



**Planning Commission
Agenda
Wednesday, May 13, 2026, 6:30 PM**

Work Session, 5:30 PM, Council Chambers Conference Room, City Hall, 114 North Broad Street, Salem, Virginia 24153

Regular Session, 6:30 PM, Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia 24153

WORK SESSION

1. Call to Order
2. New Business
 - A. Agenda Items
 1. May
 - a. 213 Rutledge Circle - two family dwelling
 2. June
 - a. No items
 - B. Additional Discussion Items
 1. Code changes
 2. CDBG grant
 3. Stormwater Utility Fee
3. Adjournment

REGULAR SESSION

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

Consider acceptance of the minutes from the April 15, 2026, work session and regular meeting.

3. Reports
 - A. **Site Plan and Subdivision Plat Approvals**

4. Public Hearing Items
 - A. **213 Rutledge Circle - Special Exception Permit**

5. Other New Business
 - A. **Cancellation of June Meeting**

6. Adjournment



**PLANNING COMMISSION
MINUTES**

Wednesday, April 15, 2026, at 6:30 PM

Work Session, 5:30 PM, Council Chambers Conference Room, City Hall,
114 North Broad Street, Salem, Virginia 24153

Regular Session, 6:30 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 5:30 p.m., on Wednesday, April 15, 2026, 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 Rob Light, Assistant City Manager and Deputy Executive Secretary, ex officio member of said Commission. Charles Van Allman Jr., Director of Community Development; Maxwell S. Dillon, Planner, Jim Guynn, City Attorney; and the following business was transacted:

Chair King reported that this date, place, and time had been set in order for the Commission to hold a work session. The work session meeting was called to order at 5:47 p.m.

A discussion was held on the following items:

2. New Business

A. Items for the April agenda

1. Zoning Text Amendment - Townhomes

B. Items for the May agenda

1. 213 Rutledge Circle – two family dwelling

3. Adjournment

Chair King adjourned at 6:29 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, City Hall, 114 North Broad Street, at 6:30 p.m., on Wednesday, April 15, 2026, 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 Rob Light, Assistant City Manager and Deputy Executive Secretary, ex officio member of said Commission, Charles E. Van Allman Jr., Director of Community Development; Maxwell S. Dillon, Planner, and Jim Guynn, City Attorney, and the following business was transacted:

Chair King called the April meeting of the City of Salem Planning Commission to order at 6:33p.m. Reporting 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 March 11, 2026, work session and regular meeting.

Chair King asked the Commission if anyone had any questions, additions, or comments. Hearing none, the minutes were accepted.

3. Reports

A. Site Plan and Subdivision Plat approvals

Max Dillon referenced a one-page report included in the agenda packet acknowledging the number of approved site plans and subdivisions over the past month. The report shows one site plan approval located at 416 Electric Road and two subdivision approvals. One being the Steelton Mill

Subdivision and the other located at 432 Chestnut Street.

Chair King asked the Commission if anyone had any questions, additions, or comments. Hearing none the site plan and subdivision plat report was accepted.

4. Unfinished Business – none

5. Public Hearing Item

Hold a public hearing and consider the request of ABoone Real Estate Inc. to amend Chapter 106 Zoning, Article III Use and Design Standards Section 106-304.17(G)(4) Townhouse of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to separation between townhouse groupings.

Proper legal notice has been given, and the property owner has been notified of said hearing.

Chair King asked if the applicant's representative was present and able to provide information

Court Rosen, 3934 Electric Road, Roanoke, addressed the Commission regarding the current language within the referenced section of the code which requires a minimum 40-foot separation be provided between townhome groupings, though the minimum separation may be reduced to 20 foot if both facing walls contain no windows, doors, or balconies. The proposal is to revise the standard to a minimum 20-foot separation between groupings of town house units. Mr. Rosen noted that this issue arose during work on the Newman Project. He emphasized that the proposed amendment would not affect the approved density of the Newman development. Instead, maintaining the 40-foot requirement would force the layout to expand outward, reducing planned green and open space. He stated that the 20-foot standard is consistent with current building codes and is already used in nearby jurisdictions, including Roanoke County, Montgomery County, and Botetourt County. He added that the existing 40-foot requirement likely reflects an older building code predating modern fire-resistance standards. Adopting this amendment, it allows better use of the land and to keep it compact and preservation of green space which is important for communities. He mentioned the 20-foot proposed separation between groupings is also consistent with today's development trends and the way communities are designed. It is not a consideration for Newman Drive, but development costs have skyrocketed and when houses are pushed apart, it increases infrastructure which is a big increase in costs up front. It is also a big increase in cost of long-term maintenance for municipalities, which is the reason communities are really tending to go to the 20-foot separation between townhouse groupings. He noted that Chris Burns can answer any engineering questions you may have.

