He understands that because he has sat on that side of the table. On the side of City Council, he was on the regional planner board for 10 years. 10 years of State transportation. Given the need for site visits, the deliberation of tonight's testimony, along with the handouts and the petition, he requested that they table this petition at this time until all of the information could be absorbed.

Suzanne Hickerson of 509 Doyle addressed the Commission. She stated that her and

her family live at the intersection of Doyle and Newman where the entrance of this development would be. Their backyard and side yard are adjacent to the property that was being proposed. As an adjacent property owner, she was concerned with only one access point to and from this property. As mentioned earlier, it is a concern not only with day-to-day traffic but, in the case of an emergency, a second access point would be very crucial. She would also like to see the density of this property reduced 10, 15, 20, 25 units. She appreciated the proposal including conservation of the land; however, she thought that a reduction of the number of units and development would help alleviate some of their concerns about traffic impact on the existing neighborhood and reduce strain on the existing City infrastructure. Once they have developed the land, there is no turning back. It is important to preserve a good amount of green space as they go. In conclusion, while they have concerns with the proposal, one part they do support is development as a residential usage. They feel like it is better than the current light manufacturing district as it is now. Some type of residential development would fit better with the neighborhood, so they do support that. They hope the Commission will take these concerns under advisement.

Chair King stated that was all they had on the sign-up list and there was one more person present that did not get to sign up. They will take one more.

Stella Reinhardt of 213 North Broad Street. She apologized for being 5 minutes late but she wanted to support another neighborhood because she had appreciated it when other people from elsewhere in Salem supported their neighborhood. She had a couple of things she thought were important. One of them is the process. It is the middle of summer when it is hard to make yourself go out and do these kinds of things. The fact that there are a lot of new developments that are coming out in the middle of summer, a time when people generally can enjoy life a little bit and take their family on vacation somewhere. The fact that they are here means something and she noticed when reading the proposal that was submitted along with the application on the agenda that the traffic analysis was last August. She heard about this and some of the neighborhood that she has talked with told her that they heard about this in July. She heard about it at the Coffee with Council at the library just a few days ago and it was mentioned by Alexander Boone. There needs to be a process where they think about this with everybody at the table. She knows that this was not property that was bought by Salem but this is a big chunk of acreage. 40 acres. Already, they have that it has a historic railroad importance that impressed her. They also heard that it could very well be part of a future Greenway that connects with their greenway. Those are two things that make it an exceptional piece of acreage. The neighborhood that lives there and the rest of Salem just heard about it a few days ago. She also wanted to say they should table this for a while. She asked if the Commission had 90 to 100 days before they must do something. At the very least, she asked if they could do that and Council could use their 90 days. The other thing she wanted to comment on was, referring to the map and depending on what happens, would the developer consider turning everything that was not development over to an actual conservation easement. Some of it was described as they could build here but were not going to. That would protect it a greater amount into perpetuity, and she thought that was kind of important.

Chair King stated with no other speakers, they were going to close the public hearing

portion of this item at 9:21 p.m. She asked the applicant if they wished to address any of the concerns that have been mentioned.

Mr. Burns stated that he wanted to make a point that there were a lot of citizens who spoke about the flooding and the drainage issues in this area. He wanted to point out for everyone's benefit the green line there. Part of the benefit of the plan that they have was that they are preserving almost all the floodplain that is there now. The floodplain ordinance would allow somebody to go there tomorrow and fill that in all the way up to the green line. The fact that they are preserving that is going to be extremely valuable in mitigating any further flood risks downstream. He wanted to point that out as an item that he had heard come up a lot and wanted them all to have that for consideration.

Mr. Garst asked that they have the stormwater area there on the south side in the plan right now.

Mr. Burns confirmed yes.

Mr. Garst asked if that would handle runoff from the developed property. He asked if that was correct and that it was not going to have any bearing on what is currently flowing through Gish Branch.

Mr. Burns confirmed yes.

Mr. Garst also asked about another branch on the eastern side and if it was correct that it would not have any impact on that either.

Mr. Burns confirmed that is correct and that is generally the way that they want it.

Mr. Garst stated asked if that was going to control all of the runoff from the new development and retain that and then gradually flow it back out into Gish Branch.

Mr. Burns stated that the drainage that Gish Branch generally drains from kind of the top left to the bottom right. The other smaller drainage away that was mentioned kind of drains along the property line and to that same corner. They would direct as much of their runoff as they possibly can to the new facility to control that release. That would be their stormwater management strategy.

Chair King had a question that Mr. Roudebush had that raised an issue about the fact that he had an injector pump. She is not an engineer but was wondering because she had never heard that term before. She asked what affect, if any, the new stormwater maintenance was going to have on something known as an injector pump.

Mr. Burns stated he was a little bit unclear on whether that was a storm sewer feature or a sanitary sewer pump. He asked if that was on Newman.

Chair King confirmed yes.

Mr. Burns stated that there was a sanitary sewer line that essentially runs along the creek.

