



Phone (540) 967-3430 **COUNTY OF LOUISA** Fax (540) 967-3486
COMMUNITY DEVELOPMENT DEPARTMENT

www.louisacounty.com

TO: Louisa County Board of Supervisors

FROM: Staff, Louisa County Community Development

REQUEST: CUP2024-09, REZ2024-08, Equipment Sales and Rental with Proffer Amendment of REZ1989-06

APPLICANT: Earnest Amos, Jr., Amos Equipment Repair LLC

OWNER: Land Lovers Enterprises LLC

DATE: March 4, 2025

The Board of Supervisors will meet to review this proposed Conditional Use Permit for Equipment Sales and Rental on Monday, March 17, 2025, at 6:00 P.M. in the Louisa County Public Meeting Room.

REQUEST:

Issuance of a Conditional Use Permit to operate an equipment sales and rental business. Additionally, the applicant is requesting to amend five (5) of thirteen (13) existing proffers.

INFORMATION SUMMARY	
TAX MAP AND PARCEL #:	93-161
ACREAGE:	4.26 acres
ELECTION DISTRICT:	Jackson
ZONING:	General Commercial (C-2)
SURROUNDING ZONING:	Agricultural(A-2)
EXISTING USE(S):	Contractor's Office and Shop (HVAC)
FUTURE LAND USE(S):	Rural
REQUESTED USE(S):	Equipment Sales and Rental
EXISTING LAND USE PERMIT(S):	REZ1989-06

OWNER/TENANT:

Land Lovers LLC
18064 Jefferson Highway
Montpelier, VA 23192

APPLICANT/TENANT:

Earnest Amos, Jr., Amos Equipment Repair LLC
P.O. BOX 330
Oilville, VA 23129

AGENT/REPRESENTATIVE:

Anne Miller, AICP, Balzer and Associates
15871 City View Drive, Suite 200
Midlothian, VA 23113

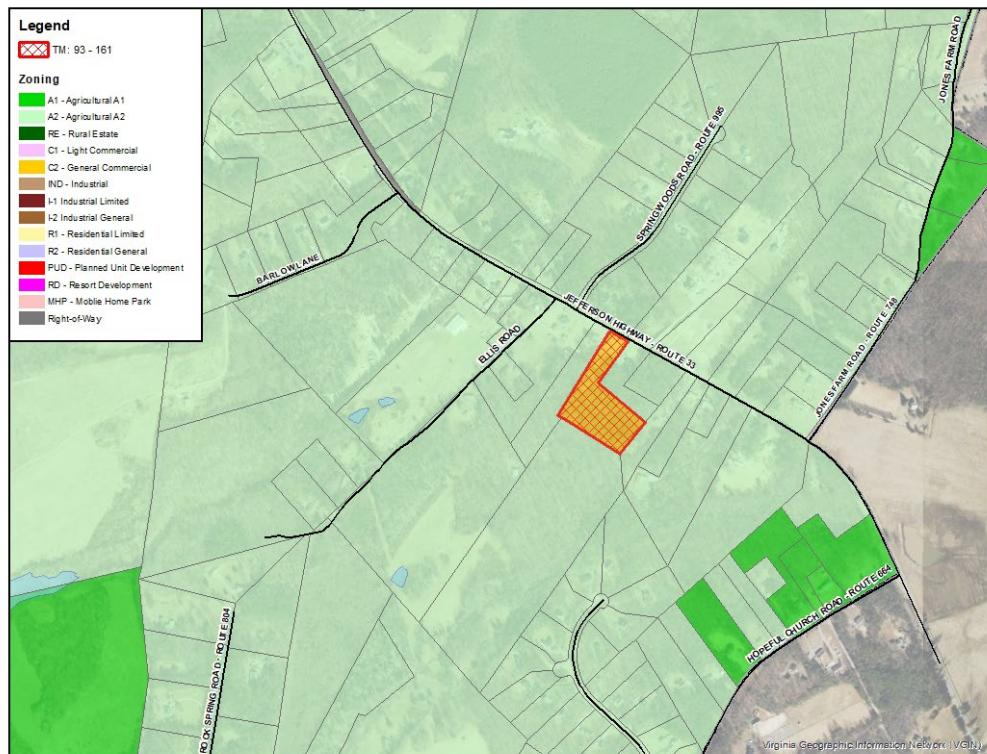
PROPERTY LOCATION:

The property is located on the South side of Jefferson Highway (US Route 33) near the intersection of Springs Wood Road and Ellis Road, located in the Jackson Election district.

