

Project Name: Carter Machinery Rental Store Fast Start - Charlottesville

Applicant: Carter Machinery Company, Incorporated
Corporation Trust Center
1209 Orange St
New Castle, DE 19801

Request: Special Use Permit (“Outdoor storage, display and/or sales serving a permitted use” in an Entrance Corridor), pursuant to Sec. 30.6.3.a.2.b of the Albemarle County Zoning Ordinance

Magisterial District / Supervisor: Rio / Supervisor Ned Gallaway

Location: 721 Rio Road W, Charlottesville, Virginia 22901

Parcel ID No: 06100-00-00-12000

Total Acreage: 4.37 acres

Comprehensive Plan Designation: Core Area within Rio29 Small Area Plan

Current Zoning: HC – Highway Commercial

Owner: Mount Sinai Properties – Charlottesville, LLC
1330 Lynchburg Tnpk
Salem, VA 24153

Attorney: Clark H. Worthy, Esq. and Karen L. Cohen, Esq.
Gentry Locke Attorneys
P.O. Box 780
Richmond, VA 23218
804-956-2065

PROJECT NARRATIVE

Summary

Applicant is requesting a special use permit to allow for “outdoor storage, display and/or sales serving a permitted use” that is visible from an Entrance Corridor Street on Tax Map Parcel Number 06100-00-00-12000, consisting of 4.37 acres (the “**Property**”).

The Property is located within the Highway Commercial zoning district and the Entrance Corridor and Airport Impact Area Overlay Districts and is to be used for a “Storage Yard” and “Machinery and equipment sales, service and rental.” While “Storage Yard” and “Machinery and equipment sales, service and rental” are permitted by-right uses of the Property within the Highway Commercial zoning district, Entrance Corridor (“**EC**”) regulations in Section 30.6.3 of the Albemarle County Zoning Ordinance (the “**Zoning Ordinance**”) require a special use permit in order to store equipment outside that would be visible from “the EC street to which it is contiguous or from any other EC street which is located within 500 feet.”

Sec. 30.6.3 a.2. b of the Zoning Ordinance states that “outdoor storage, display and/or sales serving or associated with a permitted use” is permitted by special use permit “provided that review shall be limited to determining whether the outdoor storage, display and/or sales is consistent with the applicable design guidelines.” Consistency with said design guidelines is addressed below.

Project Description

Applicant intends to operate a Carter Machinery Rental Store Fast Start location (the “**Project**”) on the Property. Carter Machinery (“**Carter**”) provides equipment sales, rentals and services for customers operating in a variety of industries, including, but not limited to, general construction, industrial, manufacturing, commercial or residential building, utility contracting, road building and landscaping. The range of equipment Carter offers to its customers spans from small handheld tools to large construction equipment and machinery. Carter’s proposed use of the Property will be limited to the operation of an equipment rental facility. The exterior yard will be open from 7 am to 5 pm Monday through Friday. There will be a single work-shift each day with approximately 10 employees on site.

The equipment to be rented out to customers from the Property by Carter will include a variety of hydraulic excavators, backhoes, compact track loaders, telehandlers, skid steer loaders, boom lifts and scissor lifts (the “**Equipment**”). The Equipment varies in weight from approximately 2,700 to < 34,000 pounds. Machinery sold, stored, and rented to customers by Carter at the Property **does not** meet any of the Virginia Department of Motor Vehicles standards for overweight or over-dimensional vehicle configurations, does not require an oversize/overweight

permit to be transported over public highways, and therefore is not classified as “heavy equipment” or “heavy vehicles” per Section 3 of the Zoning Ordinance.¹

At *other* locations, Carter offers a variety of larger and heavier equipment to its customers and has obtained the requisite hauling permits allowing it to legally transport such equipment on Virginia’s highways. Such equipment is, and will continue to be, rented out, stored and delivered to and from different facilities operated by Carter located outside of Albemarle County, including Carter’s rental and service facilities located in Richmond and Fishersville, Virginia.

All Equipment stored and rented from the Property will be cleaned in a recycled wash bay located onsite. The wash bay is a fully encapsulated washing system. There is a covered storage container that contains the dirt until a mitigation company removes it off site in compliance with applicable environmental regulations.

Carter’s use of the Property will benefit the public by providing a convenient location for both individual residents and businesses located in the county who temporarily need access to and use of various types of large equipment that would otherwise be cost prohibitive to purchase for one time or limited use. Additionally, the public will benefit through the redevelopment and re-use of a vacant building.

