



**ALBEMARLE COUNTY PLANNING**  
**STAFF REPORT SUMMARY**

<b>Proposal:</b> SP202400006 Piedmont Grounds Management Landscape Contractor	<b>Staff:</b> Kevin McCollum, Senior Planner II
<b>Planning Commission Public Hearing:</b> July 9, 2024	<b>Board of Supervisors Hearing:</b> To be scheduled
<b>Owner:</b> Jordan Coffman	<b>Applicant:</b> Shimp Engineering and Jordan Coffman, representing Piedmont Grounds Management LLC
<b>Acreage:</b> 3.13 acres	<b>Special Use Permit:</b> Section 18-10.2.2 Landscape Contractor
<b>TMP:</b> 09400-00-00-028C0 <b>Location:</b> 4842 Richmond Rd	<b>By-right use:</b> RA Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
<b>Magisterial District:</b> Scottsville	<b>Conditions:</b> Yes <b>EC:</b> Yes
<b>Proposal:</b> A landscape contractor business to include a new building, associated parking, and an outside materials storage area.	<b>Comp. Plan Designation:</b> Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots) in Rural Area 2 in the Comprehensive Plan.
<b>DA (Development Area):</b> N/A	<b>Requested # of Dwelling Units:</b> 0
<b>Character of Property:</b> There is an existing country store and the remainder of the property is undeveloped, with some area cleared and the remainder wooded.	<b>Use of Surrounding Properties:</b> The surrounding properties are all zoned Rural Areas with a large majority developed into single family detached residential houses.
<b>Positive Aspects:</b> 1. The proposed use is consistent with the Comprehensive Plan. 2. No detrimental impacts to adjoining properties are anticipated.	<b>Concerns:</b> 1. None.
<b>Recommendation:</b> Staff recommends approval of SP202400006 Piedmont Grounds Management Landscape Contractor with conditions.	

**STAFF PERSON:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

Kevin McCollum, Senior Planner II  
July 9, 2024  
To be scheduled

**PETITION:**

PROJECT: SP202400006 Piedmont Grounds Management Landscape Contractor

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL: 09400-00-00-028C0

LOCATION: 4842 Richmond Rd

PROPOSAL: Special use permit for a landscape contractor, including construction of a storage building with an office and parking area to house equipment and materials.

PETITION: Section 18-10.2.2 for a landscape contractor on a 3.13 acre lot

ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: Yes

OVERLAY DISTRICT: None

COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots) in Rural Area 2 in the Comprehensive Plan.

**CHARACTER OF SURROUNDING AREA:**

The subject property is located at 4842 Richmond Rd., and along with surrounding properties, is zoned Rural Areas (Attachment 1 – Location Map). An approximately 0.5-acre portion of the 3.13 total acres of the property is developed with a by-right Class A Country store that will remain. Adjacent to Richmond Road, a portion of the front of the property has been cleared. The remainder of the property is undeveloped, with the back portion wooded with dense vegetation along the eastern property line. There is a stream buffer along the western edge of the property. The surrounding area is a Rural Area residential character, including single family detached houses on lots ranging in size from 2 acres to 6 acres of land. There is a pond/lake located adjacent to the western/northwestern property boundary. Richmond Road/Route 250 East is an Entrance Corridor.

**PLANNING AND ZONING HISTORY:**

The historic County Store has existed on the property since 1930, historically known as “Boyd’s Tavern Market.” Class A Country Stores are permitted by-right in the Rural Areas Zoning District and are subject to the supplemental regulations in Section 5.1.45.

The Country Store has changed ownership several times and is no longer known as Boyd Tavern Market. Most recently, a Zoning Clearance application CLE202400004 was approved January 25, 2024 and changed ownership to Jordan Coffman (the Applicant of this proposal). The store is now known as Cold Creek Country Store.

In addition to the Country Store, a single-family dwelling could be developed on the property. Prior owners had applied for a building permit (B2021-01486-SF) and began clearing the site. However, the home was never constructed, and the permit is no longer valid.

**DETAILS OF THE PROPOSAL:**

The Applicant has provided a detailed Project Narrative (Attachment 2). The proposal is to establish a landscape contractor business on approximately 2.5 acres of the subject property. The proposal includes a storage building with an office, parking area, and landscape materials storage area (Attachment 3 – Concept Plan). Typical business operations include employees arriving at the site in the morning, gathering materials and equipment for off-site work during the day, and then returning to the site in the evening to drop off equipment and materials and leave in their own personal vehicles at the end of the day. The proposal will not impact critical slopes or the stream buffer on the site.

## **COMMUNITY MEETING:**

The required community meeting was held on April 25, 2024, at Stone Robinson Elementary School. Several abutting property owners and nearby neighbors were in attendance. Questions and concerns included questions about the proposed use, questions and comments about the parcel's history, and concerns about transportation impacts along Richmond Road. Overall, the community had some concerns, but were supportive of the proposal.

## **ANALYSIS OF THE SPECIAL USE PERMIT REQUEST:**

Special Use Permits are evaluated under reasonable standards, based on zoning principles which include the proposal's compliance with the Comprehensive Plan. Any impacts caused by the proposal may be addressed through conditions which must be reasonably related and roughly proportional to the impacts.

***Section 33.8(A) states that the Commission, in making its recommendation, shall consider the following factors:***

**1. *No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.***

Based on the Applicant's detailed project narrative and proposed concept plan, Staff believes the proposed landscape contractor will not be a substantial detriment to adjacent parcels. The location will not have a high volume of daily traffic, as employees typically work off site during the day. The materials and equipment that will be stored on site will be screened from view either by existing or proposed vegetation and the proposed building. Noise impacts will be minimal, the Applicant has indicated that no mulching will occur on site.

Given the industrial characteristics of the use, Staff believes provisions in the ordinance that would apply to an industrial use when it abuts a Rural Areas lot line should apply and include:

- A building setback of 50'
- No portion of any off-street parking space shall be located closer than 30 feet
- A 30' use buffer and screening (as appropriate)

All uses with an industrial character, regardless of the zoning district, are required to submit to the County Engineer a Certified Engineer's Report. This report must describe in detail the proposed operation, all machines, processes, products, and by- products. This report will be reviewed and approved by the County Engineer in to assure compliance with section 4.14 of the Zoning Ordinance, regarding performance standards for noise, vibration, glare, and air & water pollution prior to the use commencing on the site.

The proposed concept plan demonstrates that compliance with these sections of the ordinance is feasible, and staff recommends a condition of approval that includes these standards. Allowances have been included for the use buffer to allow for grading related to the entrance and screening.

**2. *Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.***

Given the character of the surrounding area described above and the project narrative describing the typical day-to-day activities that will occur on site, Staff believes the proposed landscape contractor will not change the existing character of the nearby area.

As an Entrance Corridor (EC) property, development on the site will be subject to Architectural Review Board (ARB) review and approval of both the proposed building and site landscaping. This will ensure compatibility with the character of the EC. The proposed building is located such to screen outdoor storage areas from the EC and parking must be screened from view of the EC as well. The building and landscape buffer will screen the use from nearby rural residential properties. This includes the closest neighbor to the east, which is about 90+ feet away from the proposed building.

**3. *Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter,***

The proposed landscape contractor is in harmony with the purpose and intent of the Zoning Ordinance. Landscape contractor was added as a use to the Zoning Ordinance by a Zoning Text Amendment (ZTA202200002) approved by the Board of Supervisors on September 2, 2020. This use is identified in the Comprehensive Plan as Strategy 1j.

***with the uses permitted by right in the district,***

The proposed landscape contractor would not affect by-right uses in the district on this property or adjacent properties. The Concept Plan has been developed to avoid conflicts with the by-right country store use that will continue on the property.

***with the regulations provided in Section 5 as applicable,***

There are no applicable supplemental regulations from Section 5 that apply.