That is where the development would discharge to. He thought it was a 12 inch line. As far as all of the conversations that they have had, there are no capacity concerns with that line. He believed that they would be draining below his house. He did not foresee any issues with that at all.

Court Rosen of 3934 Electric Road addressed the Commission. He knows he speaks for everyone, Chris, Mr. Wheeler and Alexander, that they believe that the neighbors' concerns are real and genuine. Many of them had expressed them at the previous meeting and they really do understand that. He stated that a lot of people have taken their time to come speak and that is what is best for a community is an open dialogue. When it comes to the project, there are some things they simply disagree about. The traffic study for instance. They use Institute of Transportation engineering numbers. That is what all Departments of Transportation use and the results are not subjective. They are objective based on the number of units. Residents have brought up several things. They are more than happy to preserve the railroad bridge and have discussed that with a couple of the Planning Commission members. They are more than happy to put the green area in a conservation easement if the City wants a greenway easement. They are more than happy to make the amenities, playgrounds and walking trails open to the public. That was brought up at the community meeting the other night. They did not know a legal way to do that but subsequently learned they can proffer playgrounds and things like that can be kept open to the public. This would carry with the land, and they are more than happy to do that because they do not see this as an extension of the neighborhood. They see it as part of the neighborhood. Looking at the development pattern, Newman was developed after Parkdale, and Doyle after Stoutamire and Newman. They do not see this as a separate neighborhood; they see this as a part of the neighborhood. He did want to address what somebody brought up about taxes. He understands that was not something that they all determine zoning based on, but assuming that 50% of the residents of the townhomes are new residents to the City and 50% are Salem residents who are just moving within the City, the real estate taxes are correct. It is about \$715,000. Then add in sales taxes and meals taxes and all the ancillary taxes, it is well over \$1,000,000. Folks have talked about aging infrastructure. This is the sort of revenue that helps repair and replace existing infrastructure, whether it is bonded or cash funded, and they think that is important. He wants to also make sure everyone understands that this would be a for sale community. This would not be a rental community. That is not to say that somebody would not buy a house, either move out of the area and decide to keep and rent it or otherwise rent it, but every neighborhood that all of us live in have rental homes in them. It is just kind of the way it ends up working. He also wanted to mention that, since the community meeting, he has had several residents who reached out and said either they do not oppose it or they affirmatively support the project. He did not feel comfortable saying that publicly, so he knows it is coming from one of the developers. He thinks there are people who support this and who simply see the opposition and do not necessarily want to speak out. As he has said, they believe there is a housing shortage. They believe the data shows that. They would not be building new communities if they thought that they were going to sit and not sell. This is what they do. It is not just to make money, it is about making communities and building better communities. They are all local. They all live in the region and the valley. They are doing this because it is needed to help the City of Salem and the whole region grow. If they all grow together, they all prosper.

Mr. Henrickson asked about what had been mentioned about the greenway and the railroad. He asked how do they put this in as part of this proposal.

Mr. Rosen stated that the greenway issue somebody mentioned at the community meeting was one where some residents would say, if they put in a greenway, it would be inviting additional people into the neighborhood. They are happy to proffer it but they want to make sure that they do not proffer something and then have the City decide they do not want a greenway connection there.

Mr. Henrickson asked what proffers are they suggesting.

Mr. Rosen suggested he did not think that Balzer was finished or had taken a structural look at the railroad bridge. They do not want to say that it was going to be public, then kids can go play on it and it is structurally unsound. That would not be a smart thing for them to do. What he would say was that any of the playgrounds, pocket parks or public amenities that they consider public for the new extension of the existing community would also be open to existing residents on Parkdale, Doyle, Stoutamire, Newman, etc.

Mr. Garst asked, just for the public's benefit, any proffer that was accepted would be bound to the property, not to the developers. The HOA that picks up ownership of the green space around it would also be bound to any proffer.

Mr. Rosen confirmed and stated that they want the amenities to be public. They want this to be one large community, both existing and new that, in 10 years, everyone gets along. Kids are playing together whether they live in a townhome or they live on Parkdale. Whatever means to do that is their intention.

Mr. Garst stated he did not know about any owner-occupied clause that they could impose on them but, there would be an HOA, and that was something they could certainly address.

Mr. Rosen confirmed that is not uncommon. They regularly do that in their HOAs.

