

UNAPPROVED MINUTES
PLANNING COMMISSION

February 10, 2010

A regular meeting of the Planning Commission of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, at 7:00 p.m., on February 10, 2010, there being present the following members of said Commission, to wit: Gardner W. Smith, Terrance D. Murphy, Jimmy W. Robertson, and Bruce N. Thomasson (Vicki G. Daulton – absent); with Gardner W. Smith, Chairman, presiding; together with James E. Taliaferro, II, Assistant City Manager and Executive Secretary, ex officio member of said Commission; Melinda J. Payne, Director of Planning and Development; Charles VanAllman, City Engineer; Charles B. Aldridge, Sr., Acting Building Official and Zoning Administrator; Benjamin W. Tripp, Planner; Judy L. Hough, Planner; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

ON MOTION MADE BY VICE CHAIRMAN MURPHY, AND DULY CARRIED, the minutes of the regular meeting, work session, and joint work session with Salem City Council held on January 13, 2010, were approved as written – the roll call vote: all present – aye.

In re: Request of Valley Properties, LLC and L&M Properties, LLC, property owners, for rezoning the properties located at 250 & 316 Braxton Avenue and two parcels in the 800 block of Harrison Avenue (Tax Map # 73-3-1, 2, & 3 and 84-2-1) from RSF Residential Single Family District to LM Light Manufacturing District

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of Valley Properties, LLC and L&M Properties, LLC, property owners, for rezoning the properties located at 250 & 316 Braxton Avenue and two parcels in the 800 block of Harrison Avenue (Tax Map # 73-3-1, 2, & 3 and 84-2-1) from RSF Residential Single Family District to LM Light Manufacturing District; and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the January 27 and February 3, 2010, issues of The Roanoke Times, and adjoining property owners were notified by letter mailed January 28, 2010; and

WHEREAS, staff noted the following: the subject property consists of four parcels, generally along the east side of Braxton Avenue between Elam Drive and Harrison Avenue; the properties are mostly former residential lots and total approximately 2.18 acres; the lots are currently vacant; this request is to rezone these properties to allow construction of an employee parking area and a truck-loading area; if approved, the lots will be combined, along with Tax Map #s 84-2-2 and 73-3-4, as well as a portion of an unopened alley for which there is a separate request, to form the parking and loading area; the proposed plan shows a 10-foot landscaping strip along Braxton Avenue and Elam Drive to help buffer the parking area; smaller landscaping areas will be installed along Harrison Avenue and adjacent to other properties; in accordance with Section 106-400, the applicants will be required to submit a site plan to the city for review prior to any construction occurring on the site; the applicants may also be required to install storm water management on the site; future expansion of the parking and loading areas, or expansion of the stormwater management areas may occur on the southern end of the site. If this occurs, a site plan may be required at that time; and

WHEREAS, Maryellen F. Goodlatte of Glenn Feldmann Darby & Goodlatte, representing the property owners, appeared before the Commission in support of the rezoning request; she placed a large copy of the concept plan on display for the Commission; she stated that the property owners own the large warehouse facility that formerly housed Stuart McGuire and Home Shopping Network and now a number of smaller tenants; they also own lots adjacent to the warehouse and they are requesting to rezone four of those lots from RSF to LM so that they can be used to provide safe parking and access for employees and trucks using the warehouse; she discussed the concept plan that was included with the petition; she noted that except for the residential properties across Braxton and Elam, the other properties adjoining the parcels are zoned LM Light Manufacturing; she noted that the petitioners need to construct loading docks along the western side of the building in order to serve tenants on this side of the building; she stated that this is a very large warehouse facility about 540,000 square feet, however, it lacks loading areas and parking areas to serve tenants on the western side; currently, the existing loading docks and employee-parking areas are located off Brand Avenue; those areas work fine for the eastern and southern side of the building but are not acceptable