Existing Conditions

The Property is currently subject to site development plan SDP-277, approved April 15, 1974, and titled “Phillips Supply Building Addition.” Zoning designations adjacent to the Property are as follows: North: Rio Road W., South: Highway Commercial, East: Highway Commercial, West: Highway Commercial. A variety of commercial uses exist in the immediate area, including, Cars of Charlottesville, CVS Pharmacy, strip shopping centers, banks and restaurants. Immediately adjacent to the property is the Northside Library, National Tire and Battery, and Enterprise Rent-a-Car.

Carter is in the process of seeking a Zoning Clearance Letter and relevant building permits to operate its business under the by-right permitted uses of “Storage Yard” and “Machinery and equipment sales, service and rental” while its special use permit application is pending final decision. While operating under approval of a Zoning Clearance Letter, all Equipment will be stored inside of the existing onsite warehouse building and no equipment will be visible from the EC Street (Rio Rd.).

Standards for Review

As set forth in Sec. 30.6.3.a.2.b of the Zoning Ordinance, “outdoor storage, display and/or sales serving or associated with a permitted use” is permitted by special use permit “provided that review shall be limited to determining whether the outdoor storage, display and/or sales is consistent with the applicable design guidelines.” The Architectural Review Board (the “ARB”)

¹ See [DMV Link](#).

is authorized to review this use in an EC by applying the County's Entrance Corridor Design Guidelines (the "**EC Guidelines**"). The Project conforms with all applicable EC Guidelines, as detailed below.

Design Standards – Specifics

Structure Design

The existing structures on the Property will either remain unchanged or will be demolished but not replaced. No additional structures will be added to the Property. The exterior of the remaining structures will remain unchanged. In the event of any future exterior renovations or new structures, Carter will apply for the relevant permits and follow applicable ARB guidelines.

Below are two images, one satellite and one street view, of the existing buildings on the Property, with indications of which structures will remain and which will be removed. The attached Concept Plan and additional renderings provide a higher level of detail. Existing concrete pad foundations under each removed structure will remain for use.



Overhead Satellite View



Front View from Rio Rd



Side View from Shared Street with Northside Library

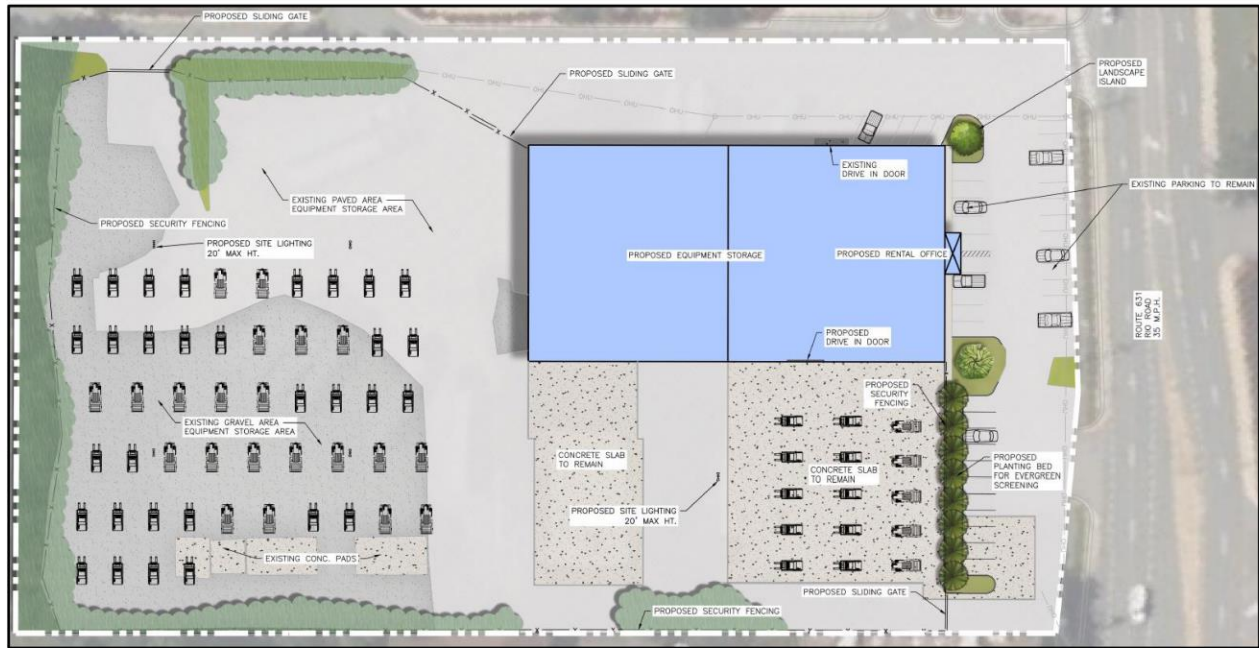
While no new structures are intended for the Property, and thus guidelines described in the “Structure Design” section of the EC Guidelines do not apply, the “Structure Design” section does state that: “Any appearance of “blankness” resulting from building design should be relieved using design details or vegetation, or both.” Recognizing that removal of the two existing structures may create an appearance of “blankness,” the Concept Plan details plans for new vegetation plantings (evergreen American arborvitae trees) for aesthetic and screening purposes, in addition to security fencing that complies with EC Guidelines (example picture in next section below).