Mr. Garst asked whether the number of townhomes in the Newman Project would remain unchanged, noting that the number is controlled by proffer. Mr. Rosen confirmed that the unit count is fixed by the concept plan. Chair King reiterated for the record that the amendment would not increase the number of townhomes permitted on the Newman property.

Mr. Rosen added that the density of the Newman project will not be affected one way or the other. The 40-foot separation pushes things out and it requires a lot more mass grading, it is just not what would be good for the community.

Chair King stated that at least one phone call had been received from a resident in the Newman Drive area under the impression that this hearing was a request to increase the number of town home units, and they were told that was not true. She asked if anyone else had any questions and if so please come forward.

Mr. Henrickson asked Mr. Burns to address some concerns with that end unit having a minimum of 10 feet of property line setback; meaning that a property line would run between the units.

Mr. Chris Burns, Westwood Professional Services, 1208 Corporate Circle, Roanoke, confirmed that a property line would run between the units and stated that building code requires only a 5-foot separation.

Mr. Henrickson expressed concern about the lack of an easement between units and with a building that big and that long, he thinks there should be some sort of easement in between.

Mr. Burns stated that part of the research we did was asking what emergency services need to get through there if there was an emergency or a fire and 20 feet was reasonable.

Chair King stated that was something that had been confirmed by the Fire Captain and the Fire Marshal also. She stated that Mr. Henrickson, referring to an easement concerns her. She noted there is a difference between having an access easement and having the ability for emergency services to be able to get to the property and maybe that is something to discuss in the site plan regarding getting rescue or whatever is needed back there. Not an open access easement for just anybody to go through the property.

Mr. Burns stated that with the way town homes are built and the building code, you have firewalls between each unit, so they are treated the same as single family structures as far as building code and the separation from property lines and firewalls on the end units.

Mr. Light asked Mr. Dillon whether the amendment would affect density allowances for future townhome projects.

Mr. Dillon explained that there is another stipulation in the city's Use and Design standards that restricts the density of any town home project to 10 dwelling units per acre, which would prevent developers from increasing density simply by reducing separation distances.

Chair King asked if there was anyone that would like to come forward and speak on this matter, and to please state your name and address for the record. The public hearing was opened at 6:42 PM.

Kathryn Chrisfield, 948 North Mill Road, asked whether the 20 acres designated for development in the Newman Project could later be used to request additional units if the separation requirement were reduced.

Chair King explained the number of units have already been proffered which means they cannot arbitrarily change the number of units.

Mr. Garst added that the proffer is legally binding on the property regardless of ownership.

Chair King explained that the number of units is controlled by proffer and cannot be changed without restarting the full approval process.

Mr. Rosen stated that open space will be conveyed to a home association. There will be 171 homeowners and there can be something written into the declaration of conveyances, conditions, and restrictions that the land remains open space or some mechanism legally to do that.

Mr. Garst stated that the HOA could address Mr. Henrickson's concerns about structures such as a wall or fences in between those units.

Mr. Rosen agreed, stating all that is included, he is certain there will be language which will permit only certain fences of certain sizes and certain areas behind the townhomes. That normally would get addressed in conveyances, conditions, and restrictions.

Mr. Garst stated that this should allow for more compact footprint allowing for more green space. He asked if the 40-foot separation would affect the cost.

Mr. Rosen explained that about 15 units being impacted out of 171 units is fairly negligible, it is dealt with during the mass grading phase. It will add costs and they will absorb that costs to finish 171 proffered units. They simply feel it is better for the neighborhood and the new neighborhood to have more green space available.

Chair King asked if anyone else would like to speak on this matter, please come forward.

Elizabeth Roberts, 566 Parkdale Drive, asked how many acres are going to be taken up if there will be 20 feet instead of 40 feet between the units.