Mr. Boone stated that there will be a minimum of at least 6 months of rental period, more likely a year. As far as the rental of any units and as Mr. Garst suggested, their HOA declaration would have the requirement that any lease, one that it be reported to the HOA and that it would be no less than 6 months. That was what they saw a lot of the time. Some of them are a year. They do not know what it would be here, but there would be no short-term rentals. These are designed to be for sale for the homeowner occupant to live there, not to be rented. As Mr. Rosen said, it happens in every community, but he thinks it would be limited in this case because of that restriction. In all the communities they have developed across the Roanoke Valley, they always had either 6 months or a year and have not had any problems in the 50+ communities they have. They have not had an issue. As they brought up the bridges and also brought up the floodway and flood plain. As far as the railroad bridges, they will absolutely put that land in a conservation easement. If they have trails, they will take them and clear the area best that they can. They really know very little about it. Mr. Garst introduced them to that more than anybody. They had heard from some of the Wheeler media folks that there were bridges, but it was

so thick, they could not get to them at the time. They are completely committed to doing whatever they can to open the trails to them. He had no idea if they could preserve them or if they could work on them. Having not seen them yet, they are completely committed to making that part of the amenity package in the community. They are also willing to say they would put in an easement, but as the HOA would own it, it would be common space. There would be a restriction against any development in that area out and ringing all the townhomes. Everything below that first row of townhomes would be restricted against development, would be owned by the HOA and controlled by the HOA, as well as maintained which would certainly allow for the trails, playgrounds and parks that they have talked about.

Chair King asked for any other questions.

Mr. Boone said one thing he would like to say to this group is he has done a lot of things in his career and, generally, they go pretty well. They had a couple that were rough, but they were very considerate last year. This process really has gone as well as any that he had ever experienced. He appreciated the consideration and the concern. They respectfully request that they grant the approval to the City Council for their rezoning application.

Chair King asked one question for Ms. Wines to remind the Commission about the allowable uses outlined in the RMF Residential Multifamily District.

Ms. Wines stated it is a residential multifamily district that allows for townhomes, multifamily dwellings such as apartment complexes, single-family detached, community recreation, educational facilities like schools, religious assembly, churches and that kind of thing. There is no commercial, no office and no industrial uses. She stated for the public's knowledge that when they get applications such as this, they send them to the public works department directors for their review to see if they foresee any major issues like the street department, water and sewer, electric, fire, EMS and police and they came back with all positive responses that they do not foresee any major issues with this development.

Chair King asked for any comments from the Commission members.

Mr. Garst what had been officially proffered to date because the agenda item says LM Light Manufacturing with proffered conditions to RMF residential multifamily district.

Ms. Wines stated that was included in the previous rezoning to LM where it restricts it to being a radio station only.

Mr. Garst confirmed that there are no current proffers that they have on the table.

Mr. Wines stated none other than what had been talked about and verbally presented.

Mr. Boone stated they are happy to fill out the proffer statement they have had before and to go ahead and proffer.

Mr. Henrickson asked if that included that this will be a townhouse development because, if it is rezoned, there is opportunity for apartment buildings.

Mr. Boone stated first of all when they say they will do something, they will do it. Secondly, they are happy to proffer that. There was no plan to build apartments or other facilities that are allowed under the zoning. They are glad to proffer that this will be a townhome community not to exceed 171 units.

Mr. Garst asked if they have plans to screen the backyards of houses that are on Doyle.

Mr. Burns stated that was covered by the zoning ordinance already. They will have a differing zoning condition and they will have to buffer that per the ordinance.

Mr. Garst asked if that would apply to the north side as well.

Mr. Burns stated that would apply not just to Doyle but to anywhere where they are adjacent to RSF.

Chair King asked if there was a motion.

Mr. Garst stated he would move that they recommend to rezone the property located at 1002 and 1108 Newman Drive from Light Manufacturing with proffered conditions to RMF Residential Multifamily District with proffers.

Mr. Light stated there are no proffers in writing.

Chair King stated that they will have to have those proffers available for City Council.

Mr. Light stated that the petitioners have verbally offered that they are going to do these things so that will be part of the record that will go on to City Council.

Chair King asked if everybody had a good record on what they were recommending to the City Council.

Mr. Garst ended his motion.

Chair King asked for a second.

Mr. Routt seconded the motion.

Chair King asked for a roll call vote:

Mr. Routt - Aye  
Mr. Henrickson – Aye, see below  
Mr. Beamer - Recused  
Mr. Garst - Aye  
Chair King – Aye, see below

Mr. Henrickson stated that he did have concerns about the access and width of Newman Drive and thought that it needed further discussion between the City and the developer about Newman Drive. He wanted to go on the record that two-block area needs to be looked at by the City and/or the developer, but he will vote Aye.

Chair King stated that as she had looked at this particular development and at best and highest use, as well as compatibility to the neighborhood. She does not believe it should be light manufacturing. They had a number of residents who had spoken and asked would they want this in their neighborhood. She certainly would not want truck traffic in her neighborhood. She really believed that the best and highest use for this property is residential. She also believed in flexibility when it came to residential housing and believed that the applicant was going to carry through on what they had promised that they would do. With that in mind, she voted Aye.

Chair King stated that the motion carried and this would go on to City Council with the recommendation of approval. She asked that, if anyone was leaving, to please leave quietly. She explained that the Planning Commission is a research and recommending body to the City Council. Attendees will need to appear at the City Council meeting when placed on their Agenda. They will be notified of the time and date once it has been scheduled.

Chair King asked for the next item on the agenda.