Accessory Structures and Equipment

Accessory structures and equipment should be integrated into the overall plan of development and shall, to the extent possible, be compatible with the building designs used on the site.

Accessory structures and the majority of Equipment will be located within the rear of the Property and will not be visible from Rio Rd. Rental Equipment that is stored in the locations of the removed structures towards the front of Rio Rd will be screened by vegetation (evergreen American arborvitae trees), with additional coverage provided by security fencing (located behind the vegetation so that the vegetation is what is visible from Rio Rd). Equipment stored behind the vegetation screen will always be Equipment that is at a lower height than the planted trees, and thus not visible from Rio Rd and complying with EC Guidelines. As the trees mature, taller equipment may be rotated to the storage location so long as the Equipment is at a lower height than the screening trees. Also of note, the natural topography of the Property will assist in screening Equipment, as the Property naturally slopes down towards the rear, away from Rio Rd.

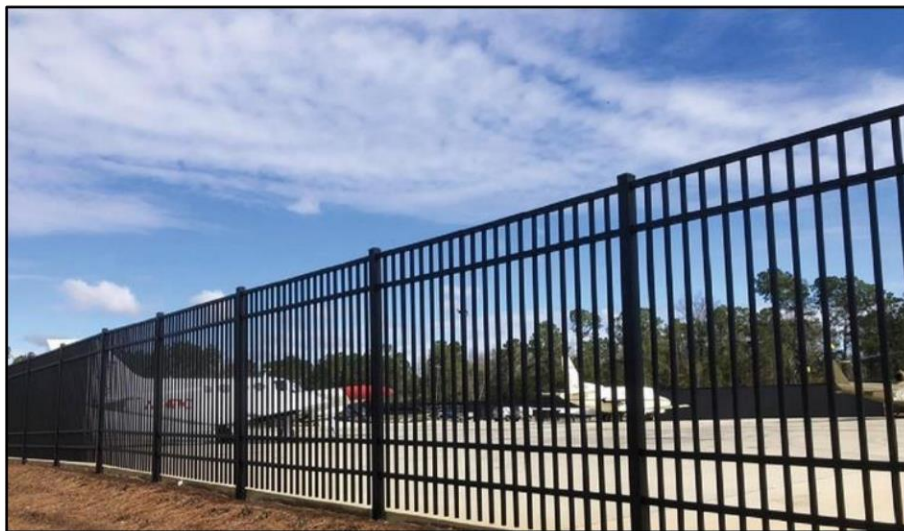
The below image indicates planned storage areas (a larger image is included in the attachments).



Concept Plan

Besides Equipment, no additional accessory structures are proposed for the Property, and if future accessory structures are added, they will remain behind the proposed vegetative and privacy fencing screenings, or behind the existing buildings. Loading, service, refuse, and storage areas will be located at the rear of the property, accessible through a sliding gate accessed from the adjacent street shared with the Northside Library, and shielded from view of the EC by a combination of topography, the existing building structures, security fencing, and landscape plantings.

Any security fencing visible from Rio Rd will be of a style that is similar to the picture below:



Security Fencing Style for Areas Visible from EC Street

Visibility of all mechanical equipment from the Entrance Corridor shall be eliminated.

No surface run off structures or detention ponds are currently located on the Property and no structures or ponds will be added.