for the tenants who want space on the western or northern side of the building; this makes approximately 200,000 square feet of the building essentially unmarketable; she presented a plat map showing the existing warehouse building and parking areas; she noted the portion of the building that is vacant and the parking areas that serve the existing warehouse facility; she noted that recently the petitioners had a tenant who wanted to occupy most of the vacant space and would have brought approximately 65 jobs to the space; however, the potential tenant was not interested because of the logistical problems regarding parking and truck loading area; to remedy the situation, the owners would like to install loading docks and a new entrance from Harrison Avenue on the two parcels already zoned LM; but to have enough room for adequate employee parking and the landscape buffering along the perimeter, they need to rezone the four adjoining parcels to LM; as the concept plan shows, access would only be from Harrison Avenue; a landscape buffer yard will run along Braxton Avenue, Elam Drive, and Harrison Avenue; the owners realize that it is important to the residential neighborhood that no access onto Braxton Avenue is allowed; she noted that John Lipscomb, one of the owners, was present if they had any questions for him; also, Kevin Barnes of Lumsden & Associates, the civil engineers for the owners, was present at the meeting; and

WHEREAS, Commission Member Thomasson noted he would like more information on the proposed landscape buffer; Mrs. Goodlatte noted that the buffer would run along Braxton, Elam, and Harrison; it would be 25' in width along Elam and Braxton and 8' in width along Harrison Avenue; she stated that the owners contemplate using fast-growing evergreens, but they have not specified any particular evergreen; she suggested it might be something like Leyland Cypress; she noted that presently the building is in view from the street, and they believe that the landscape buffer would not only provide a nice buffer for the parking lot but would be a better buffer for the neighbors than what is currently there; and

WHEREAS, Commission Member Robertson asked approximately how many vehicles would be using the parking lot; Mrs. Goodlatte noted the concept plan shows approximately 65 parking spaces but obviously once the owners refine exactly how many people would be using the parking area, then they would revise it accordingly and submit a site plan to City staff for

review and approval; she further noted that the concept shows possible future parking or storm water management areas within the buffer, but this would have to be approved by the City before this could be completed; and

WHEREAS, Gertrude Harris of 239 Braxton Avenue appeared before the Commission in opposition to the rezoning request; she noted that she has lived on Braxton Avenue for the past 65 years; she noted that she is going to have a birthday on Sunday and will be 86 years old, and she asked that the Commission allow her son to give her message; and

WHEREAS, E. Wayne Harris of 3704 Lake Drive SW, Roanoke, appeared before the Commission noting that he grew up in the house at 239 Braxton Avenue, and that he spent the first 18 years of his life in this community; he read the comments that his mother had prepared to the Commission and also presented them a copy (**See Attachment A**); and

WHEREAS, Shermaine Greenhowe of 812 Elam Drive appeared before the Commission in opposition to the request; she noted that she is a single woman and has lived on Elam Drive for over 40 years; this has always been a peaceful, quiet neighborhood; there are a lot of single women in the neighborhood, and they try to look out for each other; she is concerned about crime since she lives by herself; she lives right beside what was Stuart McGuire and Home Shopping Network; she noted that she constantly hears the trucks loading and unloading; there is a lot of noise, and it is nerve-wracking as it is now; she hates to think about something being in front of her property; she just wants to have some peace and quiet; she is concerned about noise, trash, etc. coming from the proposed parking lot; further, with more people coming into the area, there is potential for more crime; and

WHEREAS, James Dickerson of 717 Crystal Drive appeared in opposition to the request; he noted that he worked for Home Shopping Network for approximately ten years, and he knows all about the inside of the building; he realizes now they are cutting up the building and will have different businesses there; but the time that he worked there, they had plenty of parking area on the south end and the east end for all the employees and trucks, etc.; he does not understand why they need more parking, but he does understand that the building will be divided up; he is concerned about the value of their homes; if this area changes into business

use, then it could blossom into more, and then the value of their homes will decrease as the years go on; and

