

# **Planning Commission Staff Report**

File #: C-18-3  
Applicant: Thomas K. Russell, Jr.  
CUP Request: To operate a laydown yard and hauling facility  
Property Location: 7111 Chrystal Lane  
Tax Map Parcel #: 21-74I  
Property Size: approx. Approximately 3 acres  
Current Zoning: Agricultural, General, A-2  
Magisterial District: Rohoic  
Planning Commission Mtg.: July 11, 2018

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## **CUP REQUEST**

The applicant, Thomas K. Russell, Jr. is seeking a conditional use permit to operate a laydown yard and truck hauling facility, on the following described property containing approximately 3.00 acres. The property is located on the east side of Route 1 at 7111 Chrystal Lane (a private road), North Dinwiddie, VA, and is further designated as Tax Map No. 21-74I. The property is zoned A-2, Agricultural General, which may be changed to allow such use upon receiving a conditional use permit. The County's Comprehensive Land Use Plan places this property within the Urban Area which allows commercial, service development at the Ordinance defined density.

## **RELATED ATTACHMENTS**

- CUP Application
- Location Map
- Location Photographs

## **OVERVIEW OF PROPOSED LAYDOWN YARD AND HAULING FACILITY**

Thomas K. Russell, Jr., the applicant, is applying for this conditional use permit in order to sell the property to Mr. Leo Tereschenko who owns Leo Tereschenko & Son Paving Company, Inc. Mr. Tereschenko has been parking his trucks on the subject property for approximately 30 years. Leo Tereschenko & Son Paving Company's primary client is Columbia Gas. In addition to parking the vehicles on the property, minor repairs on the trucks will occur as needed. Additionally, asphalt millings, which are generated when pavement is scraped from the road, will be stored on the property until they are reused on other jobs. Leo Tereschenko & Son Paving has approximately 10 employees and operates only on weekdays, but wants the option to work on weekends in the case of an emergency.

## **ZONING ANALYSIS**

The conditional use permit is for a laydown yard and hauling facility for the property located on Tax Map Parcel No. 21-74I, addressed as 7111 Chrystal Lane, North Dinwiddie, VA. Chrystal Lane is located on the east side of Boydton Plank Road (U. S. Route 1) approximately 0.25 miles south of Airport Road.

The subject property is accessed by Chrystal Lane, a shared, private road. Chrystal Lane crosses through one vacant lot before entering the subject property and continuing to one residential lot and a property containing a pump house, which is owned by Dinwiddie County Water Authority.

The adjacent properties to the north, south, east and, west are all zoned Agricultural, General, A-2 and are comprised of single-family dwellings, large farmland and forestal land uses. As designated by the Comprehensive Land Use Plan, the subject property is within the Urban Area which allows commercial, service development at the ordinance defined density.

## **OVERVIEW OF IMPACTS**

This request is not expected to cause any new impacts to the surrounding properties as it has been in operation for approximately 30 years without any noise or traffic complaints.

### *Public Utilities, School System, & Public Safety Impacts*

The existing utilities are handled on-site and there is no expected impact to the school system, as related to the laydown yard and hauling facility. Any public safety or community issues related with the proposed use are minimized by the proposed conditions associated with this permit.

### *Transportation Impacts*

Based upon the information provided, VDOT has determined that the use will require a low volume commercial entrance. Based upon field observations, it appears that the existing entrance meets VDOT's criteria for a low volume commercial entrance. If any modifications are needed to the existing entrance, a VDOT Land Use Permit must be acquired prior to performing any work within the VDOT ROW.

## **SITE AND USE ANALYSIS**

Staff feels that the request to operate a laydown yard and hauling facility on the subject property is appropriate use of this land, as this request does not represent an intensification of the use on the subject property. Additionally, the County has not received any noise or traffic complaints associated with this business.

As designated by the Comprehensive Land Use Plan, the subject property is within the Urban Area which allows commercial, service development at the ordinance defined density. Although the seemingly intense commercial business is located around less intense residential and agricultural uses, staff believes that the impacts of operating a laydown yard and hauling facility on the subject property will be minimized based on adherence to the proposed conditions.

### ***Planning Staff Recommendation:***

Planning staff reviewed the request for the conditional use permit and is satisfied that the impacts of operating a laydown yard and hauling facility on the subject property will be minimized based on adherence to the proposed conditions.

Staff's recommendation of APPROVAL of the conditional use permit to operate a laydown yard and hauling facility is subject to the following conditions:

#### C-18-3 Conditions:

1. Any buildings constructed as part of the laydown yard and hauling facility shall meet the applicable Fire Code as set forth in the Fire Code as amended and Building Code requirements as set forth in the Building Code as amended;
2. Any site lighting installed shall be directed downward and inward to the site to preserve the night sky and shall not directly cast light onto the adjoining properties;

3. All vehicle access to the subject property shall meet Virginia Department of Transportation standards;
4. The property shall meet minimum standards for fire and rescue apparatus access;
5. The property shall meet all required development standards for this type of business as required by Chapter 22 of the Dinwiddie County Code;
6. All outdoor activities associated with the laydown yard and hauling facility shall be conducted between the hours of 7:00 AM and 10:00 PM with no outdoor activities associated with the laydown yard and hauling facility on Easter Sunday, Thanksgiving Day and Christmas Day;
7. Any existing trees within 25 feet of all property lines shall remain in order to provide a buffer between the laydown yard and hauling business and surrounding uses. All laydown areas shall not be visible by someone standing at ground level from outside of the subject property. When this cannot be achieved with the 25 foot natural buffer, opaque fencing or planted landscaping may be used as screening. Fencing and planted landscaping to provide screening of laydown activities must be approved by the Dinwiddie County Planning Director;
8. All activities associated with the laydown yard and hauling facility shall comply with all applicable federal, state, and local codes;
9. This conditional use permit is subject to be reviewed by the Zoning Administrator of Dinwiddie County on an annual basis from the date of issuance of the conditional use permit; and
10. The uses shall be limited to the laydown yard and hauling facility with minor repair of vehicles associated with the subject business as identified in the Land Use Amendment Application.

#### **PLANNING COMMISSION RECOMMENDATION**

Since this is a zoning matter, the standard statement regarding the Planning Commission recommendation on this zoning matter must be read. In order to assist, staff prepared the following statement:

**BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit, C-18-3, as presented to operate a laydown yard and hauling facility be recommended for (approval, approval with conditions, OR disapproval) to the Board of Supervisors.**