Mr. Rosen answered that the exact amount of acreage would have to be checked. He mentioned that the original concept plan that was presented before the Planning Commission showed the town home units 20 feet apart. There are only slight changes to the roads to make them work and be safer. There is no actual change in the layout because the original concept plan already showed 20-foot between the units.

Chair King stated that along with the staff doing a lot of research work the Commission has done a lot of research work also. She could not find a single jurisdiction that had 40-foot width anymore. She was surprised to find that in some cases jurisdictions do not have any regulation of width between town home buildings.

Chair King asked if there was anyone else who would like to speak, seeing no one, she closed the public hearing at 6:48PM.

Mr. Garst made a motion to recommend approval as written. Mr. Beamer 2nd the motion.

Roll Call	Mr. Routt	aye
	Mr. Henrickson	nay
	Mr. Beamer	aye
	Mr. Garst	aye
	Chair King	aye

Chair King stated for the record that Planning Commission members would like to encourage City Council members to see about the revising of the entire town house code.

6. Other Business – None

7. Adjournment

Chair King stated there was no additional business for the Planning Commission and the meeting was adjourned at 6:48p.m.

SALEM VA



COMMUNITY DEVELOPMENT

Site Plan Approvals

April 2026	
Name/Location	Type
418, 424 West 4 th Street, 430 Elm Street - Office/Contractor's Yard	Minor
1560 East Main Street - Lakeside McDonald's	Major

Subdivision Approvals

April 2026	
Name/Location	Type
1139 Highland Road	Recombination Plat



Item #: 4.A.

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF SALEM, VIRGINIA HELD AT CITY HALL

MEETING DATE: May 13, 2026

AGENDA ITEM: 213 Rutledge Circle - Special Exception Permit

SUBMITTED BY: Maxwell Dillon, Planner

SUMMARY OF INFORMATION:

Zoning: RSF Residential Single Family
Land Use Plan Designation: Residential
Existing Use: Vacant
Proposed Use: Two family dwelling

The subject property (213 Rutledge Circle) consists of an approximately 0.218-acre tract of land which currently sits within the RSF Residential Single Family zoning district. The properties in the surrounding neighborhood are comprised of various residential uses, and there are a few parcels along Rutledge Circle that possess the RMF Residential Multi Family zoning designation. Rutledge Circle is accessed by Rutledge Drive, which bisects an apartment complex. Additionally, the property to the rear of 213 Rutledge Circle was recently rezoned to RMF Residential Multi Family to be developed with townhomes.

The applicant is requesting a Special Exception Permit to allow the construction of a two family dwelling (duplex), with the concept plan showing two separate driveways. As mentioned in the application, the plan is for each unit to contain 2-3 bedrooms and 1.5-2 bathrooms. If approved, zoning ordinance requirements will be in effect and building plans will be required to meet all applicable codes to ensure adequate and safe separation between units. Salem's Comprehensive Plan encourages the permission of compatible infill development where appropriate, and this proposal meets the intent of that objective.

FISCAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends approval of the request.

ATTACHMENTS:

1. 213 Rutledge Circle Application
2. 213 Rutledge Circle Proposed Drawing
3. Sample Rendering 1
4. Sample Rendering 2
5. SEP Request Letter
6. Affidavit
7. Neighbor notification map



Application Data for Application Number: Z26-30053

Application Type	Zoning		
Application Sub-Type	Special Exception		
Applicant	ATTN: Daniel Dyer		
Location	213 RUTLEDGE CIR		
Applicant Address	654 Joan Cir	Property Owner	DSB PROPERTIES LLC
	Salem,VA,24153	Owner Address	654 JOAN CIR
Tax Parcel	59-2-3.2		SALEM, VA,24153

Application Information

Section	Question	Answer
Details and Scope of Work	Please provide a detailed description of the work associated with this application.	Seeking SEP to allow for construction of a new two family residence (duplex)
Existing Structure Info	Year Built	
	Property Description	Vacant Land
	Number of Stories	
	Number of Rooms	
	Number of Bedrooms	
	Number of Bathrooms	
	Type of Roof	
	Type of Exterior	
	Type of Basement	
	Finished Square footage of Primary Building	0.00
Parcel Information	Lot Size Acres	0.22
	Lot Size SQFT	9496.00
	Zoning Classification	RSF
	Legal Description	LT A-2 0.218 AC BRICKEY RESUBD
	PID	8841
Special Exception Details	Please advise Current Zoning type	RSF - Residential Single Family District
	Please advise current use	Vacant, undeveloped lot
	Please advise future use	Two family residence
	Please advise designation from the future land use map	Residential
	Is the building or parcel in a district currently designated as historic	No
	If yes, describe the proposed measures for meeting the standards of the Department of Historic Resources	Not applicable