Lighting

Currently, overhead lighting only exists on two utility poles fronting the Property that run parallel to Rio Rd, with lighting shining down primarily toward the street and not the Property. Additional overhead lighting will be located in the rear of the Property, where Equipment is stored, the exact location of which will be finalized at the time of Site Plan review. The lighting will comply with all EC Guidelines, including, but not limited to: lights will be shielded, recessed or flush-mounted to eliminate glare; lights will have the appearance of white light with a warm soft glow; and the height of any freestanding pole-mounted light fixtures will not exceed 20 feet, including the base.

Each outdoor luminaire equipped with a lamp that emits 3,000 or more initial lumens shall be a full cutoff luminaire and shall be arranged or shielded to reflect light away from adjoining residential districts and away from adjacent roads. The spillover of lighting from luminaires onto public roads and property in residential or rural areas zoning districts shall not exceed one half footcandle.

Additionally, Carter will not utilize any type of decorative landscape lighting.

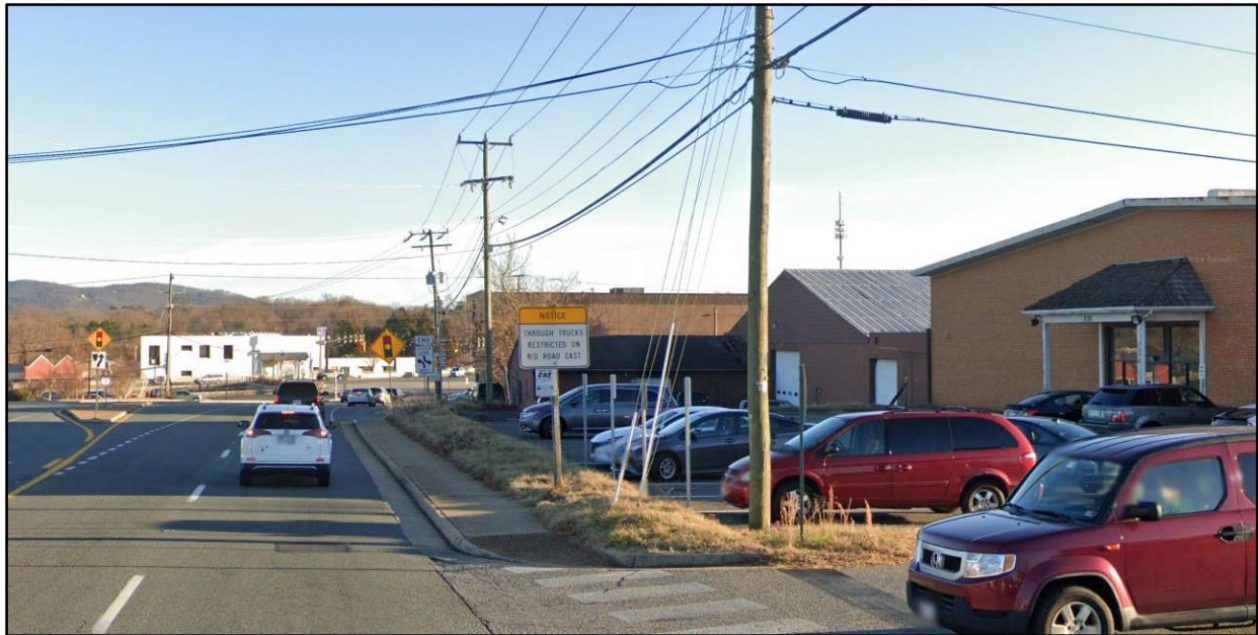
Signs

Carter intends to install new signage on the Property, but will do so at a future date. At such time, Carter will apply for a sign permit in accordance with Section 4.15 of the Zoning Ordinance and Albemarle County Architectural Review Board Sign Guidelines.

Landscaping

EC Guidelines provide that large shade trees be planted parallel to the EC Street, at least 3½ inches caliper and located at least every 35 feet on center, with flowering ornamental trees of a species common to the area interspersed. However, the existing conditions of the Property create barriers to complying with the above specified guidelines. An extremely narrow median between the parking lot on the Property and the sidewalk, as well as above-ground utility powerlines immediately adjacent to the narrow median, make the site unsuitable for large trees.

The adjacent neighboring Northside Library faces similar constraints, though with the added flexibility of a much larger planting area. It has landscaped its median with low-growing grasses, flowers, and shrubbery. The below pictures show existing conditions at the Property and at Northside Library.



Existing Median Conditions on Property



Northside Library Landscaping

Due to minimum code requirements related to parking lot size, it is not possible to reconfigure the existing median.

