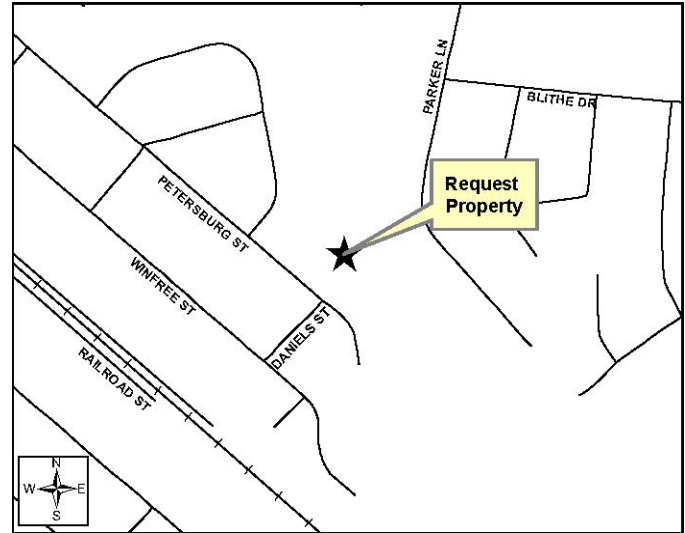


**CASE NUMBER: 20SN0587**  
**APPLICANT: Michael W. Atkinson**



**CHESTERFIELD COUNTY,  
 VIRGINIA  
 BERMUDA DISTRICT  
 STAFF'S ANALYSIS  
 AND  
 RECOMMENDATION**



2.7 Acres – 12665 Petersburg St

**Planning Commission (CPC) Hearing:**  
 SEPTEMBER 15, 2020

**CPC Time Remaining:**  
 100 DAYS

**Applicant's Contact:**  
 MICHAEL ATKINSON (804-920-6941)  
**Planning Department Case Manager:**  
 HAROLD ELLIS (804-768-7592)

**REQUEST**

Conditional use to permit a business (flooring contractor) incidental to a dwelling in Residential (R-15), Residential (R-7), and Agricultural (A) districts.

**Notes:**

- A. Conditions may be imposed or the property owner may proffer conditions
- B. Conditions and an exhibit are located in Attachments 1 and 2.

