

UNAPPROVED MINUTES
PLANNING COMMISSION

September 10, 2014

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 August 13, 2014, there being present the following members of said Commission, to wit: Vicki G. Daulton, Bruce N. Thomasson, Jimmy W. Robertson, and Denise P. King (Samuel R. Carter, III - absent); with Vicki G. Daulton, Chair, 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 E. Van Allman, Jr., City Engineer; Benjamin W. Tripp, Planner; Judy L. Hough, Planner; Mary Ellen Wines, Deputy Zoning Administrator/Secretary; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

ON MOTION BY VICE CHAIR THOMASSON, SECONDED BY COMMISSIONER KING AND DULY CARRIED, the minutes of the regular meeting and work session held on August 13, 2014, were approved as written – the roll call vote: all present - aye.

In re: Hold public hearing to consider the request of Summit Realty Holdings LLC, property owner, for the issuance of a Special Exception Permit to allow aviation facilities on nine parcels located on McClelland Street and West Fourth Street (Tax Map #162-3-3, 4, 6 & 7.1; 162-4-1, 2 & 2.1; and 163-1-2 & 3)

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of Summit Realty Holdings LLC, property owner, for the issuance of a Special Exception Permit to allow aviation facilities on nine parcels located on McClelland Street and West Fourth Street (Tax Map #162-3-3, 4, 6 & 7.1; 162-4-1, 2 & 2.1; and 163-1-2 & 3); and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the August 28, and September 4, 2014, issues of The Salem Times-Register, and adjoining property owners were notified by letter mailed on August 29, 2014; and

WHEREAS, staff noted the following: the subject property consists of nine parcels totaling 63 plus acres; up until March 2013 the property was the home of Timber Truss Housing Systems, a company that manufactured building components; Summit Helicopters located in Botetourt County, has purchased the property and is planning to move to this location due to the fact it has outgrown the Cloverdale site; Summit Helicopters opened 1981 as a full-service commercial helicopter operator; since then, Summit has gained a great deal of experience in

providing premium solutions in all facets of the helicopter business; Summit currently maintains an FAA Part 145 Repair Station Certificate, FAA Part 135 Air Carrier Certificate, FAA Part 133 External Load Certificate as well as a Bell Helicopter Textron Customer Service Facility certificate; Summit's services include aircraft completions, refurbishment projects, maintenance, component overhauls and inspections, to aerial application, power line patrol, construction projects, fire suppression and external load long line flights; the request is for a Special Exception Permit to allow aviation facilities at this location; and note: a FAA registered air strip has existed at this location for many years; and

WHEREAS, John Milko, property owner, appeared before the Commission explaining the Special Exception Permit request; he noted that his company recently purchased the Timber Truss Property and want to move their business currently located in Botetourt County; and

WHEREAS, Vice Chair Thomasson asked Mr. Milko if he could characterize the business; Mr. Milko discussed the operation of the business and noted that they have been in business since 1980; and

WHEREAS, Chair Daulton asked Mr. Milko if they do a lot of helicopter repair in the facility; Mr. Milko asked Mrs. Daulton if by a lot, did she mean many aircraft or the breadth of repairs; she stated that she wanted to know how many helicopters would be landing there for repairs; Mr. Milko noted that in their current facility there are days that no helicopters come in or go out; during the week there may be five flights in and out; further, there may be times when there may be five in a day, but that is not a common occurrence; Mrs. Daulton asked what are their hours of operation, and Mr. Milko noted 8 am to 5 pm; and

