Paula and Jerome Beazley
P.O. Box 61
Keene, VA 22946

blingille@albemarle.org Community Development

Re: SP202200026 Shull Tow Shop Wreckage Special Use Permit Dec. 7, 2023

Dear Cameron:

We are writing to encourage staff to continue to recommend against the above captioned Special Use Permit as it is not consistent with the current Comprehensive Plan for the Rural areas, notwithstanding the minor changes made by the Timmons Group to the application in October. The Comprehensive Plan places an affirmative obligation to preserve and protect the rural areas. As noted in a staff comment to the Application, "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. "The Rural Area chapter recommends consideration of a few new land uses in the Rural Area, including supportive uses for agriculture, tourism and crossroads communities. Keene is not a designated 'crossroads community' in that Plan. This is not a supportive use for agriculture, forestal, historic, tourism or the community. The heavy traffic of tow trucks on a narrow rural road will be detrimental to horse trailers, hay wagons and other agricultural traffic and to tourists visiting Pine Knot, historic Christ Church, and Plain Dealing, to name just a few of the historic properties of Keene. The Application will not preserve and protect, but rather will detriment and degrade the community's forestal, open space, natural, historic and scenic resources and its residences by the clearing of mature trees, grading the land, changing the topography, removing top soil, creating storm water runoff, potential water and soil damage and will highly detriment its residents. It will destroy the peace and rustic character of the neighborhood and endanger them with an unsafe entrance for big trucks.

The modifications made in October do not change the overall characterization of the application. In fact, it is clear, the intent is for an impoundment and wreckage lot for hundreds of cars. While applicants have been reluctant to clearly state that, understanding it is not a permitted use for a Special Use Permit, on page 2 of their revised letter to you dated October 5, it is stated "average storage period for wrecked or towed vehicles not waiting for repair is +_-7 days.

Who will this benefit? Not the crossroads community residents.
There are only 149 residents of Keene and only another 591 in close by Esmont; these residents are not in need of these services. They registered their opposition at the community meeting and in addition to nearby services, the argument is defeated in that residents are willing to travel 6 miles to Scottsville or 10 miles to his shop on Avon street extended.

The answer, that it will only benefit Shull appears on page 8 of the letter from the Timmons Group correspondence to you modified October 17, 2023, which states the cost of implementing a new public garage in the development area is cost prohibitive.
This is not a reason to grant a SUP that creates a detrimental, disruptive commercial business, that does not enjoy the exemption that the other 3 'commercial' uses that have existed since prior to the adoption of the Comprehensive Plan.

While Keene is not a designated 'crossroads community' in the current Comprehensive Plan, the application fails the test for supportive uses in the rural areas as it still does not:
• relate directly to the Rural Area and need a Rural Area location in order to be successful, (e.g., a farm winery has to be located in the Rural Area and would be unlikely to succeed in the Development Areas);

Applicant's business does not relate in any way to the Rural Area or Keene. Adjoining the VDOT parcel is a more than 1,600 acres of a nationally recognized horse operation, the lots next to the proposed SUP lot are all residential as permitted in the Rural areas. A residential lot, or even agriculture can and is permissible zoning on the SUP lot.

The proposed SUP will cause countless towing and vehicular trips of at least 20 miles roundtrip on a scenic byway and entrance corridor to Charlottesville and to Monticello adding traffic, carbon footprints, noise and disruption to the quiet, rustic and historical nature of Keene and negatively impacting one of the County's greatest historical asset, Pine Knot, which is accessed by Coles Rolling Road and along which, diagonally across from the proposed SUP, Plain Dealing Farm, the owner of which sold Pine Knot to Edith Roosevelt. The SUP applicant's business is successful and belongs at its Avon Street location, which is an industrial and commercially zoned location, a mere 10 miles from historic Keene. It is not addressing any need of residents, as they are in opposition to the Application and few, if any, of Applicant's customer base resides in Keene. Further, a small auto repair shop is almost directly across the site and services farm equipment and cars; all that is needed for the small rural population

• be compatible with, and have a negligible impact, on natural, cultural, and historic resources; Applicant's Application is completely incompatible with the Rural Areas and with the historic and rustic nature of Keene and will ruin the character of the neighborhood and its residences.

• not conflict with nearby agricultural and forestal uses;
Applicant's business will conflict with the existing agricultural and forestal uses; The denuding, and paving over, of the lot is in conflict with the rural areas and the heavy trucks, traffic and noise 24/7 on a narrow road will be detrimental to the equine agricultural uses on the road and the historic assets located nearby.