**SUMMARY**

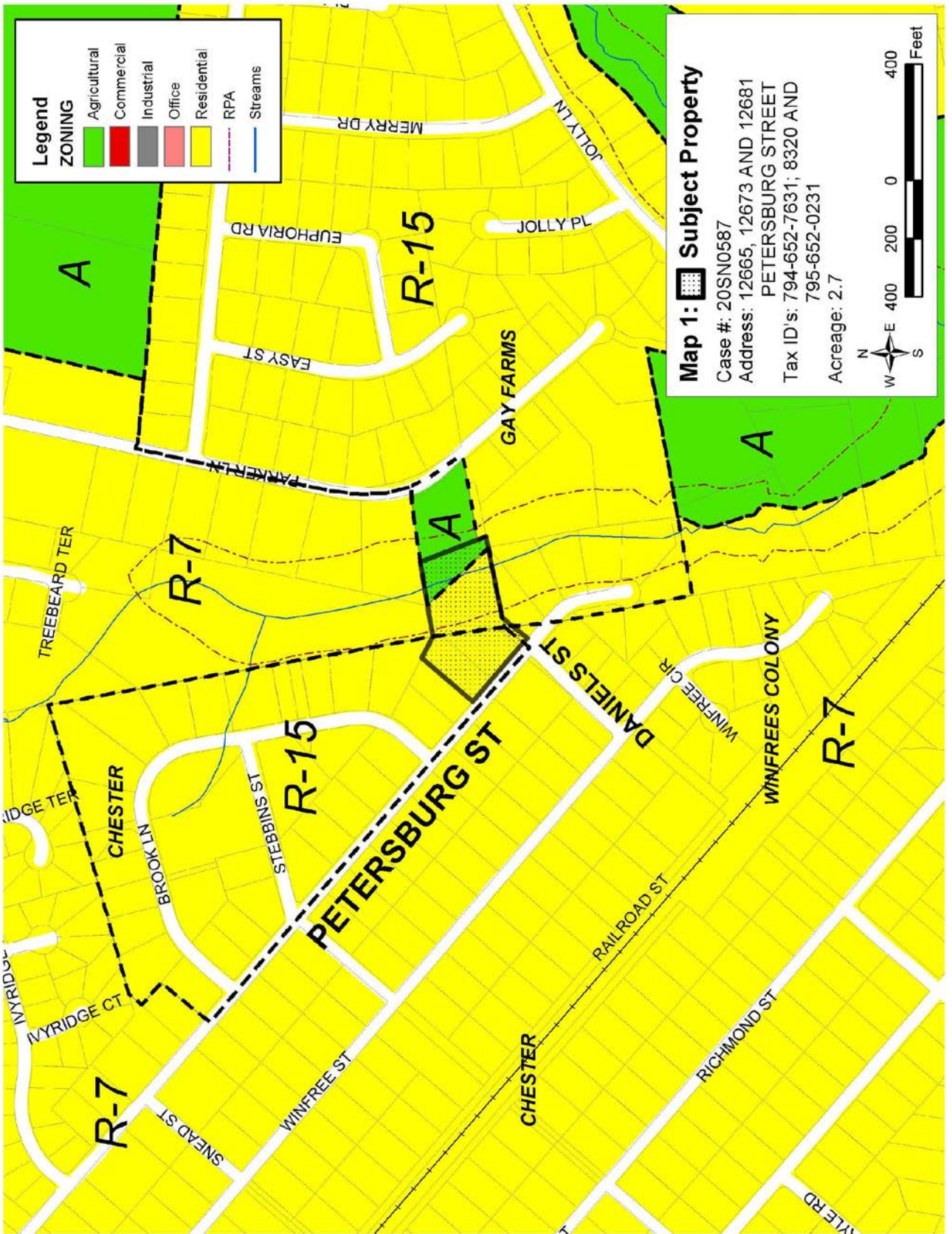
The applicant lives on the property and operates a flooring business without the requisite zoning. Approval of this conditional use would bring the use into compliance with the Ordinance. Current activities of the flooring business on-site include parking of work-related vehicles, and employees coming to and from the site daily.

**RECOMMENDATION**

STAFF	<p><b>DENIAL</b></p> <ul style="list-style-type: none"> <li>• The proposed land use is incompatible with the residential use suggested by the Comprehensive Plan</li> <li>• Use represents a commercial encroachment within an established residential neighborhood</li> </ul>
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**SUMMARY OF IDENTIFIED ISSUES**

