

PHIPPS CONTRACTOR'S STORAGE YARD

SPECIAL USE PERMIT

Located in:

Montgomery County, Virginia

Project Number: 3522.0

Date: April 30, 2025



ENGINEERING • LAND PLANNING • SURVEYING
1260 Radford Street • Christiansburg, Virginia 24073
540.381.6011 office • 540.381.2773 fax
www.foresightdesignservices.com

Phipps Contractor’s Storage Yard

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Phipps Contractor's Storage Yard

SPECIAL USE PERMIT APPLICATION



MONTGOMERY
COUNTY, VIRGINIA

Special Use Permit Application Form

Montgomery County, Virginia

755 Roanoke St. Suite 2A, Christiansburg, VA 24073

540-394-2148 | mcplan@montgomerycountyva.gov

Applicant Information: (PLEASE PRINT – if additional owners, please attach additional sheets)

Owner of Record (attach separate page for add'l owners): Black Diamond Resources, Ricky Lee Phipps	Address: PO Box 260, Riner, VA 24149
Telephone: (540) 392-4058	Email: rlpconstruction@swva.net

Applicant Name: Owner Contract Purchaser/Lessee Black Diamond Resources, Ricky Lee Phipps	Address: PO Box 260, Riner, VA 24149
Telephone: (540) 392-4058	Email: rlpconstruction@swva.net

Representative Name and Company: Foresight Design Services/John T. Neel, P.E.	Address: 1260 Radford Street, Christiansburg, VA 24073
Telephone: (540) 381-6011	Email: info@foresightdesignservices.com

Property Description:

Location or Address: <i>(Describe in relation to nearest intersection)</i> 631 Village Lane, Christiansburg, VA (End of Rainbow Street and End of Village Lane)		
Parcel ID Number(s): 004853	Acreage: 65.727	Existing Zoning: A1
Comprehensive Plan Designation: Urban Expansion	Existing Use: Inert Debris Landfill & Undeveloped Areas	

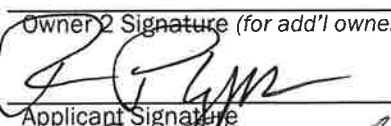
Description of Request: (Please provide additional information on attached sheet if necessary)

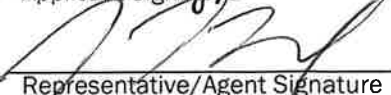
Proposed Use(s) including acreage: Proposed Contractor's Storage Yard.

I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

If signing on behalf of a Corporation, Partnership, or LLC, please specify your title with the entity and provide documentation clarifying your authority to sign on behalf of the entity.

	Ricky Lee Phipps, President	5/16/25
Owner 1 Signature		Date

	Ricky Lee Phipps, President	5/16/25
Owner 2 Signature (for add'l owners please attach separate sheet)		Date
Applicant Signature		Date

	John T. Neel, P.E., President	5/16/25
Representative/Agent Signature		Date

Limited Liability Company - Statement of Change of Registered Office and/or Registered Agent

Entity Information

Entity Name: Black Diamond Resources LLC Entity Type: Limited Liability Company
Entity ID: 11514057 Formation Date: 03/15/2023
Status: Active

Previous Registered Agent Information

RA Type: An Individual who is a resident of Virginia Locality: FLOYD COUNTY

RA Qualification: Member or Manager of the Limited Liability Company

Name: Remington Lee Phipps

The company's registered office address, including the street and number, if any, which is identical to the business office of the registered agent, is:

Registered Office 6067 Alum Ridge Rd NW,
Address: Riner, VA, 24149 - 3702, USA

Registered Agent Information

RA Type: An Individual who is a resident of Virginia Locality: Floyd

RA Qualification: General Partner of a General or Limited Partnership that is a Member or Manager of the Limited Liability Company

Name: Ricky Lee Phipps

The company's registered office address, including the street and number, if any, which is identical to the business office of the registered agent, is:

Registered Office 6067 Alum Ridge Rd NW,
Address: Riner, VA, 24149 - 3702, USA

Signature Information

Date Signed: 05/06/2025

Executed in the name of the limited liability company by:

The person signing this statement affirms that after the foregoing change or changes are made, the company will be in compliance with the requirements of § 13.1-1015 of the Code of Virginia, as the case may be.