WHEREAS, Robert Miles of 723 Crystal Drive appeared in opposition to the request; he noted that Braxton Avenue is a very narrow road and most of the houses do not have driveways adjacent to the house; many of the residents park directly on Braxton, and this makes the road basically a one-car passageway; with the planned parking lot, some people coming out of the lot are going to turn left on Harrison intending to go down to Craig Avenue; he feels that it will not take people long to realize they can take Braxton Avenue for a short cut to get down to the other end of Craig Avenue; he feels that the increased traffic on Braxton will be unbearable considering the makeup of the street; further, he noted that the residents will have to put up with the increased traffic when walking their children and dogs, etc.; and

WHEREAS, Maxine Joiner, representing her mother, Parthena Joiner, who lives at 729 Crystal Drive, appeared before the Commission; she stated that she has the same concerns as those who have spoken so far; she wanted to let the Commission know that all of the neighbors are in agreement; also, when you have a parking lot, we are dealing with safety issues because people are roaming and looking, and this changes a neighborhood; other issues are noise, narrowness of the street, traffic, etc.; she noted that she comes through this area daily to visit her mother, and she has noticed that the parking lots on Main Street and on Brand Avenue are usually empty; why would we want to add more parking spaces when we have empty parking lots right around the corner; and

WHEREAS, Dustin Cupp of 238 Braxton Avenue appeared in opposition to the rezoning request; he noted that he has only lived here about 1½ years; he chose this area because it is an older neighborhood even though he has a new house; he enjoys this older neighborhood and the peace and quiet of the area; he thought that this would be a great place to spend the rest of his life like many of his neighbors are doing or intending to do; he noted that traffic is a very big concern with all the cars parking on the side of the street; at times cars have problems getting through the street especially with all the snow that we have had; a tractor trailer, which might have made a wrong turn while coming out, will have even more problems; he noted the City's strategic plan that was approved in 2001 mentioned the City wanted to expand

residential areas as well as the industrial and commercial areas; he noted that we have four lots zoned for residential that could be developed with single family homes and bring in four families; but, instead we are intending to make this into a parking lot; he feels this is a poor choice for the City because it does not allow us to expand the residential area; and

WHEREAS, Mrs. Goodlatte noted that she, Mr. Lipscomb, and Mr. Barnes are happy to answer any questions the Commission might have about the specifics; she noted that the neighbors spoke about concerns about traffic on Braxton Avenue, and as she noted earlier, this is the reason why they are proposing no cuts onto Braxton Avenue; the traffic will only be focused on Harrison, which is already zoned LM on the opposite side of the street and is essentially the VDOT facility; and

WHEREAS, Commission Member Thomasson noted he was concerned about the existing parking areas that Ms. Joiner mentioned; Mrs. Goodlatte noted Mr. Lipscomb could probably address the status of the existing parking; and

WHEREAS, John Lipscomb of 1259 Breckinridge Mill Road, Fincastle, property owner, appeared before the Commission in support of the rezoning request; he noted that he realizes the concerns of the neighbors; he has worked with Lumsden and Associates to try to address some of the concerns; he explained a graphic map he had prepared showing the existing parking, truck docking, etc.; he stated that they have had to break the building up into several tenant areas because of the size of the building; this is basically the nature of the market – the building has 540,000 square feet, and there are no longer users who need this much square footage; he noted that they have parking in the south end of the property and when Home Shopping Network was using the building, all of the offices were adjacent to this parking; he noted that they would like to make the back portion of the facility usable, but as Mrs. Goodlatte mentioned earlier, they had a strong tenant prospect who needed 65 spaces, and they could have given them the spaces at the front; but the nature of the rental market is that people are not going to walk up a long flight of steps, and it is basically about two tenths a mile back up a hill to this area; they will never get this portion leased to anyone who has any amount of employees with the parking located at the other end of the building; they have tried to take pains in looking at the project and trying to plan it; they realized that Braxton was not a good

option for bringing in the traffic, so they decided to put the entrance on the one lot that is currently zoned LM; the parking lot would be buffered very well; right now, the back of warehouse is in view from Braxton Avenue, and once the buffer is in place, the building will be screened from view with a pine or evergreen buffer; they have taken care to make this project more palatable and to be respectful of the noise and other issues; he further discussed the length of the warehouse, etc., which is detrimental to leasing this portion of the building; and