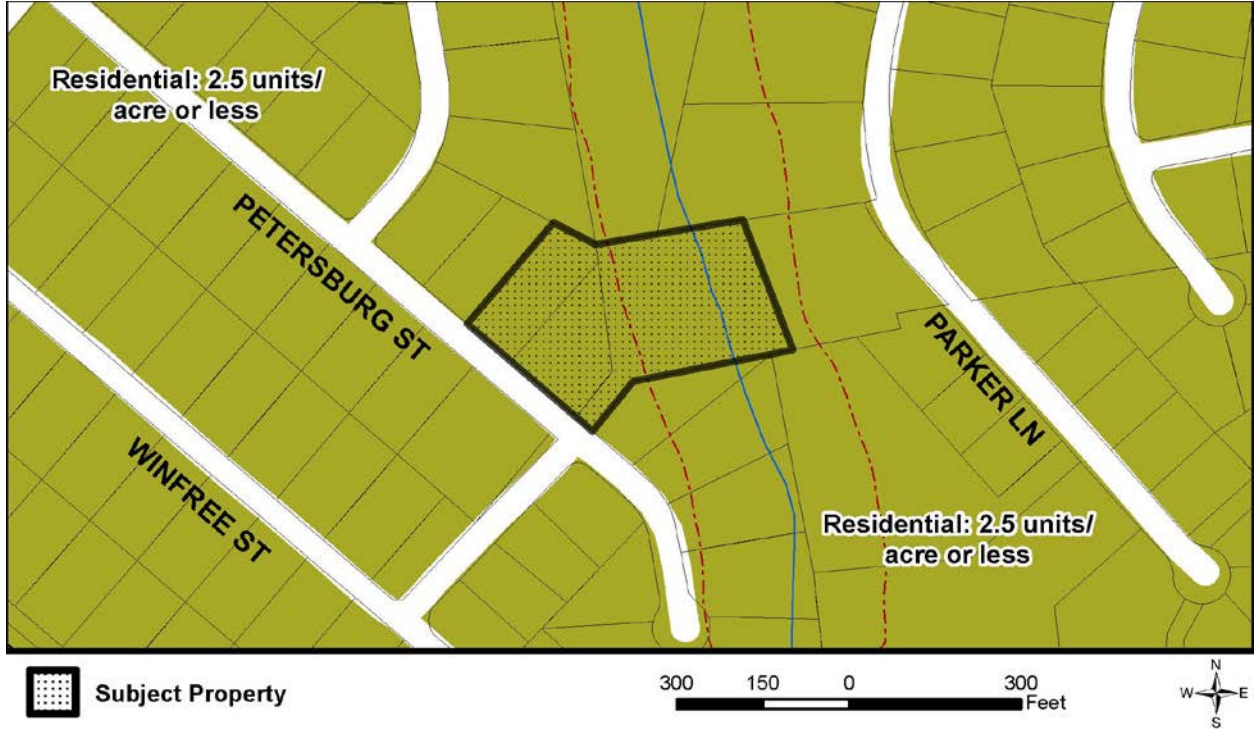
Department	Issue
PLANNING	<ul style="list-style-type: none"> <li>• Vehicles used for work purposes are stored on site</li> <li>• Employees of the flooring business are on site twice daily</li> <li>• Screening measures (opaque fence) to be installed in front of the vehicles will not sufficiently screen from adjacent properties</li> </ul>