Printed Name	Signature	Title
Ricky Lee Phipps	Ricky Lee Phipps	President



**COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION**

Office of the Clerk

May 6, 2025

Ricky Phipps
6067 Alum Ridge Road NW
Riner, VA, 24149

RECEIPT

RE: Black Diamond Resources LLC
ID: 11514057
FILING NO: 2505068590916
WORK ORDER NO: 202505066154292

Dear Customer:

This is your acknowledgement for filing a statement of change of registered office and/or registered agent for a limited liability company with this office on May 6, 2025.

The effective date of the change is May 6, 2025.

If you have any questions, please call (804) 371-9733 or toll-free 1-866-722-2551.

Sincerely,

Bernard J. Logan
Clerk of the Commission

Delivery Method: Email

Phipps Contractor's Storage Yard

ADDITIONAL SPECIAL USE REQUIREMENTS

The applicant for special use permit shall provide a statement of justification to address the following items in the application materials to demonstrate what impact the proposed request will have on the County's resources and how the request complies with Montgomery County's comprehensive plan.

Section 10-54(3)(g), Montgomery County Zoning Ordinance

Issues for Consideration. In considering a Special Use Permit application, the following factors shall be given reasonable consideration. The application shall address all the following in its statement of justification or Special Use Permit plat unless not applicable, in addition to any other standards imposed by this Ordinance:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan (Addressed under "3. Comprehensive Plan Justification").
 - **See Comp Plan Justification.**
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.
 - **N/A**
3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.
 - **The site will consist of the storing of various pieces of equipment utilized during construction activities. This equipment may be running during business hours. The Type 4 Buffer will mitigate noise impacts to the surrounding residential properties.**
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.
 - **The site will utilize safety and security lighting to minimize the threat of trespass and theft but lighting shall be designed to not cast glare onto any adjacent properties.**
5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.
 - **N/A**
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.
 - **Site will be serviced by Village Lane and has been utilized as an inert fill site for the last 8 years (2017). An SUP has been submitted to expand the existing fill site as well.**

7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.
 - **The proposed Contractor's shop building is shown in the proposed location. A site plan will be submitted upon approval of the SUP for the contractor storage yard.**
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.
 - **See Submitted Plan.**
9. The timing and phasing of the proposed development and the duration of the proposed use.
 - **The proposed shop building shall be constructed at some point in the future but the contractor storage yard use will commence immediately and is planned to continue for the life of the property.**
10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.
 - **No areas of significant importance will be damaged.**
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.
 - **Site will contribute to the local economy.**
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.
 - **Site will use the existing public streets and the existing entrance onto the property that has been in use by the existing inert fill site.**
13. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of Montgomery County.
 - **N/A**
14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services.
 - **There is existing public water and sewer within Village Lane. Any proposed utilities will connect to the existing public lines.**
15. The effect of the proposed Special Use Permit on groundwater supply.
 - **N/A**
16. The effect of the proposed Special Use Permit on the structural capacity of the soils.
 - **The site will be developed in accordance with Montgomery County Erosion and Sediment Control Regulations.**

17. Whether the proposed use will facilitate orderly and safe road development and transportation.
 - **N/A**
18. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.
 - **N/A**
19. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.
 - **Site will contribute to the local economy.**
20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth.
 - **N/A**
21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County.
 - **N/A**
22. The location, character, and size of any outdoor storage.
 - **The proposed contractor storage yard will comply with Montgomery County Zoning Requirements.**
23. The proposed use of open space.
 - **Areas designated as conserved open space on the submitted plan shall remain protected and undisturbed by the proposed use.**
24. The location of any major floodplain and steep slopes.
 - **See submitted Plan.**
25. The location and use of any existing non-conforming uses and structures.
 - **N/A**
26. The location and type of any fuel and fuel storage.
 - **Site will utilize fuel storage of the existing inert fill site.**
27. The location and use of any anticipated accessory uses and structures.
 - **N/A**
28. The area of each use; if appropriate.
 - **See Submitted Plan.**
29. The proposed days/hours of operation.
 - **Site will generally conform to normal business hours from 7am-5pm Monday-Friday; however occasional variances may occur as needed. Site will be closed on Sundays. Site is not open to the public.**