#### **E. Planning Commission Bylaws**

Introduce the proposal to amend Article 4: Meetings of the Planning Commission Bylaws to adjust work and regular session meeting times to be considered at a future meeting.

We are considering a time change for the Planning Commission meeting to be moved from 7:00 p.m. to 6:30 p.m. That would be in keeping with the time schedule of City Council and that will be brought before the Planning Commission at the next meeting.

#### **F. Remote Participation Policy**

Consider resolution to adopt a Remote Participation Policy for Commissioner participation in Planning Commission meetings for Fiscal Year 2025-2026.

Chair King asked Mr. Light to briefly describe the resolution to adopt a remote participation policy.

Mr. Light stated the State code addresses remote participation by board and commission members. On July 1, 2024, the code was changed to require such bodies to adopt their policy annually. This is exactly what they would be doing. It is in the form adopted by City Council and EDA, then reviewed by the City attorney's office, so they ask for the

Commission to adopt that for the next year.

Chair King stated they would consider the resolution and asked for a motion on that item.

Mr. Henrickson motioned. Mr. Beamer 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 stated that the resolution had been adopted.

#### 4. Adjournment

Chair King asked if there was any additional business for the Planning Commission. There being no further business, Chair King adjourned the meeting at 9:44 p.m.

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF SALEM, VIRGINIA held in the Council Chambers of City Hall, 114 North Broad Street Salem, VA 24153

**AGENDA ITEM:**      **Special Exception Permit**

Consider request of Brill Holdings, LLC, property owner, for the issuance of a special exception permit in accordance with Sec. 106-314.2 (D) (5) of the Salem Zoning Ordinance to allow non-residential outdoor uses such as restaurant operations and live music events for the property located at 1507-1511 Eddy Avenue (Tax Map #183-3-10).

**SUBMITTED BY:**      Max Dillon, Planner

**SUMMARY OF INFORMATION:**

**SITE CHARACTERISTICS:**

Zoning: CBD Community Business District

Land Use Plan Designation: Residential

Existing Use: Mixed-Use – convenient store with residential on second floor

Proposed Use: Addition of outdoor non-residential uses

1507-1511 Eddy Avenue consists of an approximately 0.137-acre tract of land which currently sits within the CBD Community Business District zoning designation. The structure on the property was originally constructed in 1910, and it has accommodated various uses such as Ludwick's (Ludwig's) Grocery Store, Berea Baptist Church, the Dilly Dally Mini Mart, a barber shop, and Joe's Deli, serving as a gathering space for the surrounding community in some capacity for decades. The applicant, the current owner and tenant of the property, has significant experience in the restaurant industry and is seeking to expand the Dilly Dally convenient store/deli offerings to include an outdoor kitchen/dining area, as well as live music events. Correspondingly, she is requesting a Special Exception Permit to allow non-residential uses in accessory structures (restaurant operations) and non-residential uses out of doors in accordance with Section 106-314.2. (D) 4, 5 – Mixed Use, of the City of Salem Zoning Ordinance.

The operational guidelines provided by the applicant as part of this request refer to bi-weekly outdoor events from April-October, along with year-round outdoor cooking/dining space. The scheduled events are planned to take place between the hours of 4:00pm and 9:00pm, with both acoustic and amplified music depending on the artist.

Buffering/landscaping requirements were completed for this property in 2019, including the installation of fencing on the perimeter of the back yard area which will house the potential outdoor events. If the requested Special Exception Permit is approved, an amplification permit

(coordinated through the Salem Police Department) will be required for each event containing amplified sound, and all relevant Alcohol Beverage Control (ABC) regulations will be in effect.

The Future Land Use Map (FLUM) identifies this property as residential.

**RECOMMENDATION:**

Staff recommends approval of this request with the following conditions:

- No outdoor utilization (programmed or otherwise) of the property will extend beyond 9:00pm
- Programmed outdoor events (including, but not limited to live music) will not occur more than once during a seven-day period.

It is important to note that if granted, this Special Exception Permit will remain with the property regardless of ownership. In the event that future issues arise with the granting of this permit, Planning Commission may reconsider its approval and/or conditions associated with its issuance.

## Application Data for Application Number: Z25-30004

<b>Application Type</b>	Zoning		
<b>Application Sub-Type</b>	Special Exception		
<b>Applicant</b>	Salem Bodega Co DBA Dilly Dally		
<b>Location</b>	1507 EDDY AVE		
<b>Applicant Address</b>	1511 Eddy Ave	<b>Property Owner</b>	BRILL HOLDINGS LLC
	Salem,VA,24153	<b>Owner Address</b>	109 E LEE AVE
<b>Tax Parcel</b>	183-3-10		VINTON, VA,24079