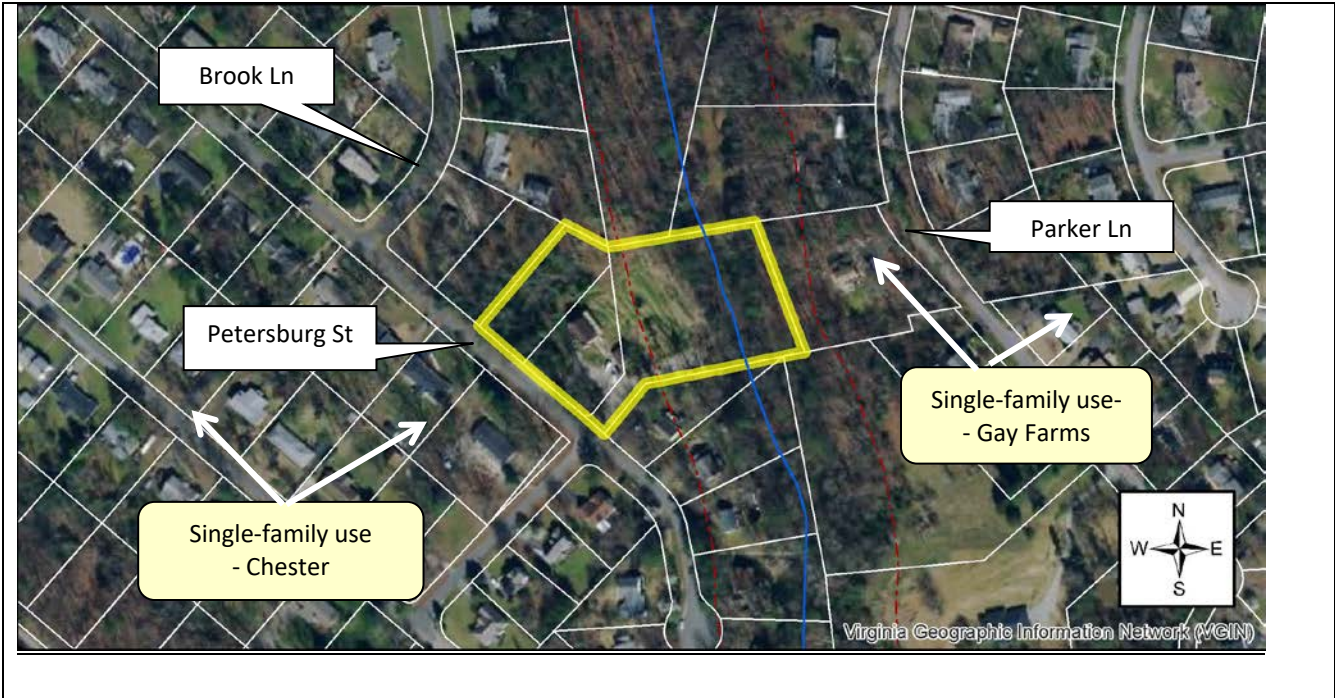


**Comprehensive Plan**  
**Classification: RESIDENTIAL – 2.5 UNITS/ACRE OR LESS**

This designation suggests the property is appropriate for residences, places of worship, schools, parks, and other similar public and semi-public facilities.



**Surrounding Land Uses and Development**



## PLANNING

Staff Contact: Harold Ellis (804-768-7592) [ellish@chesterfield.gov](mailto:ellish@chesterfield.gov)

### Proposal

The applicant purchased the subject property in 2016 with the intent of using it as a primary dwelling as well as operate a flooring business, owned by the applicant, which has been in operation since 2012.

In March 2016, The Planning Department received a complaint relative to the parking of commercial vehicles and operating a business on a residential property. A notice of violation was issued at that time and the applicant removed the work-related vehicles from the site by April of 2016. In December 2019, the Community Enhancement Department received a second complaint, which is the subject of this request.

Current activities of the flooring business include parking of four (4) work-related vehicles on site, consisting of one (1) full-sized van, and three (3) 16-foot panel trucks, with business related materials and equipment, and three (3) employees, coming to and from the site daily. The employees are on site to park their personal vehicles (on site) and pick up a work-vehicle in the morning and return it and pick up their personal vehicles in the evening. These components of the business exceed the ordinance limitations for a permitted home occupation, requiring a conditional use.

Should the Planning Commission recommend approval of this case, the following provides an overview of conditions recommended by staff to minimize the impact of the use on area properties:

General Overview	
Requirements	Details
Ownership	Limited to the applicant <i>Condition 1</i>
Use	Limited to operation of a flooring business <i>Condition 2</i>
Hours of Operation	<ul style="list-style-type: none"><li>Limited to between 7:30 a.m. and 5:00 p.m. Monday through Friday</li></ul> <i>Condition 3</i>
Expansion of use	No new building construction to accommodate use <i>Condition 4</i>
Signage	No signage permitted <i>Condition 5</i>
Vehicle Equipment and Parking	Limited to areas shown on Exhibit A <i>Condition 6</i>

Staff finds that the applicants' request may adversely impact adjoining residential properties by allowing a commercial use to encroach into an established residential area. The continuation of commercial vehicle storage on the property as well as having three (3) employees report to the premises would not be compatible with existing residential development and permitted land uses.