BACKGROUND INFORMATION:

On November 6, 1989, the Board of Supervisors approved the request to rezone 4.2 acres of tax map parcel 93-109A, from Agricultural (A) to General Commercial (C-2) for the purpose of establishing and operating a carpet store showroom inside the existing structure. The most recent use of the property is for *contractor's office and shop* for an HVAC company.

Exhibit A: Zoning Map



CONFORMANCE REVIEW:

I. 2040 Louisa County Comprehensive Plan

The primary goal of the Louisa County 2040 Comprehensive Plan (the “2040 Plan”) is to, “Preserve Louisa County’s Rural Character, Beautify Its Gateways and Roadways.”

Section 3.01, Guiding Principles of the 2040 Comprehensive Plan, states that there should be focus on “broadening the tax base by establishing businesses.” The applicant’s proposed business provides the County’s residents with products and services that will be valued commodities for the surrounding area.

The subject property is in a designated Rural area, outside of a growth area. Staff believes that the proposed equipment sales and rental business would not only contribute to the County’s economic development by expanding its tax base, but it would also fulfill a vital need within the community. By providing essential equipment to farmers, homeowners, and contractors, this business would facilitate local agricultural and forestry activities and address challenges of diminished support systems for agricultural supplies in the area (2040 Plan Chapter 3.1.4).

II. Louisa County Land Development Regulations

Section 86-221. General Commercial (C-2) district – Statement of intent; policy guidance:

Generally, the general commercial district (C-2) covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access. In the rural areas of the county, commercial uses should be limited and allowed by conditional use permits only. Future development should align more appropriately with the rural character of the county.

The property is zoned General Commercial (C-2) and has permitted uses such as “recycling center, car wash, restaurant, personal services, etc. The surrounding area is not currently served by public water and sewer to accommodate majority of the permitted uses C-2 allows. Staff believes the proposed business supports the rural character and meets the needs of the surrounding parcels which are zoned Agricultural (A-2) as shown on *Exhibit A*.

Section 86-224. Permitted Uses - With Conditional Use Permit enables the issuance of a conditional use permit for *equipment sales and rental* which is defined as follows:

Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment, and the rental of mobile homes. Included in this use type is the incidental storage, maintenance, and servicing of such equipment.

III. 2024 Public Facilities Impacts Review

The Board of Supervisors adopted a Public Facilities plan on February 20, 2024, as an amendment to the 2040 Comprehensive Plan adopted August 5, 2019. The Plan aims to ensure that development impacts are adequately assessed and mitigated, to promote sustainable growth and to preserve the

community's well-being. As Louisa County grows, the pressure on public facilities and services intensifies. The county expects proposed developments to consider the impacts on Public Facilities and to mitigate the impacts of the development. This mitigation can take various forms, such as impact fees, infrastructure improvements, land dedication, and other items, ensuring that the burden of growth does not disproportionately fall on existing residents and businesses in the County.

This application has therefore been evaluated to determine if it impacts the following areas:

Administration

Staff believes there would be a minimum level of impact to Administration. Community Development Department staff is currently involved in the Conditional Use Permitting Process. Community Development Department staff would also be involved in future site plan reviews, development permit reviews, and inspections.