The EC Guidelines for landscaping of parking areas states: “Shrubs should be provided as necessary to minimize the parking area’s impact on Entrance Corridor streets. Shrubs should measure 24 inches in height.” Carter would be open to planting shrubs that conform to the EC Guidelines in the median, but is concerned that the already narrow sidewalk abutting busy Rio Rd would be further narrowed by future mature shrubbery. Carter is open to working with the ARB to find a favorable solution.

All site plantings of trees and shrubs shall be allowed to reach, and be maintained at, mature height; the topping of trees is prohibited. Shrubs and trees shall be pruned minimally and only to support the overall health of the plant.

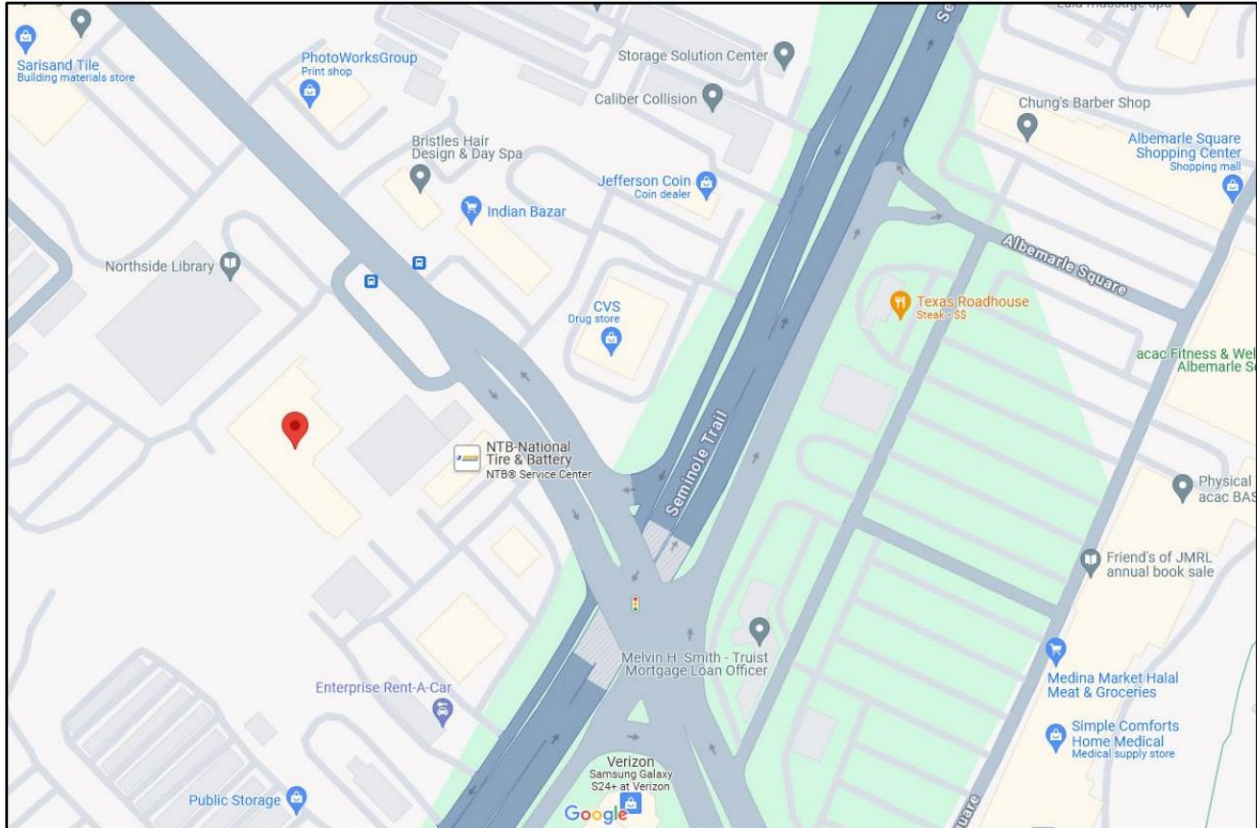
Development Pattern

No modification of the Property is planned that will alter the existing development pattern. All existing parking that fronts Rio Rd will continue to be used for customer parking. A small median with no planting currently exists between parking on the Property and the County sidewalk. There will be no disturbance to the existing flow of pedestrian and vehicular traffic.

Site Grading

No grading work will be done on the Property. Existing concrete, asphalt, and gravel areas will be used for Equipment storage.

Vicinity Map #1:



Vicinity Map #2:

