



PLANNING COMMISSION MINUTES

Wednesday, August 13, 2025, at 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

WORK SESSION

1. Call to Order

A work session meeting of the Planning Commission of the City of Salem, Virginia, was held in the Council Chambers Conference Room, City Hall, 114 North Broad Street, at 5:00 p.m., on Wednesday, August 13, 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 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 5:03 p.m.

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 2045"
 - 2. Chapter 78 Subdivisions code changes
 - 3. Chapter 106 Zoning Ordinance code changes

4. Chapter 94 Nuisances code changes
3. Adjournment

Chair King adjourned at 6:55 p.m.

REGULAR SESSION

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, August 13, 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 Jim Guynn, City Attorney; and the following business was transacted:

Chair Denise King called the August meeting of the City of Salem Planning Commission to order at 7:01 p.m. Chair 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**

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

Chair King stated that under the consent agenda, they have the minutes of the July 16, 2025 Commission meeting. There were corrections made in those minutes. She asked the Commission to consider the acceptance of those minutes with the revisions. Mr. Beamer moved to accept the minutes. Mr. Henrickson seconded the motion.

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

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).

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 to state their name and address for the record.

Maggie Brill of 1511 Eddy Avenue, Salem, Virginia. She stated that she was the new owner. She stated that the property would be a convenience store and deli like it was before, i.e. corner store or grocery store. She would like to do occasional outdoor events in the backyard but nothing violating the noise ordinance and, only occasionally in season, maybe every other week. It would be acoustical music. She would also like to grill outdoors for the purpose of serving inside. She would like to put a smoker out back under a covered structure as per the Health Department and the fire code that she could bring and serve pulled pork barbeque inside or outside along with burgers, hotdogs and that type of thing.

Chair King asked if there were any questions for Ms. Brill.

Mr. Garst asked if she had actually talked to anyone in the neighborhood about her plans.

Ms. Brill stated that she had spoken with a bunch of her neighbors.

Mr. Garst asked what kind of feedback had she received.

Ms. Brill stated that she had received great feedback and, actually, everyone is extremely excited about it reopening. The people right behind the property, his name is Larry, not sure of his last name, are very supportive. She stated that any stage would be with the back to their property. She reiterated that it would be all acoustic and she is not talking about anything loud and nothing after dark.

Chair King asked if she was saying there would be no amplified music.

Ms. Brill stated it would be very low amplified if there is any.

Chair King stated that her concern would be for the neighbors and amplified music.

Ms. Brill agreed and stated that she would keep it within all ordinances and keep the decibels where they are supposed to be within all local laws.

Chair King asked for verification that, if she had outdoor music, she would need to have a certificate from the Police Department.

Mary Ellen Wines confirmed that she would need an Amplification Permit through the Police Department for any amplified music.

Ms. Brill asked if that was for anything above and beyond acoustic and agreed to apply for that if needed. She stated that she did not know if that would be needed. She is not looking for anything crazy.

Chair King stated that they wanted her to be aware before someone called, the police show up and ask to see her permit, and she not have one.

Ms. Brill stated that she would contact the Police Department.

Mr. Henrickson asked if this was her first venture of this nature.

Ms. Brill stated that she has always owned businesses. She grew up in a family-owned restaurant and has been in the restaurant business her entire life. When her father passed away, she owned and operated that restaurant for 7 years.

Mr. Henrickson asked where that was located.

Ms. Brill stated that it was outside of Lexington. It was a little small “mom and pop” out in the country.

Mr. Garst asked for the name.

Ms. Brill stated it was called Mill Creek Café out in Goshen. Her father owned and operated the business for 20 years. She operated it for 7 years after that, then sold it. More recently, she had a food truck in Roanoke City for 6 years.

Mr. Henrickson asked what that was called.

Ms. Brill stated the name was Waken Bacon. She had it for 6 years. She ran the music festival circuit a lot. It was booked out a year and a half in advance. Then 2020 hit and all the bookings fell out and she sold the truck. Since then, she has been running Pumpernickel Pickle’s catering business for the last few years. She did not own it but was running it.

Mr. Henrickson asked if that was down on 8th Street.

Ms. Brill confirmed yes and stated that she had quit about a year ago. Now, she was looking to do this. It would be her first convenience store. She was excited and thought that it would do well.

Mr. Henrickson thanked her and stated that it was good information to have.

Chair King stated that the idea of having a convenience store that would become a hub for a neighborhood was really a nice thing to do.

Ms. Brill stated that they wanted to put a deli inside. She knows the previous operator was doing hand-scooped ice cream. They would serve ice cream but only out of the freezer like grab and go pints and novelty items. On that side of the building, they were going to put in a deli.

Chair King asked if they were also going to be serving alcoholic beverages.

Ms. Brill stated they are looking for an "off" permit. Beer and wine off premises out of the store. When they do events, she would probably be looking for catering permits. If they could do a little in the backyard just for that event.

Mr. Garst asked if she was talking about an event permit for alcohol.

Ms. Brill confirmed yes.

Chair King stated that she would need one to be able to do that.

Ms. Brill agreed yes, if they were going to serve on-site.

Chair King asked that, in her application, if she wanted to do this April through October and was looking at every other Saturday with hours of 4:00 to 9:00 p.m.

Ms. Brill confirmed that it was for the events.

Chair King asked if the outdoor grill that she would be using to cook and serve food inside would be year-round.

Ms. Brill confirmed yes.

Chair King asked if anyone else had questions.

Mr. Beamer asked when she specifically wanted to have music.

Ms. Brill stated only in season, Spring through Fall, every other weekend, probably Saturday, she assumed from 4:00 to 9:00 p.m.

Chair King stated that, because this was a Special Exception Permit, they may place conditions upon it. Obviously, their concern is for the neighborhood in general. Chair King asked if 4:00 to 9:00 p.m. on Saturdays would meet her expectations and stated that it should be okay with the community because Saturday night was usually considered the night to be out.

Ms. Brill agreed and stated that it was only until 9:00 p.m. It would not be that late so anyone going to bed early would hopefully not be bothered.

Mr. Routt asked if she would not need it for Friday night.

Ms. Brill stated that she did not think so and believed that she would have her hands full enough and every other Saturday should be fine. She asked if she wanted to do it on Fridays, she could just put in another special exception.

Chair King stated that she could have it amended.

Mr. Routt asked if they needed to talk about terms about the music. He also asked, since she wanted to put a grill outside, would that be 7 days a week whenever the store is open.

Ms. Wines stated that she believed that the outdoor grilling cooking kitchen goes with the convenience store and the deli so that may not be something that they would want to limit within days. It would need to be specific if they wanted to place any conditions.

Mr. Routt asked if any conditions would be on the music only and not on the cooking.

Ms. Wines confirmed yes, on the events only.

Mr. Garst stated that the previous owner had several outdoor events without any Special Exception Permit. It was mostly vendors coming in and Santa Claus, the Easter Bunny, etc. He asked if that was legal or was it just sliding under the radar.

Ms. Wines stated that she imagined that it had slid under the radar. Usually, events that happened on weekends, unfortunately, staff were not working so they were not aware of those things when they happened.

Mr. Beamer asked if they were limiting the music or events because, if they have people mingling around outside, was that an event.

Mr. Garst stated that would be part of the restaurant for outside dining.

Ms. Brill confirmed that there was seating outside for the customers to use. They could buy food to eat inside and take it outside to eat.

Ms. Wines stated that it would be up to the Commission and what conditions they felt would be appropriate. She stated that, if they did not want to put any conditions on the outdoor kitchen, outdoor seating or outdoor eating, they could specify with the motion that the conditions are on scheduled events or amplified music or both if that was what they felt would be appropriate.

Mr. Beamer asked what the hours are going to be for the restaurant/deli or the store itself.

Ms. Brill stated the hours were going to be 6:00 a.m. to 10:00 p.m. Monday through Thursday, 6:00 a.m. to 11:00 p.m. Friday and Saturday and closed on Sunday.

Mr. Beamer asked if she thought that there would be a parking problem when there was a ball game at Ted Webber Field.

Ms. Brill asked if he meant with the ballfield directly behind her.

Mr. Beamer confirmed yes.

Ms. Brill asked if they had ball games on Saturdays.

Chair King confirmed yes and that it was a lit field which means that the games could go into early evenings.

Ms. Brill asked if that was every Saturday.

Mr. Garst and Mr. Henrickson stated that it was seasonal. Mr. Garst noted that, in his experience, there was ample parking in the neighborhood.

Ms. Brill confirmed that there was a lot of street parking around the establishment and that was what she had been depending on. She had not thought about the ball games.

Chair King stated that, if it did become a community hub, the hope would be that people would walk there as well.

Mr. Garst pointed out that her application stated 50 to 100 people. That is a lot of people.

Ms. Brill stated that her thought was if they were doing an event.

Chair King asked if there were any further questions. Hearing none, she opened the public hearing on this matter at 7:14 p.m. She asked anyone present who would like to speak on this application to come forward and give their name and address.