• reflect a size and scale that complements the character of the area in which they will be located;

While the asphalt pad has been reduced to 52,500 sq. ft. (1.2 acres-still capable of parking over 250 cars*) for a towing and impound lot, a 4,000 sq ft garage and additionally 4' 40 x 80'storage bins, it still will not complement the character of the area; it will be highly detrimental. Auto repair shops in the Development area are half the size of this reduced square footage. This lot is proposed in a Rural area with few residents to service. Even the dense forestal cover from the month's rains, does not shield the interior of the lot from Rt. 20, a scenic byway and entrance corridor, or from historic Coles Rolling Road (the road President Theodore Roosevelt's family traveled to Pine Knot). While moved back on the lot, the rusted tank, half of a pickup, inoperative vehicles, tow truck, garbage bins and junk dumped on the lot were visible from both Rt. 20, a scenic byway and entrance corridor and Coles Rolling Road when the vegetation was dense, now in winter, they are clearly visible and these cover only a small portion of the proposed development pad,

• be reversible so that the land can easily return to farming, forestry, conservation, or other preferred rural uses; once topsoil is removed and paved over, the land will not be recoverable.

• be suitable for existing rural roads and result in little discernible difference in traffic patterns; The heavy traffic and heavy equipment of Applicant's business is not suitable for the Keene intersection or for the narrow, unmarked, dangerous curve, rural, beatific Coles Rolling Road.

There is no economic or employment benefit to Albemarle County by the expansion of the Shull towing business to Keene. It will employ few or no new persons and is a permitted use in development areas. The business which includes an impound lot should remain or be expanded in an industrially and commercially zoned area. The County will benefit and tourism will not be detrimented from its expansion at its existing location. Keene is a mere 10 miles from Avon Extended and only 6 miles from Scottsville, both commercially zoned locations. The Schull

towing business (which is clear from the asphalt pad size and comments about towing after hours), creation of a more than1 acre impound lot, 4,000 square foot public garage and 4 large storage containers also is not contemplated by the provision that would permit an auto repair shop in the rural areas.

Placement of this business is not needed by Keene residents and is inconsistent with the County's green, resilient and conservation objectives as cars will be towed all the way from Charlottesville and back again creating unnecessary emissions, noise and disruption and clearing of mature trees will release carbon into the atmosphere. Conversely, Mill Creek with 46,554 residents and tens of thousands in the Avinity, Avon Park, Foxcroft, Lake Reynovia, Gallant Farm and Spring Hill subdivisions, the University of Virginia and Charlottesville are conveniently located within miles of Applicant's business at Avon Street's commercial area or in Scottsville, through which 8,000 vehicles pass daily. That is where this belongs.

At the public 'community meeting' on this Application, the room was filled with residents in opposition to this Application with the exception of Applicant's family and employees. Residents do not view this as support to their community or their residential neighborhood, but as destruction of its rural, residential, biodiverse, historic and rustic character.

Applicant has a history of being out of compliance with County regulations. Currently, business vehicles are parked next to the residence and have obstructed traffic, backing trucks and trailers into the lot, causing 30-40 cars tied up at a standstill in each direction to sit on Rt. 20. I have attached pictures of this as well as winter pictures of the lack of tree cover viewing the site from Rt. 20.

We trust you will preserve and protect the rural, rustic, beatific, historic, scenic and tourism character of Keene and of Rts. 20, a scenic byway and Entrance Corridor and Coles Rolling Road, a narrow, rural, historic road. We believe this Application must be denied as it does not meet the requirements and is not within the nature, spirit and intent of the current Comprehensive Plan. We respectfully request that you recommend against, and deny this Special Use Application.

Thank you for your attention and consideration.

Sincerely Yours,

Paula and Jerome Beazley

* https://wildcatstriping.com/know-many-cars-parking-lot-can-hold/

Attachments: pictures

Cc: PlanningCommission@albemarle.org
Corey Clayborne, Chair, Rivanna **cclayborne@albemarle.org**
Frederick Missel, V. Chair, Scottsville fmissel@albemarle.org
Karen Firehock, Samuel Miller **kfirehock@albemarle.org**
Luis Carrazana lac2z@hscmail.mcc.virginia.edu
Lonnie Murray, Whitehall lmurray@albemarle.org
Julian Bivins-Jack Jouett jbivins@albemarle.org
Nathan Moore, Rio nmoore3@albemarle.org

Peter C and Joyce G Bertone
5888 Green Mountain Road
Esmont VA 22937

August 4, 2023

Planning Commission Directors:
Corey Clayborne
Karen Firehock
Frederick Missel
Nathan Moore
Lonnie Murray
401 McIntire Road
Charlottesville, VA 22902

Julian Bivins
1880 Lambs Road
Charlottesville VA 22901

Luis Carrazanna
The Univ. of Virginia
P.O. Box 400304
Charlottesville, VA 22904

Planning Commission Clerk:
Carolyn Shaffer
401 McIntire Road
Charlottesville, VA 22902

Principal Planner:
Cameron Langille
blangille@albemarle.org

Regarding: SP202200026 Shull Property Special Use Permit

Dear Ladies and Gentlemen,

We write to object to the above Special Use Permit. Our major concerns follow.

The Proposed Development and Associated Application is Disingenuous

The Applicant seeks to describe this facility as a traditional automotive maintenance shop for use by the local community and as such is consistent with a 'Public Garage.' The reality is very different. This facility will be used primarily as a parking lot for towed vehicles and a storage facility for a large-scale towing and wrecker business. Vehicles, some very large, in various state of dilapidation will be towed to the site and stored there for extended periods of time. Some will never be repaired. Others may be impounded for parking violations and towed there. While the average time a towed vehicle stays on site will vary, a steady stream of towed vehicles will replace those that exit. The net result will be a constant inventory of vehicles in various states of dilapidation. In addition, exceedingly large tow trucks will be parked next to the towed vehicles. Together the site will resemble a highly visible 'junk yard' as opposed to a traditional automotive repair shop. This explains the request for a very large (2+ acre) asphalt surface. In contrast, local garages that serve the community typically have no asphalt surfaces other than the enclosed maintenance shop, which highlights in stark relief the different nature of the proposed facility. To attempt to classify this proposed facility as a 'Public Garage' is disingenuous.

The Proposed Development is not Needed by the Community

The community of Keene (which according to the latest US Census Bureau release is populated by only 55 households) does not need another automotive repair shop. It is adequately serviced by several long-established local businesses. In fact, one of these businesses, a minority operated facility, is located only

330 yards from the proposed site. It has proven valuable to the community who need inexpensive practical automotive and agricultural equipment repairs.

The Proposed Development will have a Detrimental Impact on the Rural Nature of Keene

Keene is characterized by large farms and forests and a handful of households – and members of the community are keen to have it remain rural. It sits on a Scenic By-Way in the middle of a Historic District and serves as jumping off spot to several historic sites including Pine Knot, Teddy Roosevelt's cottage, less than a mile to the East. Four additional sites on the National Registrar of Historic Places lie within three miles of the proposed development. Plank Road, whose entrance is 100 yards from the proposed site is a pretty rural road serving as a main gateway to the Blue Ridge Parkway. Within two miles of the proposed site, over three thousand acres of farmland and forests have been placed under strict conservation easements in hopes of maintaining the rural nature of Keene. Finally, the few existing commercial structures where Rt 20, Esmont Road and Plank Road converge are in keeping with the rural nature of the area. (They were established dating back to the 1940's or in some cases earlier before the county had a zoning ordinance.) Importantly, and unlike the proposed development, they serve the unique needs of a rural community (including a post office, country store, veterinary clinic and a small automotive repair shop). Furthermore, the existing commercial establishment are small in scale - and quaint – just the opposite of the visual impact associated with the proposed large-scale towing and wrecker business. With regard to impact on the rural nature of Keene, it would be wrong to describe the proposed facility as the first step on a slippery slope; in actuality would represent an immediate slide all the way to the bottom.

The Proposed Development will Increase Traffic Risk

The intersection where Rt 20, Coles Rolling Road, Esmont Road, Plank Road and the driveway to the Green Mountain Country store all converge is already dangerous. The prospect of large towed vehicles turning (primarily left) on to the narrow Coles Rolling Road during both day and night is sure to increase the probability of accidents.

The Proposed Development is Opposed by the Community

The members of the community are overwhelmingly opposed – for good reason.

For these reasons, we respectfully request that the Special Use Permit for this facility be declined.

Sincerely,

Joyce S Bertone
Peter C Bertone

Peter and Joyce Bertone
Peter.bertone@gmail.com
Joyce.bertone@gmail.com

Cameron Langille

From: Carolyn Shaffer
Sent: Tuesday, March 5, 2024 8:15 AM
To: Cameron Langille
Subject: Fw: Shull Auto Repair-Towing SP202200026 Coles Rolling Rd/Rt.20

please see email below

Thank you,

Carolyn Shaffer
Notary Public
Planning Commission Clerk
Albemarle County

cshaffer2@albemarle.org

From: Carol Carter <carterc702@gmail.com>
Sent: Tuesday, March 5, 2024 8:11 AM
To: Planning Commission <PlanningCommission@albemarle.org>
Subject: Shull Auto Repair-Towing SP202200026 Coles Rolling Rd/Rt.20

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Dear Planning Commission and staff,

I am writing in objection to a special use permit for this project.

This appears to be a commercial/industrial use in a rural residential area. Not appropriate.

In addition to being a potential traffic and safety problem on what is a busy road, it poses aesthetic problems to a generally scenic area of woods and fields.

Most importantly, adjacent, surrounding, and nearby neighbors have expressed vehement opposition to this commercial/industrial use. It poses additional stormwater issues in an area where stream degradation is increasing rapidly.

Sincerely,
Carol Carter
852 Redlands Farm

Cameron Langille

From: Vivian Groeschel
Sent: Tuesday, July 25, 2023 9:15 AM
To: Cameron Langille
Cc: Vivian Groeschel
Subject: FW: Shull Property Application SP202200026

FYI……see below

Vivian Groeschel
Community Development Assistant I - Planning
Albemarle County – Community Development
vgroeschel@albemarle.org
434 296 5832 x 3259
401 McIntire Road, Charlottesville, VA 22901

From: Carol Carter <carterc702@gmail.com>
Sent: Monday, July 24, 2023 4:24 PM
To: Planning Commission <PlanningCommission@albemarle.org>
Subject: Shull Property Application SP202200026

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Dear Planning Commission members,

I am writing to **oppose** the granting of a SUP for the Shull tow lot/garage project.

This SUP application is in direct opposition to the Rural Area designation intended **to preserve and protect** agricultural, forestal open space and natural, historic and scenic resources. This site is within the Southern Historic District along a designated Scenic Byway. The Comp. Plan is intended to preserve and protect the rural areas.

The use provided by this business would degrade the site by clearing trees, grading, paving, and creating stormwater runoff and would be detrimental to the neighboring residents and character of place.It will degrade the corridors entering historic Christ Church Glendower and Teddy Roosevelt's Pine Knot.

The service provided by this business is NOT a need in the area and is not compatible with the neighborhood.

It does not complement the area's character and is not reversible.

In short, it does not benefit our area and is not compatible with responsible climate action or stream health.

Thank you for your thoughtful consideration and your public service.

Sincerely,
Carol Carter
852 Redlands Farm

Cameron Langille

From: Tori Kanellopoulos
Sent: Tuesday, July 11, 2023 8:22 AM
To: Cameron Langille
Subject: Fw: Concerns with Shull property plan

Hi Cameron, It looks like this community member was trying to cc you on this email but put the wrong email address, so forwarding along so you have a copy:

From: Adelaide O'Brien <adelaide9661@gmail.com>
Sent: Sunday, July 9, 2023 12:03 PM
To: Planning Commission <PlanningCommission@albemarle.org>
Cc: Board of Supervisors members <bos@albemarle.org>; blingille@albemarle.org <blingille@albemarle.org>
Subject: Concerns with Shull property plan

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I am writing this to express my concerns with the proposed building of an auto repair shop/ and 24 hour seven days a week towing commercial business in Keene Virginia. The over 2 acres of asphalt proposed on the new Shull property plan. The environmental impact of this could be devastating to the groundwater due to run off of any fluids from disabled cars parked on this proposed lot. There is a proposed holding area, but that only allows the polluted water to seep slowly into the ground. The addition of asphalt would create a hot spot in this area, also negatively impacting our environment.
In addition to impacting the environment, this proposed property use could cause noise pollution as disabled cars may be brought to the site 24x7 disrupting the local community.
Of equal concern is that the traffic in that area is already causing a busy and dangerous intersection and with the additional traffic of heavy duty tow trucks turning onto Coles Rolling Road north and south traffic on Rt 20 will be impacted, and Coles Rolling is a rural road never intended for this type of traffic as there are no shoulders and passing these types of trucks may result in an oncoming car in the ditch. Should this plan go forward the road would need to be widened, resulting in additional cutting of trees.
The placement of the proposed driveway may not be adequate for the semi trucks and heavy duty tow trucks capable of pulling semi trucks to make a turn into the property and any proposed relocation of the driveway will impact adjoining properties by increasing noise and may eliminate any buffer of trees between adjacent property.
Should the driveway need to be increased for turning purposes this just adds to blighting the area by removing trees. At the hearing at Walton school we were told that there would be a buffer of trees around the entire property and to ensure the clear sight required for the proposed driveway additional trees would need to be taken down.
This part of Albemarle is a rural and residential area. Bringing a commercial/industrial business into this area disrupts the ecosystem, our roads, our peacefulness, and the reason why so many of us moved to this part of the county.
Please weigh all the negative impacts of going forward with this application versus the benefits to one family.
Thanks you for your consideration.
Adelaide O'Brien adelaide9661@gmail.com
Linda Wachtmeister, leaw@plaindaelingfarm.com
Sent from my iPad