WHEREAS, Marshall McClung of 319 Union Street appeared before the Commission stating he had concerns about the proposed request; he noted that he wanted to preface his remarks that he is not completely familiar with Summit Helicopters, and he understands they have a very good reputation in Botetourt County, and they are welcomed in the community; further, he wishes them well here in the City of Salem; he noted that he has not read the helicopter pad permit issued by the FAA, which may or may not have restrictions so what he is asking may have already been addressed; he further read a prepared statement and requested the following restrictions be placed on the property: 1) That Summit Helicopter operation be restricted to the same noise disturbance hours established by City of Salem Municipal Code Section 30-1. Noise prohibitions generally; this would limit Summit Helicopters aircraft approach and departing hours to between 8 am and 10 pm; in the case of operating aircraft, a better operating time window would be official dawn to dusk as determined by the National Oceanic and Atmospheric Administration (NOAA); 2) that all rotorwing approaches and departures be restricted to a corridor running east and west from Trussmark Airport; this

corridor would be between the Roanoke River and the Norfolk Southern railroad tracks; this restriction would be in effect until the aircraft reaches FAA Class E uncontrolled airspace at 700 feet above ground level or enters KROA Woodrum Field FAA Class C controlled airspace; and he further thanked the Commission members for their time; and

WHEREAS, no other person(s) appeared related to said request;

WHEREAS, Vice Chair Thomasson asked Mr. Milko if he might be able to address the issues that Mr. McClung brought up; Mr. Milko noted as he stated earlier the typical flights occur during daylight hours only; they are not a night-time flying operation like the hospitals; he stated that 99% of their flights will be from dawn to dusk; there might be an occasion when they would take off before 8 am, but they are never approaching after 10 pm; further, they have already looked at the approach and departure corridors, and those are in line with what Mr. McClung referenced; they do not want to disturb the neighbors either; they will not be flying in over the houses for safety and noise issues; and

WHEREAS, Commissioner King asked Mr. Milko to clarify if this would fall within what Mr. McClung had stated, and he noted that was correct; he noted that the railroad tracks make sense as a logical approach and departure line, and the 700 feet should not be an issue either and they can abide by that request; and

WHEREAS, Jim Bowen of 326 James Street appeared in support of the proposed request; he noted that he feels Summit's operation so far has been good corporate citizenship; for over 30 years Roanoke Valley Radio Control Club (RVRC) has operated model airplanes in the bottom land behind Timber Truss; Timber Truss was very kind to let them be there, and Summit has now taken over the facility, and they continue to be very kind to allow them to be there; they are pleased to be able to have use of this land, which would otherwise probably not have a lot of use; he further noted that Summit has been cleaning up the brush, etc. and getting the facility in tip top shape, and it looks to him like they are going to be a good corporate citizen and as long as this continues, he is pleased to see the company here in Salem;

ON MOTION MADE BY COMMISSIONER KING, SECONDED BY VICE CHAIR THOMASSON, the Planning Commission of the City of Salem doth recommend to the Council of the City of Salem that the request of Summit Realty Holdings LLC, property owner, for the issuance of a Special Exception Permit to allow aviation facilities on nine parcels located on McClelland Street and West Fourth Street (Tax Map #162-3-3, 4, 6 & 7.1; 162-4-1, 2 & 2.1; and 163-1-2 & 3) be approved – the roll call vote: all present - aye.

In re: Hold public hearing to consider the request of Richard L. & Freda M. Conner, property owners, for the issuance of a Special Exception Permit to allow an used car sales lot on the property located at 515/517 Eighth Street (Tax Map #185-5-12)

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of Richard L. & Freda M. Conner, property owners, for the issuance of a Special Exception Permit to allow an used car sales lot on the property located at 515/517 Eighth Street (Tax Map #185-5-12); and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the August 28, and September 4, 2014, issues of The Salem Times-Register, and adjoining property owners were notified by letter mailed on August 29, 2014; and

WHEREAS, staff noted the following: the subject property consists of one parcel of approximately .26 acres and is located on the north side of Eighth Street; the property is currently zoned Highway Business District and is occupied by two structures; the structure at 515 is currently leased to BNB Transmissions and is being used for automotive repair; the structure at 517 is vacant; the petitioners would like to use this building for the same purpose as the adjacent properties, i.e. used car sales; and the request is for a Special Exception Permit to allow an used car sales lot; and