Tanna Alderman of 918 Central Avenue. She lives a couple of streets over from the Dilly Dally property. She had spoken to neighbors within that vicinity and the outer perimeter. Their concerns were the amplified playing of the music, the hours of music, the traffic coming over there and where people were going to park and walk; maybe parking where she lived and walking. They were concerned about the music and how this was going to affect their neighborhood. As stated, she knows there is street parking, but this is a

neighborhood, and this is where they live. It is their home. Not all people have driveways where they can park their cars. She asked if this was going to affect where they can park at their homes. They are concerned about the events and asked if they were talking about bands being brought in or was it going to be a karaoke type of thing. They have concerns about how this was going to affect their neighborhood. They are an old neighborhood; a proud neighborhood and they want to try to keep it peaceful and enjoyable. They were not saying that they were against everything, but about how it was going to affect the neighborhood. When you bring in more people, start out with this and then this. The outer perimeter neighbors were concerned. To some people, 9:00 p.m. was not late but when there was music setup with amplifiers or sound bars, that sound would carry. She would like them to consider this. That was why she was speaking on behalf of the neighborhood.

Mr. Garst asked her, based on what she had heard thus far, whether she was more or less concerned than when she arrived.

Ms. Alderman stated that she was way concerned. As soon as she saw the zoning sign put up, she knew that there were going to be some changes presented.

Mr. Garst asked, after hearing the applicant speak, if she felt any better or worse.

Ms. Alderman stated she did not think some of the questions were fully answered. She thought that there was some extension by the applicant that they might do this or might do that, but they could present this to the Commission. Ms. Alderman asked were they going to have to keep coming back every time that something was not well received and would there be writing and changing. It is their neighborhood. They are the ones that are going to have to be listening to this music. She was not against any of it, just how it was going to be presented. To their understanding, if it was a coffee shop or something of that nature, that is indoors, but this is outdoors. This will affect their whole neighborhood, not just within that vicinity.

Michelle Donohoe of 516 Front Avenue which is one block away from the property. She stated that she was not one of the neighbors spoken to. She was very excited about something like this. She thought that they needed a community hub that is outside of Main Street. She thought that having a spot to gather with neighbors was important and there was no better way to gather people than music. Outside of music, it was a great spot to relax and get to know people. If the music was not going to be super loud, they could have conversations. She did not think that parking was going to be an issue. The neighborhood has so much parking around the streets. People park in front of her house all the time. It was not an issue. She parks a couple spots over. She did not think noise would be an issue either because they already have the Moyer sports complex. It had noise all the time. It was lovely hearing people out and about using facilities in the neighborhood. It would not be hard to manage with nice ambience. She thought this would be such a delight to have.

Mr. Garst asked how far away she lived.

Mrs. Donohoe stated that she was on Commerce and Front, right on the corner one block away.

Mr. Garst asked if any of the previous events that flew under the radar affected her with parking, noise or anything.

Ms. Donohoe stated not once. When they had the Blue Ridge Marathon come through, she did not even have an issue with that, and it came right by their area. That was a big event for this area. There was ample parking on all the streets.

For the record, Chair King asked Ms. Wines if they had heard from anyone regarding this item like phone calls or emails into Community Development.

Ms. Wines stated that there was no correspondence, just a couple of inquiries as to why the sign was posted, but there were no comments or concerns.

Chair King asked if there was anyone else present who would like to speak. She closed the public hearing at 7:20 p.m. and stated she would entertain a motion from the Commission.

Mr. Garst made a motion that the Commission recommend approval of the Special Exception Permit with conditions that any program would end at 9:00 p.m. and that any outdoor events that include amplification would not occur more than once in a 7-day period.

Mr. Henrickson seconded the motion.

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 addressed Ms. Brill and stated that the Planning Commission is a recommending and research body to City Council so they would be making a recommendation of a 5-0 approval of her application. She would be notified once the request was placed on the calendar for City Council. The City Council has the final word on this request.

Chair King asked for the next item on the agenda.

B. Amendment to Planning Commission Bylaws

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

Chair King stated that, at present, the Planning Commission meets at 7:00 p.m. City Council meets at 6:30 p.m. The consideration was to change the Commission meeting time to coincide with City Council so that they do not have to figure out which body they are attending at which time. The recommendation that they need to consider was that the Planning Commission meetings be moved from 7:00 p.m. to 6:30 p.m.

Mr. Beamer made a motion to go with the 6:30 p.m. meeting time change.

Mr. Henrickson seconded the motion.

Chair King asked for a roll call vote.

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

4. Adjournment

Chair King stated there was no additional business for the Planning Commission and the meeting was adjourned at 7:23 p.m.