### Application Information

Section	Question	Answer
Details and Scope of Work	Please provide a detailed description of the work associated with this application.	Construct an open covered structure approximately 8' x 3' to cover a grill and smoker to be used commercially for the purpose of cooking outside and serving inside the business.
Existing Structure Info	Year Built	1910
	Property Description	Convenience Store
	Number of Stories	1
	Number of Rooms	0
	Number of Bedrooms	0
	Number of Bathrooms	3
	Type of Roof	Metal
	Type of Exterior	Asbestos
	Type of Basement	None
Parcel Information	Finished Square footage of Primary Building	1626.00
	Lot Size Acres	0.14
	Lot Size SQFT	5954.00
	Zoning Classification	CBD
	Legal Description	LT 6 & W PT LT 5 SEC 7 SALEM DEVELOPMENT
	PID	3377
Special Exception Details	Please advise Current Zoning type	CBD - Community Business District
	Please advise current use	Back yard with seating area
	Please advise future use	Back yard with seating and cooking areas
	Please advise designation from the future land use map	Mixed Use
	Is the building or parcel in a district currently designated as historic	Yes

# SALEM VA



## COMMUNITY DEVELOPMENT

Special Exception Details	If yes, describe the proposed measures for meeting the standards of the Department of Historic Resources	By ensuring the new structure is compatible in scale, design, and materials but clearly distinguishable from the historic structure.
	This Special Exception/Use Not Provided For is being requested in order to?	Smoke and grill pulled pork barbeque, brisket, hot dogs, ect. to be transferred and kept to temperature in hot holding and served inside the store.
	Describe in detail how you plan to develop the property for the proposed use and any associated uses	Construct an open covered structure approximately 8' x 3' to cover a grill and smoker to be used commercially for the purpose of cooking outside and serving inside the business.
	Describe why the proposed use or exception is desirable and appropriate for the area	It will increase the quality and variety of food sold to the immediate community.
	What measures will be taken to assure that the proposed use or exception will not have a negative impact on the surrounding vicinity?	The area will be well kept, clean, and aesthetically pleasing.
	Is the subject property located within the Floodplain District?	Yes
	If yes, describe the proposed measures for meeting the standards of the Floodplain Ordinance	I will obtain a zoning permit and meet any elevation requirements for the structure.
	Have you provided a conceptual plan of the proposed development, including general lot configurations and road locations?	Yes
	Are the proposed lot sizes compatible with existing parcel sizes in the area?	Yes.

## **Special Exception Permit Request: Seasonal Outdoor Cooking & Bi-Weekly Music Event**

**Overview:** This request is submitted to obtain a special exception permit for seasonal community events including live music on a bi-weekly basis, as well as outdoor cooking year round for use within the Dilly Dally. The events will be hosted on private property zoned for mixed-use and is intended to foster local engagement, promote small business offerings, and celebrate regional culture through food and music.

### **Event Details:**

- **Duration:** April through October (weather permitting)
- **Frequency:** Every other Saturday, totaling approximately 14 events per season
- **Time:** 4:00 PM to 9:00 PM
- **Location:** 1511 Eddy Ave. Salem VA 24153
- **Attendance:** Estimated 50–100 guests per event

### **Outdoor Cooking Setup:**

- Cooking will be conducted using a covered grill stations and food preparation equipment certified for outdoor commercial use.
- Waste disposal, and fire extinguishing equipment will be onsite and in compliance with fire safety codes.

### **Music Event Details:**

- Performances will feature acoustic and amplified sets with volume kept within local noise ordinance limits.
- Genres will vary to highlight regional talent and accommodate broad audience preferences.
- A sound technician will manage volume and timing to minimize disruption to surrounding properties..