Fire & EMS

Staff believes the issuance of the Conditional Use Permit will not require any additional services by fire and EMS personnel. The applicant is willing to coordinate with Fire & EMS to provide them access to the property by either installing a Knox Box, Police/Fire- only keypad code, or other device for the building(s) and/or potential gate systems. The applicant is also offering an amended proffered condition to update and properly maintain the existing commercial entrance, to ensure adequate and safe access to the property, especially for Fire & EMS.

Law Enforcement

Staff believes there would be minimal impact from issuance of the Conditional Use Permit.

Parks and Recreation

Staff does not believe issuance of the Conditional Use Permit will have an impact to parks and recreation. The applicant is hoping to have the opportunity to work with the department in the future by providing sales, rental, and maintenance services for equipment used by the Parks & Recreation & Tourism Department.

Schools

Staff believes the issuance of the Conditional Use Permit will impact schools positively as the applicant is interested in partnering with the Career and Technical Education (CTE) Center to provide opportunities for hands-on learning within the equipment sales and rental business. The applicant hopes to provide future sales, rental, and maintenance services for equipment used by the school system

Solid Waste

Staff does not believe the Conditional Use Permit will increase any impacts to solid waste facilities. The applicant stated in their application "solid waste is handled by a dumpster service and the applicant will use a company to pick up waste oils."

NEIGHBORHOOD MEETING RESULTS:

A neighborhood meeting was held in the Louisa County Public Meeting Room on January 8, 2025. One (1) citizen attended as well as the Jackson District Planning Commissioner, Mr. Troy Painting.

The following are questions, answers, and statements from the neighborhood meeting:

Citizen Question: How much noise will come from this?

Applicant: The noise would not be any louder than what you would hear running a mower on your own property. Noise will not exceed 65dB as measured at the property lines during hours of operation. We would like our hours of operation be between 8 AM- 6 PM Monday-Saturday and closed on Sunday.

Staff: Louisa County Code Section 51-3, Unnecessary Noises Enumerated, sets the standard for noise ordinance. The level permitted for the zoning (C-2) of this property is 70dB for daytime levels. The applicant is proffering the noise level does not exceed 65dB, which is the limit for A-1 and A-2 parcels that surround the property. This proffer will stay with the property regardless of ownership.

Citizen Question: What type of equipment will be sold?

Applicant: Lawn Mowers, blowers, trimmers, basic items that would serve property/small business owners in the area for landscaping or agricultural use [A link to the applicant's website and sales catalog was provided and can be found in Enclosure 5].

Citizen Question: What will be the size of the buffer between parcels and will this affect cattle that graze on the adjacent parcel?

Applicant: There would be a 50' vegetative buffer between parcels as shown on concept plan.

Citizen Question: Will the existing building be torn down?

Applicant: It is not in my plans to take the building down as it will serve the business. No equipment will be stored there until the larger building is completed.

PLANNING COMISSION MEETING RESULTS:

The Planning Commission voted on February 13, 2025 to recommend approval of CUP2024-09 with the conditions listed in the staff report by a vote of 5-0. Additionally, The Planning Commission voted to recommend approval of REZ2024-08 for amending five (5) of existing thirteen (13) proffers listed in staff report by a vote of 5-0.

CONSIDERATIONS FOR EVALUATION:

In determining imposed conditions, the governing body shall take into consideration the intent of this chapter [Note: Chapter 86 Land Development Regulations] and may impose reasonable conditions that:

- (1) *Abate or restrict noise, smoke, dust or other elements that may affect surrounding property.*
This has been addressed by Proffered Conditions #6, #8, #10, as well as recommended Conditions #1 and #2.
- (2) *Establish setback, side and front yard requirements necessary for orderly development and to prevent traffic congestion. This will be addressed during site plan review to confirm proposed structures meet required setbacks. The concept plan provided by the applicant,*

shows the pipestem roadway leading to the larger building with a an estimated width of 26 feet.