30. The location and screening of parking and loading spaces and/or areas.
- **A Type 4 buffer will separate the site from the adjacent residential properties. Parking of vehicles and any equipment will be within the designated area on the submitted plan.**
31. The location and nature of any proposed security features and provisions.
- **N/A**
32. The number of employees.
- **Typically 2-4 employees on site.**
33. The location of any existing and/or proposed adequate on and off-site infrastructure.
- **N/A**
34. Any anticipated odors, which may be generated by the uses on site.
- **N/A**
35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.
- **Site has been utilized as an inert fill site for the last 8 years and no increase in traffic is expected over the average traffic that has been experienced with the existing use. This includes the utilization of the site for a Contractor Storage Yard. The site will utilize existing public streets.**

Phipps Contractor's Storage Yard

COMPREHENSIVE PLAN JUSTIFICATION

Comprehensive Plan Justification

Introduction:

Any development within Montgomery County is viewed by the Board of Supervisors, Planning Commission, County Staff, and Citizens through the prism of the comprehensive plan. The following narrative and analysis will address points within the comprehensive plan and discuss how the proposed use aligns with the vision, goals, and objectives of the comprehensive plan. Please note that below are excerpts from the adopted 2025 Comprehensive Plan and one should refer to the Plan for the full text.

The subject property is identified in the Comprehensive Plan as having a future land use of Urban Expansion. The text below is from the Comprehensive Plan, with the bold text demonstrating how the proposal meets the guidelines.

Overview:

This SUP proposes to allow the development of a Contractor Storage Yard on the site of an existing inert fill site. The site is just outside the Town of Christiansburg's Corporate Limits and is marked by substantial topography and being bordered by the Norfolk Southern Rail Line and the Route 460 Bypass. The site is zoned A1 – Agriculture. Stormwater Management will be achieved through the use of an onsite detention facility. Stormwater Quality will be handled by the dedication of open space on the site and/or nutrient credits. This a companion SUP request for expansion of the existing inert fill site. Once a fill site location is closed out and capped, the area will be stabilized and revegetated with grass and the site will remain a Contractor Storage Yard.

- Based upon anticipated operations, the potential number of vehicle trips per day may be as little as 0 on most days and sometimes 5-10 depending on the activity at the Storage Yard.
- Equipment stored on site will typically leave the site one time to remain on an active job (1 week to 2 years) and then return to the site for service/maintenance/storage until it leaves for another job.

Policy Chapters:

Planning and Land Use

PLU 1.8 Urban Expansion Areas: These are the areas adjacent to the Town of Blacksburg, the Town of Christiansburg and the City of Radford that are planned for a broad range and mix of uses.....

Discussion – This proposed use is allowed by SUP in the A1 zoning district. The Comprehensive Plan is a broad document and the Urban Expansion Areas were broadly placed surrounding the borders of the Towns. This site is not suited for any type of residential development due to the existing topography. The proximity to the Norfolk Southern Rail Line and the Route 460 bypass, while not precluding residential development, detract from the potential for residential development. Additionally, any uses contemplated by the Comprehensive Plan in the Urban Expansion Areas, such as Industrial, business parks, etc. are not supported due to the size and condition of the property today. The hard edges of the Norfolk Southern Rail Line and the Route 460 Bypass also prohibit any broader incorporation into a development. A contractor storage yard close to the Town of Christiansburg and the transportation nexus of Route 460 Bypass and Interstate 81 is an ideal use for this property.

Conclusion:

With this location being adjacent to the Town of Christiansburg and also adjacent to the Route 460 Bypass and Interstate 81, this site is ideal for a Contractor Storage Yard.