WHEREAS, Commission Member Thomasson asked if there was a prospective tenant who would lease the building right now; Mr. Lipscomb noted that there have been a couple of companies who were ready to lease; one company was Coca-Cola, who since went out on Route 460E, and the other prospect is a soft industrial type of use; the last company was the one who needed the 65 spaces so this was the reason they based their plan around their needs in the event that they were still around; he noted that he did not think they had made a decision yet, but he has no idea if they are still considering their building; and

WHEREAS, Vice Chairman Murphy noted that he wanted the neighbors to know that the Commission is an advisory board, and their duty is to make a recommendation to City Council; he wondered if the petitioners had explored all the options to make the current docks more user friendly for this portion of the building; further, he stated that he thought the plan looked good with the buffering, etc.; however, he thought it would be a good idea for the petitioners to meet with the neighbors before the City Council meeting so they will fully understand the proposed project; and

WHEREAS, Mr. Lipscomb explained the current setup of docks, and he noted that the existing setup is very dysfunctional; he stated with regards to meeting with the neighbors, he sent letters to all neighbors that were affected; he received an inquiry from one neighbor; she indicated to him that they were having a neighborhood meeting, and he offered to come and meet with them to answer any questions and to try to address any concerns; however, he was not invited to the meeting, which he can understand; but at the same time he would like to try to work this out so that they can make the building functional, and everyone else will feel good about it; he understands the concern about traffic on Braxton, and he does not know if there were problems with people using Braxton when Home Shopping Network was occupying the

building; he does not know exactly how many employees Home Shopping had, however, they will never have that many employees now; he does not know if any of the previous employees used Braxton Avenue so perhaps that is why this has been mentioned this evening; and

WHEREAS, Commission Member Robertson noted that he is very familiar with the steps from the lower parking lot on Main Street, and he cannot imagine that employees would be willing to climb those steps every day; secondly, he recalled Mr. Lipscomb talking about the heaviest traffic being on this side of the building next to the parking; this would mean the employees would have to deal with crossing the traffic, too; Mr. Lipscomb noted that Mr. Robertson was correct, and he was not aware of a sidewalk along Brand Avenue in this area; also, the employees would have to walk through the truck dock to get into the building; they have tried to make it workable and tried to be sensitive to everyone's needs; and further, they are open to suggestions if anyone has any for them; and

WHEREAS, it was noted that many of the neighbors did not receive a letter from the petitioners; and

WHEREAS, there was some discussion regarding the fact that the petitioners would need to meet certain specifications regarding site plan approval and stormwater management, if the rezoning request should be approved;

ON MOTION MADE BY COMMISSION MEMBER ROBERTSON, AND DULY CARRIED, the Planning Commission of the City of Salem doth recommend to the Council of the City of Salem that the request of Valley Properties, LLC and L&M Properties, LLC, property owners, for rezoning the properties located at 250 & 316 Braxton Avenue and two parcels in the 800 block of Harrison Avenue (Tax Map # 73-3-1, 2, & 3 and 84-2-1) from RSF Residential Single Family District to LM Light Manufacturing District be approved – the roll call vote: Mr. Thomasson – aye; Mrs. Daulton – absent; Mr. Robertson – aye; Mr. Murphy – nay; and Gardner W. Smith – aye.

There being no further business to come before the Commission, the same on motion adjourned at 7:50 p.m.

Executive Secretary

Chairman