Cameron Langille

From: Kim Schmidt <kkjschmidt@gmail.com>
Sent: Saturday, June 24, 2023 10:26 AM
To: Cameron Langille; Tim Schmidt; Linda Wachtmeister; Paula Beazley; Karen Degiorgis
Subject: Keene intersection

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Hello Cameron.

Thank you for your help with the community meeting for Keene on Thursday. You said to send emails if we thought of anything we'd like to add.
This is Kim Schmidt. I spoke with you after the meeting.
My husband and I own Grayson Farm and go through that intersection daily if not multiple times a day.
The safety and impact on the number of accidents this new development will have is a real concern for us. This is already a dangerous intersection and it is not uncommon to have multiple car collisions and even fatal accidents there.
Coles Rolling road enters Rt 20 going downhill past this proposed towing business. You have people entering and leaving the store and the vets and post office. It is a 5 point intersection.
I also want to echo what LInda Wachmeister said, who owns Plain Dealing Farm. She has a concern about the safety, or lack thereof, for pulling her large horse trailer past this new development and attempting to get onto 20 safely. This proposed business will have many tractor trailers and large tow trucks in and out daily.
In case you are not aware, Keene is a big horse area. I can at first count think of 5 horse farms (including our own) that use this intersection regularly pulling large horse trailers.
I promise you that you do not want a horse trailer accident on 20 in Keene. That would be horrible and devastating.
I would also like to say that using the Vets office as a comparable for rezoning and building this commercial auto towing business does not work.
The Vets office is an historical landmark. It was once a roadhouse and country store that Teddy Roosevelt used to visit. It is now an old charming house converted into a veterinary clinic.
It is maintained in a charming, quaint way that compliments and benefits the Keene community.

Again, thank you for listening.
I appreciate you adding my concerns to your report.

Sincerely,
Kim. Schmidt
434-962-8012

Cameron Langille

From: Tim Schmidt <timtschmidt@gmail.com>
Sent: Wednesday, June 28, 2023 8:08 AM
To: Cameron Langille; Donna Price; Jim Andrews; Ann Mallek; Diantha McKeel; Ned Gallaway
Subject: Keene development

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Cameron:

I know my wife has written you about her concerns about the proposed commercial development at the Keene intersection, but I too have some thoughts about it. First, I feel that Mr. Shull's comment that it would only be open from 8AM to 5PM was very disingenuous or just plain deceitful. It will be open 24 hrs a day, 7 days a week for towing purposes--isn't that his business? If they get a call at 2AM, they fire up the big tow trucks, the loud back-up warning beepers start wailing, and the multiple flashing lights are turned on. If you're a neighbor or live on the road, you're awakened by this and you lie there knowing you get to enjoy this sound again when the truck returns with a wrecked car in tow. Mr. Shull stated that it only happens 3 times a week, but is this number correct and what happens when his business grows? Is there any comfort in knowing that you'll only be annoyed by this a minimum of three times a week (and possibly more) for every week until you move from that location?

If you were looking for property to purchase out in the country, would you prefer a site near a business like this, or one without a business like this. The fact that a site without a noise and traffic producer like this would be preferred, means, by definition, that having a neighbor like this devalues the nearby properties. This enterprise has no benefit to our community.

Why, then, would you allow a zoning variance in a designated rural area that will have a negative effect on all who live in that area? It will cause harm to many while benefiting only one person--Mr Shull.

There is surely a better place for this business.

Sincerely,

Tim T. Schmidt