Phipps Contractor's Storage Yard

EXHIBIT

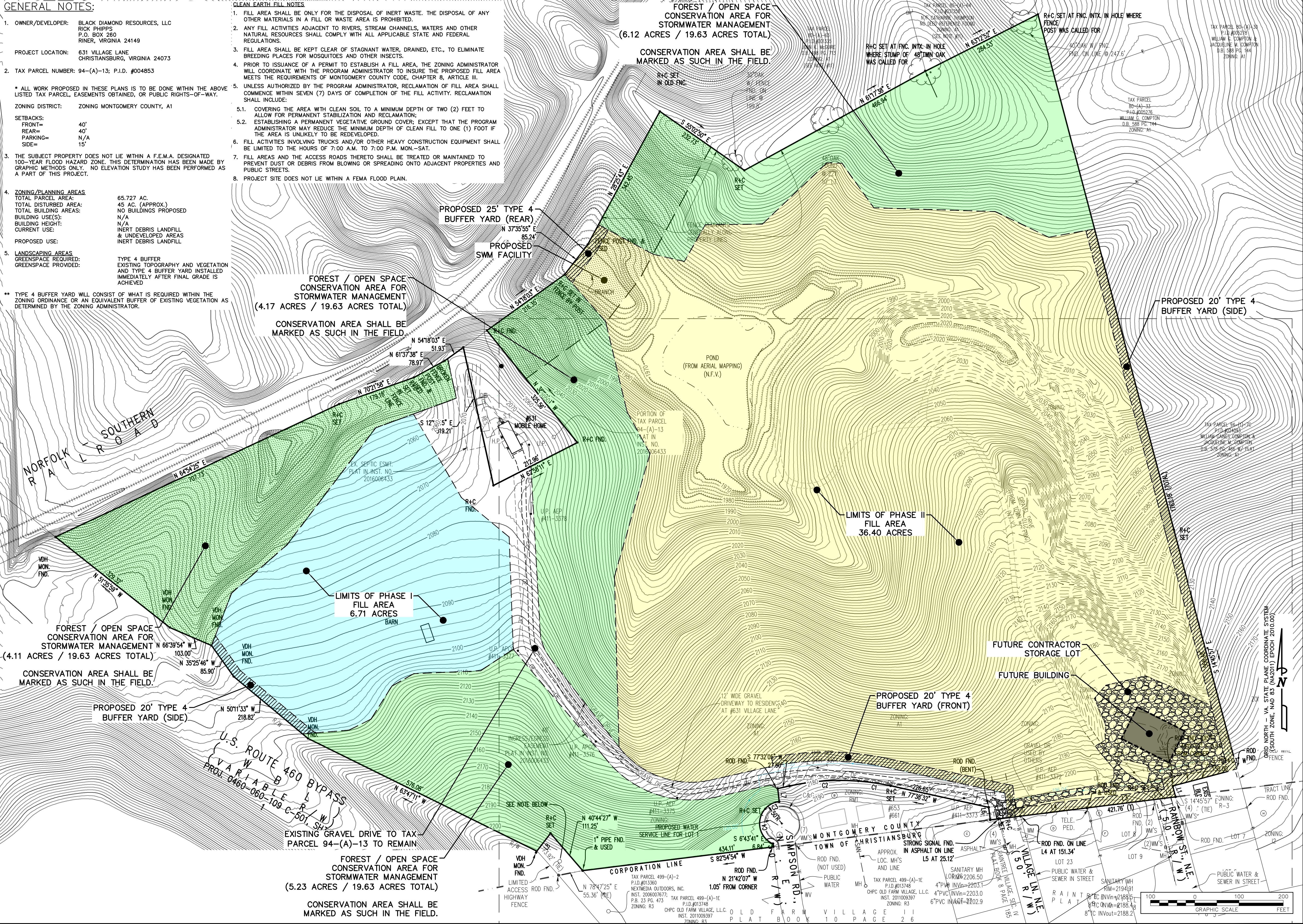
GENERAL NOTES:

1. OWNER/DEVELOPER: BLACK DIAMOND RESOURCES, LLC
RICK PHIPPS
P.O. BOX 280
RINER, VIRGINIA 24149
- PROJECT LOCATION: 631 VILLAGE LANE
CHRISTIANSBURG, VIRGINIA 24073
2. TAX PARCEL NUMBER: 94-(A)-13; P.I.D. #004853
- * ALL WORK PROPOSED IN THESE PLANS IS TO BE DONE WITHIN THE ABOVE LISTED TAX PARCEL, EASEMENTS OBTAINED, OR PUBLIC RIGHTS-OF-WAY.
- ZONING DISTRICT: ZONING MONTGOMERY COUNTY, A1
- SETBACKS:
FRONT= 40'
REAR= 40'
PARKING= N/A
SIDE= 15'
3. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A F.E.M.A. DESIGNATED 100-YEAR FLOOD HAZARD ZONE. THIS DETERMINATION HAS BEEN MADE BY GRAPHIC METHODS ONLY. NO ELEVATION STUDY HAS BEEN PERFORMED AS A PART OF THIS PROJECT.