### **Safety & Compliance:**

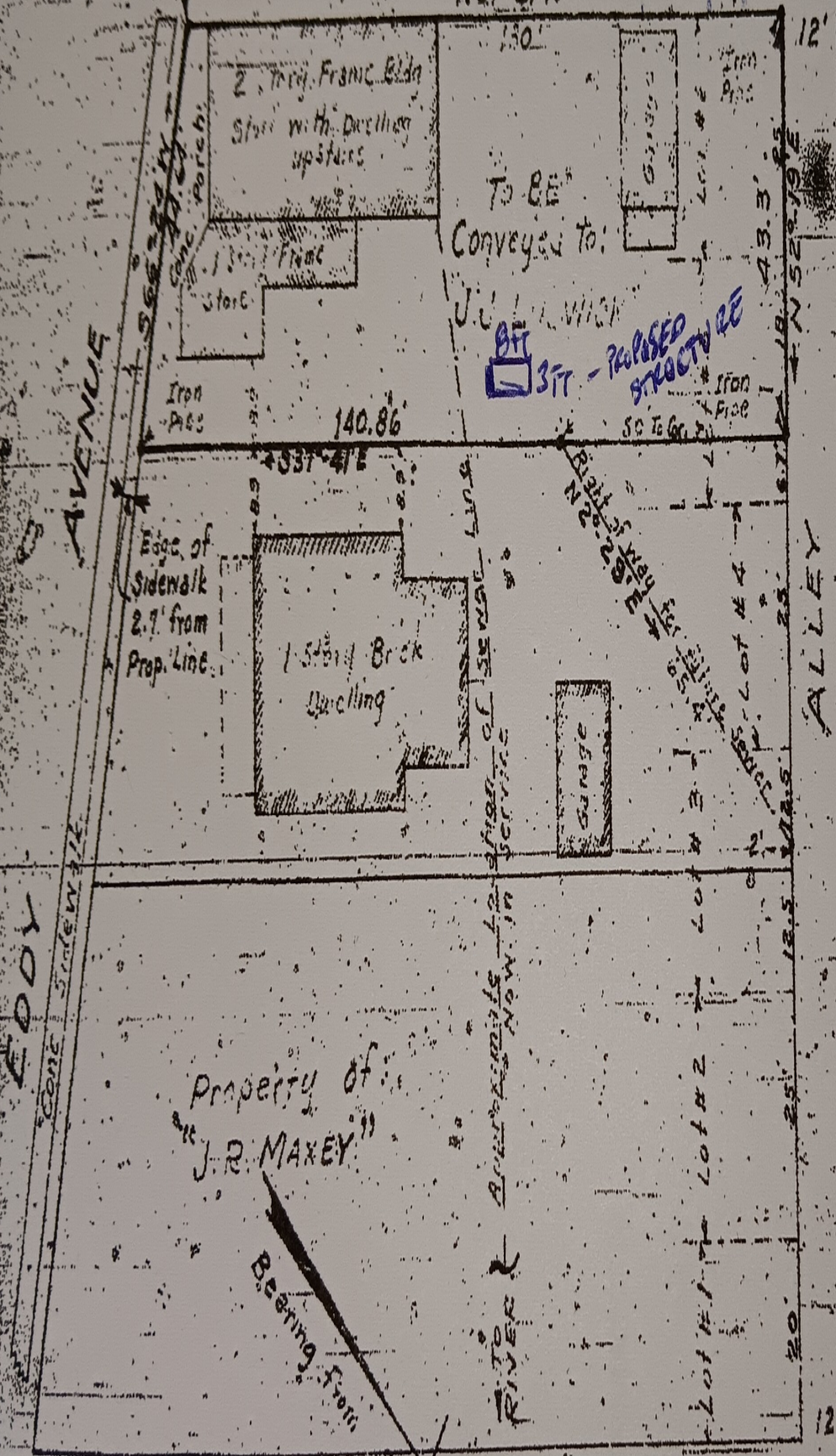
- Security staff will be present during each event.
- All events will conclude by 9:00 PM to comply with noise and occupancy regulations.
- Insurance coverage will be maintained throughout the season for liability protection.

**Community Impact & Benefit:** The event aims to create a space for community interaction, provide economic opportunities for local artists, and enhance cultural appreciation. All events are open to the public and will be marketed via local publications, social media, and flyers.

Corner of  
concrete porch  
or step

# FRONT AVENUE

N 87° 41' W



## MAP AND SURVEY

SHOWING A PORTION OF THE  
PROPERTY OF "RINDA OVERBY"

TO BE CONVEYED TO:  
"J. J. LUDWICK"

BEING ALL OF LOT NO. 6 AND THE  
WESTERLY PART OF LOT NO. 5 IN  
SECTION NO. 7 OF THE  
"SALEM DEVELOPMENT COMPANY"  
LOCATED IN "SOUTH SALEM"  
ROANOKE COUNTY, VIRGINIA

Scale 1" = 20' - Aug. 28, 1943.

By F. A. Spiggie  
State Certified Land Surveyor

see Deed Book # 250 Page # 485 for  
Conveyance of Lots No. 4, 5, 6 and  
one half of No. 3, Sec. No. 7 S.D.C.  
TO "RINDA OVERBY"

See PLAT BOOK No. 1, Page No. 362  
for Map of SALEM DEVELOPMENT  
COMPANY.

# HOLSTIEN AVENUE

EDDY AVENUE

Property of  
"J. R. MAXEY"

Bearing from  
SALEM DEV. CO.

RIVER

SALEM DEV. CO.

**AFFIDAVIT OF MAILING PURSUANT TO S15.2-2204  
CODE OF VIRGINIA**

**PLANNING COMMISSION  
AUGUST 13, 2025**

**ITEM #3A**

This is to certify that I mailed letters in reference to the request of Brill Holdings, LLC, property owner, for the issuance of a special exception permit in accordance with Sec. 106-314.2 (D) (5) of the Salem Zoning Ordinance to allow non-residential outdoor uses such as restaurant operations and live music events for the property located at 1507-1511 Eddy Avenue (Tax Map #183-3-10) to the following property owners and adjacent property owners on July 25, 2025, in the 2:00 p.m. mail:

SAUL LARRY W  
707 FRONT AVE  
SALEM VA 24153

RILEY CAROLYN SUE  
1415 EDDY AVE  
SALEM VA 24153

KING KATHY K  
MARSH KAREN  
5184 NORTHWEST RIVER RD  
SALEM VA 24153

THOMPSON BRIAN MICHAEL  
THOMPSON KAREN  
721 HOLSTEIN AVE  
SALEM VA 24153

HUFFMAN JERRY WAYNE  
1501 EDDY AVE  
SALEM VA 24153

BARTON RAYMOND W  
BARTON BETTY  
3880 BONFIRE DR  
ODESSA FL 33556

TRUSTEES FIRST CHRISTIAN  
CHURCH  
712 FRONT AVE  
SALEM VA 24153

SHAW JOAN M  
1506 EDDY AVE  
SALEM VA 24153

APEXMART LLC  
1785 MILLBRIDGE RD  
SALEM VA 24153

1500 EDDY AVENUE LAND TRUST  
PO BOX 444  
SALEM VA 24153

STELLAR NOBLE LLC  
1623 GARSTLAND DR NW  
ROANOKE VA 24017

GINN JOHNNY L  
GINN JERRIE  
P O BOX 356  
SALEM VA 24153

MCLIP PROPERTIES LLC  
239 ROWAN ST STE A  
SALEM VA 24153

DEMOLE DANA C  
1270 SOUTHSIDE DR  
SALEM VA 24153

CHANHTHAVANH THONG VANSY  
703 BOWMAN AVE  
SALEM VA 24153

WHEELER LEO J  
WHEELER PHYLLIS  
1608 EDDY AVE  
SALEM VA 24153

WALKER OTIS L JR  
1602 EDDY ST  
SALEM VA 24153

DSR INCORPORATED  
2207 MEMORIAL AVE  
ROANOKE VA 24015

Signed 

Date 7/25/25

City of Salem  
Commonwealth of Virginia  
The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of July, 2025, by

Tammy Dunn

  
Notary Public

My commission expires: 10/31/2028



BYLAWS OF THE  
CITY OF SALEM PLANNING COMMISSION

Mission Statement/Objective: To promote the orderly development of the City of Salem by providing technical assistance and direction to the Council of the City of Salem and its citizens to accomplish the objectives of the Code of Virginia and the Ordinances of the City of Salem in reference to subdivision and zoning matters as established by §15.2-2200 of the Code of Virginia and The City of Salem Subdivision and Zoning Ordinances, in force on the date hereof, and as may from time to time be lawfully amended.

ARTICLE 1: MEMBERSHIP

- A. The Planning Commission of the City of Salem, hereafter known as the Commission, will consist of five members, appointed by the City of Salem City Council, hereafter known as City Council, all of whom shall be residents of the City of Salem, and qualified by knowledge and experience to make responsible decisions on questions of growth and development.
- B. Terms of the Commission shall be four years as set out in Section 15.1-437 of the Code of Virginia, 1950, as amended.
- C. Any vacancy in membership shall be filled by appointment of the City Council and shall be for the unexpired portion of the term.
- D. Any member of the Commission shall be eligible for re-appointment.
- E. Any member of the Commission may be removed from office by the City Council for neglect of duty and malfeasance in office.
- F. The City Council may provide for compensation to Commission members for their services, reimbursement for actual expenses incurred, or both.

ARTICLE 2: OFFICERS

- A. A Chairman and Vice-Chairman shall be elected by the Commission annually from the voting members and shall be members of the Commission. Their terms shall be for (1) one year.
- B. The Commission shall, at its first meeting in January of each year, elect one of its members as chairman, who shall preside at such meeting and all other meetings during which elected, if present. At the same meeting in January, a vice-chairman who shall, if so elected, preside at meetings in the absence of the chairman and may discharge any other duty of the chairman during his absence or disability. Nominations shall be made from the floor, with the election immediately thereafter. A nominee receiving three or more votes shall be declared elected.

- C. An Executive Secretary shall serve at the request of the Commission and shall be the City Manager of the City of Salem. A Deputy Executive Secretary shall also serve and shall be the Assistant City Manager. Alternate secretary or secretaries may be appointed by the Commission as deemed necessary. Their terms shall be for (1) one year.
- D. Agents shall serve at the request of the Commission and shall be the City Manager and the Director of Community Development.
- E. All officers may succeed themselves.
- F. Should the Chairman and Vice-chairman be absent at any meeting, the Commission shall elect a temporary Chairman to serve at the meeting.

ARTICLE 3: DUTIES OF OFFICERS AND COMMISSION MEMBERS

- A. The chairman shall:
  1. Preside at all meetings.
  2. Appoint all committees deemed advisable with the aid of the Commission.
  3. Rule on all procedural questions (subject to a reversal by vote of two-thirds of the members present.)
  4. Certify the Commission's review of documents, minutes, plans, maps, etc. brought before the Commission for official action or recommendation.
  5. Have authority to call special meetings as he/she deems necessary.
  6. Carry out other duties as assigned by the Commission.
- B. The Vice-Chairman shall act in the absence, resignation or inability of the Chairman with full powers of the Chairman. If the position of Chairman shall become vacant, the Vice-Chairman will assume his/her duties. A Vice-chairman shall then be elected by a majority vote at the next regular meeting following the Vice-chairman's last regular meeting.
- C. The secretary shall:
  1. Record attendance at all Commission meetings.
  2. Record the minutes at all Commission meetings.
  3. Certify all minutes as true and correct copies after approval by the Commission.
  4. Notify all members of all meetings.
  5. Maintain a file of all official Commission records and reports
  6. Certify all maps, records, recommendations and reports of the Commission.
  7. Give notice and be responsible for publishing public hearings and public meetings.
  8. Serve as Subdivision Agent for the Commission.
  9. If the office of Secretary should become vacant, the Deputy shall become secretary.