WHEREAS, Danny Carter, representing the property owner, appeared before the Commission explaining the Special Exception Permit request; he noted that there is currently an used car lot on the property next door; Mr. Conner owns the whole block from Delaware Street to Florida Street; they are currently using the building at 517 for an office, but they need additional space for vehicles; when they came up to the City to have the form signed for the Division of Motor Vehicles, they were told they would have to get an approval; and

WHEREAS, Vice Chair Thomasson asked how many cars they have at the current location and how many would they want to park on this property; Mr. Carter noted that they currently have 14 or 15 on the existing lot; with the proposed lot, it would depend on the size of the vehicle how many they could get on the lot; if they were to pack them on the lot, the most they could park would be 20; and

WHEREAS, Chair Daulton asked Mr. Carter to clarify "packing" the cars on the lot; Mr. Carter noted if they were to put them so you could not get in them, then they could get about 20; however, it would be more like 14 or 15; Mrs. Daulton noted that they would have 30 cars total on the lot, and Mr. Carter noted that it would be 30 cars total in the whole block; and

WHEREAS, Commissioner Robertson noted that there seems to be several cars already on the lot, and Mr. Carter noted that Mr. Conner already has his dealer's license; since this building is empty, they want to be able to use it for the same purpose and have a few more vehicles than they already have; and

WHEREAS, Commissioner King asked Mr. Carter his relation to Mr. Conner, and Mr. Carter noted that he is an employee of RC Restoration, Mr. Conner's business; Mrs. King asked Mr. Carter if they would be willing to proffer a maximum of 15 vehicles; Mr. Carter noted that this would not be a problem; and

WHEREAS, Chair Daulton noted that this would be a maximum of 30 for the entire block, and Mr. Carter noted that he could not speak for Mr. Conner on the other parcels; on the one parcel before the Commission tonight, they would proffer no more than 15 cars; and

WHEREAS, Commissioner King noted there is a building on the property now; she asked if the vehicles would only be parked on the outside on the lot; Mr. Carter noted that the cars would only be parked on the lot, which is approximately 50' by 75', and the building would be used for cleanup of the vehicles; and

WHEREAS, Chair Daulton asked staff if the 15 cars is within the allowable limit for this space; Mrs. Wines noted in looking at the measurements of the property, based on parking space size, then 10 to 12 cars would fit on the property; she further noted that 15 cars would not be out of the realm for this property; and

WHEREAS, Mr. Tripp noted that they would also want to leave some room around the building for fire access; typically if this were a new development, we would want them to leave about 20' for fire engine access and that sort of thing; further, what Mrs. Wines is saying is probably in line with this; Mrs. Wines noted that with the alley they would have fire access; and

WHEREAS, Commissioner King asked if 15 is still an adequate number or should this number be lower; Mrs. Wines noted that she thought a maximum of 15 would be appropriate; and

WHEREAS, Chair Daulton noted that since Mr. Conner is not here to agree to the proffer, can the Commission still act the item; Mr. Maxwell noted that Mr. Conner's agent is in attendance and can agree to the proffer; Mr. Carter noted that he can speak for Mr. Conner; and

WHEREAS, there was further discussion with regards to the Commission placing conditions on the Special Exception permit request versus proffered conditions; Mr. Maxwell noted that the Commission has the power to impose any conditions it thinks is reasonable, and Mr. Conner's agent is agreeing with this so the Commission can call it what they would prefer; if they would move to grant the permit, then it would be with the term that 15 would be the maximum number of vehicles;

WHEREAS, no other person(s) appeared related to said request;

ON MOTION MADE BY COMMISSIONER ROBERTSON, SECONDED BY VICE CHAIR THOMASSON, the Planning Commission of the City of Salem doth recommend to the Council of the City of Salem that the request of Richard L. & Freda M. Conner, property owners, for the issuance of a Special Exception Permit to allow an used car sales lot on the property located at 515/517 Eighth Street (Tax Map #185-5-12) be approved subject to no more than 15 vehicles available for sale on the property – the roll call vote: all present - aye.

There being no further business to come before the Commission, the same on motion adjourned at 7:20 p.m.

Executive Secretary

Chair