4. ZONING/PLANNING AREAS
TOTAL PARCEL AREA: 65.727 AC.
TOTAL DISTURBED AREA: 45 AC. (APPROX.)
TOTAL BUILDING AREAS: NO BUILDINGS PROPOSED
BUILDING USE(S): N/A
BUILDING HEIGHT: N/A
CURRENT USE: INERT DEBRIS LANDFILL & UNDEVELOPED AREAS
PROPOSED USE: INERT DEBRIS LANDFILL
5. LANDSCAPING AREAS
GREENSPACE REQUIRED: TYPE 4 BUFFER
GREENSPACE PROVIDED: EXISTING TOPOGRAPHY AND VEGETATION AND TYPE 4 BUFFER YARD INSTALLED IMMEDIATELY AFTER FINAL GRADE IS ACHIEVED

** TYPE 4 BUFFER YARD WILL CONSIST OF WHAT IS REQUIRED WITHIN THE ZONING ORDINANCE OR AN EQUIVALENT BUFFER OF EXISTING VEGETATION AS DETERMINED BY THE ZONING ADMINISTRATOR.

- CLEAN EARTH FILL NOTES
1. FILL AREA SHALL BE ONLY FOR THE DISPOSAL OF INERT WASTE. THE DISPOSAL OF ANY OTHER MATERIALS IN A FILL OR WASTE AREA IS PROHIBITED.
 2. ANY FILL ACTIVITIES ADJACENT TO RIVERS, STREAM CHANNELS, WATERS AND OTHER NATURAL RESOURCES SHALL COMPLY WITH ALL APPLICABLE STATE AND FEDERAL REGULATIONS.
 3. FILL AREA SHALL BE KEPT CLEAR OF STAGNANT WATER, DRAINED, ETC., TO ELIMINATE BREEDING PLACES FOR MOSQUITOES AND OTHER INSECTS.
 4. PRIOR TO ISSUANCE OF A PERMIT TO ESTABLISH A FILL AREA, THE ZONING ADMINISTRATOR WILL COORDINATE WITH THE PROGRAM ADMINISTRATOR TO INSURE THE PROPOSED FILL AREA MEETS THE REQUIREMENTS OF MONTGOMERY COUNTY CODE, CHAPTER 8, ARTICLE III.
 5. UNLESS AUTHORIZED BY THE PROGRAM ADMINISTRATOR, RECLAMATION OF FILL AREA SHALL COMMENCE WITHIN SEVEN (7) DAYS OF COMPLETION OF THE FILL ACTIVITY. RECLAMATION SHALL INCLUDE:
 - 5.1. COVERING THE AREA WITH CLEAN SOIL TO A MINIMUM DEPTH OF TWO (2) FEET TO ALLOW FOR PERMANENT STABILIZATION AND RECLAMATION;
 - 5.2. ESTABLISHING A PERMANENT VEGETATIVE GROUND COVER; EXCEPT THAT THE PROGRAM ADMINISTRATOR MAY REDUCE THE MINIMUM DEPTH OF CLEAN FILL TO ONE (1) FOOT IF THE AREA IS UNLIKELY TO BE REDEVELOPED.
 6. FILL ACTIVITIES INVOLVING TRUCKS AND/OR OTHER HEAVY CONSTRUCTION EQUIPMENT SHALL BE LIMITED TO THE HOURS OF 7:00 A.M. TO 7:00 P.M. MON.-SAT.
 7. FILL AREAS AND THE ACCESS ROADS THERETO SHALL BE TREATED OR MAINTAINED TO PREVENT DUST OR DEBRIS FROM BLOWING OR SPREADING ONTO ADJACENT PROPERTIES AND PUBLIC STREETS.
 8. PROJECT SITE DOES NOT LIE WITHIN A FEMA FLOOD PLAIN.



FORESIGHT
DESIGN SERVICES
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Christiansburg, Virginia 24073

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PHASE I & II
MASS GRADING PLAN

REVISIONS		
NO.	COMMENTS	DATE

PROJECT TEAM	
PI	JOHN T. NEEL, PE
PM	MATTHEW P. TOMLINSON, PE
DESIGN	JLW
ISSUE DATE	
04/30/2025	
FDS JOB NO.	
3522	
SHEET TITLE	
EXHIBIT	
SHEET NUMBER	
1 OF 1	