- D. The duties of the Commission shall be established by law, or as lawfully delegated by the City Council.

#### **ARTICLE 4: MEETINGS**

- A. Regular Meetings of the Commission shall take place on the Wednesday following the first regularly scheduled City Council meeting of the month at 7:00 ~~7:00~~ **6:30** PM in Council Chambers in the City Hall building located at 114 North Broad Street, provided that upon a decision of the Commission, an adjourned meeting/or the regularly scheduled location is unavailable, may be held at any other place in the city and shall be the duty of the secretary to give timely notice thereof to all members and notify the news media. If there are no items on the agenda, the meeting may be canceled at the request of the secretary/chairman.
- B. Work Session Meetings will take place on the day of the regularly scheduled Planning Commission Meeting in an official meeting room as designated by the Commission.
- C. Special Meetings of the Commission may be called at any time by the Chairman or by two members upon written request to the secretary. The secretary shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting, or file a written waiver of notice.
  - 1. The business to be discussed shall be stated in the call for such meeting.
  - 2. No other business shall be discussed or acted upon.
  - 3. Given notice is not required if the time of the special meeting has been fixed at a regular meeting.
  - 4. If special meeting is at regular meeting, then any business may be transacted that would have been at the regular meeting.
- D. Quorum of the Commission shall constitute a majority of the membership and no action of the Commission shall be valid unless authorized by a majority of those present.
- E. The secretary shall prepare and make available to each member of the Commission a detailed agenda by Friday on the week preceding the regular meeting of the Commission. The Commission may depart from the agenda with the consent of the Chairman or by a majority vote of the members present.
  - 1. Proposals as to zoning or subdivision requests shall be submitted in writing with an illustrative map, and the petitioner shall state if it, he or she is the owner of the property in question or its, his or her authorized agent. Any person may appear before the Commission in person or through an agent.

- F. All meetings shall be open to the public provided, however, that closed executive sessions or closed regular or special meetings may be held in accordance with State law. The usual order of business at regular meetings shall be as follows:
1. roll call;
  2. correction and/or approval of the meetings of the previous meeting;
  3. unfinished business;
  4. new business; and
  5. reports of the committees.
  6. The chairman may modify the usual order of business to promote the efficient management of the meeting and for the convenience of the citizens or interested parties that may attend.
  7. Any advertised public hearing shall be considered a special order of business at the time set for such hearing and shall supplant any matter on the agenda except the approval of the minutes.
  8. Any matter not disposed of at a meeting shall be included on the agenda of the next regular meeting unless another future meeting date has been selected by the Commission.
- G. The Commission may, from time to time, adopt rules and regulations for filing, scheduling, and preparing petitions and requests for hearing before the Commission.

#### ARTICLE 5: PARLIMENTARY PROCEDURE

- A. The deliberations of the Commission, unless otherwise provided by statute or these bylaws, shall be guided by Robert's Rules of Order.
1. Any member of the Commission may introduce a motion.
  2. Appeal may be taken by any member from a ruling of the chair.
  3. A majority vote of those members present shall determine any appeal.
  4. Any motion to close debate shall require approval by a majority vote of the members present.

#### ARTICLE 6: ACTION ON COMPREHESIVE PLAN

- A. The adoption of the comprehensive plan or of any part, amendment, extension or addition shall be by the resolution of the Commission, carried by the affirmative votes of not less than a majority of the entire membership of the Commission.
- B. The resolution shall refer expressly to maps and other descriptive matter intended by the Commission to form the whole or part of the plan and the action as taken shall be recorded on the map and plan and descriptive matters by the identifying signature of the Chairman and Agent of the Commission. An attested copy of the plan or plan thereof as adopted and approved shall be certified to the City Council and all administrative agencies affected by the plan.
- C. Before the adoption of the plan or any such part, amendment, extension, or addition, the Commission shall hold at least one public hearing thereon, after notice has been given with State law.

## ARTICLE 7: CONFORMITY WITH EXISTING CODE

The Commission will act within the provisions of the Ordinances of the City of Salem; Title 15.1, Chapter 11, of the Code of Virginia, 1950 as amended, and other State and Federal laws and regulations as applicable.

## ARTICLE 8: AMENDMENTS

These rules may be amended, within the limits allowed by law, at any time by an affirmative vote of not less than two-thirds of the members of the Commission, provided that such amendment is presented in writing at a special or regular meeting preceding the meeting at which the vote is taken.