SALEM VA



COMMUNITY DEVELOPMENT

Special Exception Details	This Special Exception/Use Not Provided For is being requested in order to?	Allow for construction of a new two family residence (duplex) on this property which is currently undeveloped.
	Describe in detail how you plan to develop the property for the proposed use and any associated uses	See attached Concept Layout Plan. The Owner has not yet selected a final floorplan but the overall concept is two units with separate entrances and no garages. Each unit will have 2-3 bedrooms and 1.5-2 bathrooms. Sample renderings are attached to this application.
	Describe why the proposed use or exception is desirable and appropriate for the area	There are other multi-family residential buildings (in RMF zoning) to the north, east, and west of the subject property. A duplex is consistent development for the area and will provide more affordable housing for the community.
	What measures will be taken to assure that the proposed use or exception will not have a negative impact on the surrounding vicinity?	A multi-family residence is consistent with the surrounding apartments and RMF zoning. Nice, new construction will only enhance the area.
	Is the subject property located within the Floodplain District?	No
	If yes, describe the proposed measures for meeting the standards of the Floodplain Ordinance	This property is NOT in the floodplain.
	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?	This is an existing lot that is same size and shape as other lots along Rutledge Circle

RSF BUILDING SETBACKS:
 FRONT = 25 FEET
 SIDES = 10% OF LOT WIDTH
 REAR = 25 FEET

TAX PARCEL: 58-1-1
 ADDRESS: 1002 NEWMAN DR
 ZONING: RMF

TAX PARCEL: 59-2-2.1
 ADDRESS: 205 RUTLEDGE CIR
 ZONING: RMF

TAX PARCEL: 59-2-3.1
 ADDRESS: 209 RUTLEDGE CIR
 ZONING: RSF

TAX PARCEL: 59-2-3.2
 ADDRESS: 213 RUTLEDGE CIR
 ZONING: RSF

TAX PARCEL: 59-2-3.3
 ADDRESS: 217 RUTLEDGE CIR
 ZONING: RSF

TAX PARCEL: 59-2-3
 ADDRESS: 221 RUTLEDGE CIR
 ZONING: RSF

PROPOSED
 DUPLEX

N 57°51'30" W 127.80'

7.5' SIDE MBSB

S 57°54'35" W 126.77'

7.5' SIDE MBSB

25' FRONT MBSB

N 38°47'40" W 75.00'

S 38°00'00" E 75.00'

RUTLEDGE CIRCLE (PRIVATE 50' ROW)

WOODED AREA

PLAYGROUND

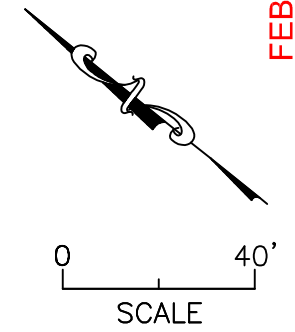
#148
 APARTMENT
 BUILDING

TAX PARCEL: 59-1-4
 ADDRESS: 128 RUTLEDGE DR
 ZONING: RMF

TAX PARCEL: 59-1-9
 ADDRESS: 861 CLEVELAND AVE
 ZONING: LM

CONCEPT LAYOUT PREPARED BY
**BRUSHY MOUNTAIN
 ENGINEERING, PLLC**
 3553 Carvins Cove Road (540) 526-6800
 Salem, VA 24153 www.brushymtnengr.com

FEB 27, 2026



DSB PROPERTIES LLC
213 RUTLEDGE CIRCLE
 TAX PARCELS: 59-2-3.2





March 03, 2026

To: City of Salem – Planning & Zoning
21 South Bruffey Street
Salem, VA 24153

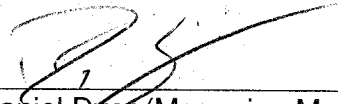
From: DSB Properties LLC
Attn: Daniel Dyer
654 Joan Circle
Salem, VA 24153

Re: 213 Rutledge Circle – SEP Request
Z26-30053

To whom it may concern,

DSB Properties LLC is the owner of the property known as 213 Rutledge Circle (Tax Parcel ID 59-2-3.2) as recorded in Instrument 230001978. With this letter DSB Properties is requesting that the City approve a Special Exception Permit to allow for construction of a new two family residence (duplex) on the referenced lot. All of the required supporting documents have already been submitted to the City electronically. Brushy Mountain Engineering, PLLC has been hired to assist with this application and public hearing presentations. Thank you for your careful consideration of this Special Exception Permit.