***and with the public health, safety, and general welfare.***

The public health, safety, and general welfare of the community are protected through the special use permit process, which assures that the proposed use is appropriate in the location requested. Community Development Staff and our partner agencies including Planning, Zoning, Engineering, Building Inspections, VDOT, Fire-Rescue, and Virginia Department of Health (VDH) have all reviewed this application. These reviewers have either no concerns in general with the use, or have provided comments that must be addressed following approval of this special use permit application with a site development plan or building permit.

Traffic impacts were evaluated by Transportation Planning and the Virginia Department of Transportation (VDOT) and no concerns were raised by the proposed number of additional vehicles or trips. There are no immediate improvements planned for this section of Richmond Rd, and no improvements are shown in the Comprehensive Plan.

If the special use permit is approved, the use cannot commence without the appropriate approvals from all applicable reviewers. Necessary applications include: site development plans, building permits, and zoning clearances. These processes will ensure that all state and county regulations, special use permit conditions, and all necessary building and fire inspections have been passed before the landscape contractor can commence use.

**4. *Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.***

The Rural Area Chapter ([Chapter 7](#)) of the Comprehensive Plan designates the subject property for Rural Area land uses. The intent of the Rural Area designation is to allow uses that preserve and

protect agricultural, forestal, open space, and natural, historic, and scenic resources; and also to allow residential uses at a density of up to 0.5 acres per dwelling unit.

The proposal is for a landscape contractor use which was added to the Zoning Ordinance by a Zoning Text Amendment (ZTA202200002) approved by the Board of Supervisors on September 2, 2020. This use is identified in the Comprehensive Plan as Strategy 1j. Staff believes the application is supportive of a strong agricultural and forestal economy (Objective 1) by providing arboriculture and landscaping services to the nearby community.

Regarding resource protection goals and objectives for Rural Areas, the Concept Plan illustrates that the Water Protection Ordinance buffer will not be disturbed. The applicant has proposed to address previously cleared areas, and areas that may not have riparian plantings, by establishing and enhancing the stream buffer. Staff has proposed a condition of approval that requires the buffer plantings be established prior to the commencement of the landscape contractor use.

## **SUMMARY:**

### **Positive Aspects:**

1. The proposed use is consistent with the Comprehensive Plan
2. No detrimental impacts to adjoining properties are anticipated.

**Staff has no concerns with this request.**

## **RECOMMENDED ACTION:**

Based on the findings contained in this staff report, staff recommends approval of the special use permit application SP202400006 Piedmont Grounds Management Landscape Contractor with the following conditions:

1. Development of the use must be in general accord with the conceptual plan titled "Piedmont Grounds Management" drawn by Shimp Engineering, P.C., last revised July 2, 2024. To be in general accord with the Conceptual Plan, development must reflect the following major elements essential to the design of the development:
  - a. Location of buildings;
  - b. Location of parking areas;
  - c. Location of storage areas;Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. Development of the property must comply with the Industrial setbacks and buffer/screening requirements set forth in *County Code* § 18-26.5. In consultation with the County Engineer and the Zoning Administrator, the Planning Director may permit slight modifications to the use buffer requirements to permit necessary grading for the proposed entrance, screening, or drainfields within the buffer provided screening requirements are met.
3. Prior to establishing the landscape contractor use on the property, a mitigation plan in accordance with *County Code* §17-600 must be approved and a vegetated buffer established within the Water Protection Ordinance Buffer.

## **RECOMMENDED MOTIONS**

A. Should the Planning Commission **choose to recommend approval** of this special use permit:

Move to recommend approval of SP202400006 Piedmont Grounds Management Landscape Contractor with the conditions as provided in the staff report.

B. Should the Planning Commission **choose to recommend denial** of this special use permit:

Move to recommend denial of SP202400006 Piedmont Grounds Management Landscape Contractor. *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

## **ATTACHMENTS**

Attachment 1 – Location Map

Attachment 2 – Project Narrative

Attachment 3 – Concept Plan