**COUNTY DEPARTMENT OF TRANSPORTATION**

Staff Contact: Steve Adams (804) 748-1037 [adamsSt@chesterfield.gov](mailto:adamsSt@chesterfield.gov)

The *Comprehensive Plan*, which includes the *Thoroughfare Plan*, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The anticipated traffic impact of the proposal has been evaluated and it is anticipated to be minimal.

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

Staff Contact: Willie Gordon (804-674-2907) [willie.gordon@vdot.virginia.gov](mailto:willie.gordon@vdot.virginia.gov)

The applicant is requesting a Conditional Use permit to allow a home-based flooring business as the main office base and to park company vehicles. The proposal has no direct impact to state right of way. VDOT has no comment at this time.

**FIRE AND EMERGENCY MEDICAL SERVICES**

Staff Contact: Anthony Batten (804-717-6167) [battena@chesterfield.gov](mailto:battena@chesterfield.gov)

**Nearby Fire and Emergency Medical Service (EMS) Facilities**

<b>Fire Station</b>	The Chester Fire Station, Company Number 1
<b>EMS Facility</b>	The Chester Fire Station, Company Number 1

This request will have minimal impact on Fire and EMS.

**UTILITIES**

Staff Contact: Randy Phelps (796-7126) [rphelpsc@chesterfield.gov](mailto:rphelpsc@chesterfield.gov)

**Existing Water and Wastewater Systems**

Utility Type	Currently Serviced	Size of Closest Existing Lines	Connection Required by County Code
Water	Yes	6"	Yes
Wastewater	Yes	8"	Yes

**Additional Utility Comments:**

The subject property is located within the mandatory water and wastewater connection area for new residential development. The existing residential structure is connected to the public water and wastewater systems. The proposed home occupation flooring business will not impact the public water and wastewater systems.

The Utilities Department supports this case.

**ENVIRONMENTAL ENGINEERING**

Staff Contact: Rebecca Rochet (804-748-1028) [RochetR@chesterfield.gov](mailto:RochetR@chesterfield.gov)

**Geography**

The subject properties drain directly into an unnamed tributary of Ashton Creek. All of the properties are located within the Ashton Creek Watershed.

**Erosion and Sediment Control**

If greater than 2,500 square feet of total land disturbance will occur as a result of any proposed improvements or modifications, a land disturbance permit will be required.

**Stormwater Management**

If greater than 2,500 square feet will be disturbed with any proposed improvements, the project will be subject to the Part IIB technical criteria of the Virginia Stormwater Management Program Regulations for water quality and water quantity.

**SCHOOLS**

Staff Contact: Atonja Allen (804-318-8740) [Atonja\\_allen@ccpsnet.net](mailto:Atonja_allen@ccpsnet.net)

**PARKS AND RECREATION**

Staff Contact: Janit Llewellyn (804-751-4484) [LLewellynja@chesterfield.gov](mailto:LLewellynja@chesterfield.gov)

This request will not impact these facilities.

**CASE HISTORY**

**Applicant Submittals**

<b>02/28/20</b>	Application submitted
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**CONDITIONS**

1. Non-transferrable ownership: This conditional use approval shall be granted exclusively to Michael W. Atkinson, and shall not be transferrable nor run with the land. (P)
2. Use: This conditional use approval shall be limited to the operation of a flooring business, incidental to a dwelling. (P)
3. Hours of Operation: Operation of the business shall be limited to Monday through Friday from 7:30 a.m. to 5:00 p.m. (P)
4. Expansion of Use: No new building construction shall be permitted to accommodate this use. (P)
5. Signage: There shall be no signs identifying the use. (P)
6. Vehicle Equipment and Parking: All vehicles and equipment in association with this use shall be parked in the area specified on Exhibit A. No more than three (3) work vehicles, which also may not be more than 16' in length, shall be parked on site. No other outside storage shall be permitted outside of this area. A six (6) foot opaque screening fence shall be maintained to screen the parking area for vehicles and equipment as shown on Exhibit A. (P)



EXHIBIT A