DSB Properties LLC



Daniel Dyer (Managing Member)

03/03/26

Date

AFFADAVIT OF MAILING PURSUANT TO S15.2-22.04

CODE OF VIRGINIA

PLANNING COMMISSION

ITEM #

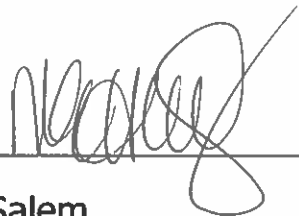
MAY 13, 2026

This is to certify that I mailed letters in reference to the special exception request of DBS Properties LLC, property owner, to allow for a two-family residence to be built on the property located at 231 Rutledge Circle, Tax Map #59-2-3.2, to the following property owners and adjacent property owners on April 24, 2026, in the 2:00 PM mail.

146-4-5	WARREN JAMES E	716 MARYLAND AVE	SALEM	VA	24153
146-4-6	HAMPTON, CHRISTA	720 MARYLAND AVE	SALEM	VA	24153
146-4-6.1	SILCOTT, DOROTHY L	715 ILLINOIS AVE	SALEM	VA	24153
146-4-7	CITY OF SALEM	PO BOX 869	SALEM	VA	24153- 0869
147-1-1	FRANCES LEGGITT LIVING REVOCABLE TRUST	1538 LONGVIEW AVE	SALEM	VA	24153
147-1-2	CHOUDHURY, ARINDAM	1539 LINKS VIEW DR	SALEM	VA	24153

147-1-3	HAYMAN, BRIAN CURTIS	744 MARYLAND AVE	SALEM	VA	24153
147-1-3.1	KARKENNY, MARK	738 MARYLAND AVE	SALEM	VA	24153
147-1-4	GERALD SONIA A	750 MARYLAND AVE	SALEM	VA	24153
147-1-5	GINN JOHNNY L	PO BOX 356	SALEM	VA	24153
147-1-6	BARTHELMAI IRREVOCABLE TRUST	645 APPERSON DR	SALEM	VA	24153
147-1-7	BALDWIN, MARY MARGARET	719 ILLINOIS AVE	SALEM	VA	24153
147-1-7.1	OILER, CASEY R	721 ILLINOIS AVE	SALEM	VA	24153
147-2-1	GKM PROPERTIES LLC	5364 PEREGRINE CREST CIR	ROANOKE	VA	24018
147-2-15	CLINE MARVIN A	5466 W RIVER RD	SALEM	VA	24153
147-2-16	ILLINOIS LLC	5466 W RIVER RD	SALEM	VA	24153
147-2-2	JONES, MARK TRAVIS	808 MARYLAND AVE	SALEM	VA	24153
147-4-1	HEINTZEL, STEPHEN J	825 VIRGINIA AVE	SALEM	VA	24153
147-4-2	KIEFER ALEX K	727 ELIZABETH AVE	SALEM	VA	24153

147-4-3	BAIN, JAY TERRILL	733 ELIZABETH AVE	SALEM	VA	24153
147-4-4	HALL, AIMEE ONDICH	739 ELIZABETH AVE	SALEM	VA	24153
147-4-5	MARTIN, DEBORAH ANN NESTER	5420 TOMAHAWK CIRCLE	SALEM	VA	24153
147-4-6	DEHART VICKIE L	746 ELIZABETH AVE	SALEM	VA	24153
147-4-7	WYGAL, STEVEN J	803 ELIZABETH AVE	SALEM	VA	24153
147-5-1	MARTIN RAY J	PO BOX 195	SALEM	VA	24153

Signed  Date April 24, 2026

City of Salem

Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 24th day of April 2026 by Mary Ellen Wines



Notary Public

My commission expires: 10/31/2028