- (3) *Provide for adequate parking and ingress and egress to public streets or roads. **This has been addressed by Proffered Conditions #4, #5, and #7.***
- (3) *Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered detrimental to adjoining property. **This has been addressed by Proffered Conditions #8, #10, and #11.***
- (5) *Tend to prevent such use from changing the character and established pattern of development of the community (Sec. 86-43). **This has been addressed by Proffered Conditions #8, #10, #11, and #12.***

PROFFERS:

The proffers discussed amongst staff and the Planning Commission, and as agreed upon by the applicant are as follows:

1. The following General Commercial (C-2) permitted uses will be excluded from the subject rezoning:
 - Armories
 - Bottling plants
 - Bowling alleys, billiard, bagatelle and poolrooms, public dance halls, and similar forms of public amusement
 - Dyeing plants
 - Storage warehouses and yards (but not including sand and gravel yards, automobile recking yards, or automobile graveyards)
 - Automobile sales, service, and rental-automobile service centers
2. The owner/applicant shall obtain necessary building permits for renovation of the existing building;
3. The proposed operation shall meet all State Health Department regulations with regard to the existing well;
4. All parking shall be on site and shall be located a minimum of 50' from right of way, with curb on left being extended back to the building in accordance with Virginia Department of Transportation sketch dated May 23, 1989;
5. A notice of completion form certifying that the requirements of the Virginia Department of Transportation entrance permit have been completed with same being submitted to the Planning Office prior to an occupancy permit being issued;
6. Loading/unloading space shall be provided to the rear of the building;
7. The sole commercial entrance serving the property, as referenced on Virginia Department of Transportation sketch dated May 23, 1989, will be maintained, and upgraded as required with any associated cost to be borne by the owner/applicant. Changes to this entrance will require Site Plan review and approval.

8. All exterior lighting will be directed to fall inwardly on the subject property and comply with dark sky standards. Every effort will be made to minimize adverse impacts to adjacent properties. Exact design and location of lighting will be reviewed and approved during the site plan review process.
9. No external operations shall be conducted on the premises between the hours of 6:00 PM and 8:00 A.M. Monday through Saturday, and no external operations shall occur on Sundays. Any maintenance and/or servicing of equipment shall occur within an enclosed building to minimize impact on adjacent properties in terms of noise, smoke or dust. During business hours of operation, noise levels shall not exceed 65 dB, as measured at the property lines.
10. The property shall be landscaped and well maintained at all times. In no case shall lighting, landscape, signage, or similar features interfere with public safety issues such as sight lines or easements.
11. An advertising sign shall be placed which will be in keeping with the character of the area.
12. Permission is hereby granted to the Board of Supervisors, or their designated representative, and they shall reserve the right to inspect the subject site at any reasonable time without prior notice.

STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Permit with the eight (**8**) conditions listed below:

1. **Lighting.** All design and use of exterior lighting shall comply with the International Dark-Sky Association and shall be labeled as such on the site plan sketch.
2. **Permits.** The applicant shall secure all necessary permits and approvals from the Louisa County Community Development Department, the Virginia Department of Transportation (VDOT), and the Virginia Department of Health (VDH).
3. **Land Disturbance.** Should land disturbance, which includes the addition of gravel, asphalt, or the grading of land, meet or exceed 10,000 square feet of area, an erosion and sediment control plan must be prepared and submitted to the County for review and approval, prior to any land disturbing activities commencing on-site.
4. **Storage.** No outside storage of merchandise shall be permitted within 50' of right of way.
5. **Buffer.** Meet vegetative buffer requirements as defined by Louisa County Land Development Regulations.
6. **Ground Cover.** All areas not occupied by buildings, structures, driveways and parking shall be covered with one or more of the following: lawn grass, natural shrubbery, plants, trees, or a vegetation combination as agreed upon by the Zoning Administrator and owner.
7. **Inspections.** The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.
8. **Permit Revocation.** Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.

ENCLOSURES (6):

Enclosure 1: Application
Enclosure 2: Concept Plan
Enclosure 3: Signed Proffer Statement
Enclosure 4: REZ1989-06 Proffers
Enclosure 5: Site Photos
Enclosure 6: Amos Equipment and Repair Sales Catalog