

**CLE 2015-231 Charlottesville Beautiful Minds (Kristie Davis)**  
**Staff Comments on Neighborhood Input**

Concerns were received by two abutting property owners who live on Acorn Lane. Other concerns received were from other residents of Peacock Hill who do not adjoin the property but live on nearby streets. Concerns received include: (1) traffic and capacity of Acorn Lane; (2) on-street parking; (3) noise; (4) property values; and (5) septic capacity.

**Traffic and Capacity of Acorn Lane:** County Code § 18-5.1.56(b)(1) limits the number of vehicle round trips that may be associated with a family day home to 24 round trips per day. The applicant has not requested a waiver to exceed the traffic limits of the ordinance. Typical operation of the family day home will involve 16 round trips per day, it will operate during off-peak traffic hours, and have a staggered pick-up and drop-off times.

The County has received concerns about additional traffic within Peacock Hill, including pedestrian safety, along with specific concerns regarding Acorn Lane. The roads within Peacock Hill leading to Acorn Lane are public roads with shoulders wide enough to accommodate pedestrians. Based on comments from neighbors, there have been prior concerns expressed that pre-date the family day home. As a result of those, "25mph Slow Children" signs were placed near Peacock Drive and Turkey Ridge Road, roads leading to Acorn Lane. The County has not received any recent concerns prior to the family day home notice being distributed.

Acorn Lane is maintained by the homeowners association. It is a 40 foot right of way with a pavement width of 16 feet and meets minimum standards for a rural street. The homeowners association handles maintenance for Acorn Lane. Staff does not anticipate that the family day home traffic would cause additional wear on Acorn Lane. The HOA, if it believes necessary, could address any maintenance issues with the home owner. The HOA has not stated any concerns.

Staff believes that the limited hours of operation during off-peak traffic hours and staggered hours of children pick-up and drop-off times should preclude any substantial traffic impacts to the abutting lots or roadways within Peacock Hill. A condition of approval is recommended to ensure staggered pick-up/drop-off times.

**On-street Parking:** County Code § 18-5.1.56(b)(2) requires that a family day home provide one parking space plus one additional parking space for each employee. Family day homes may have up to two employees. The parking spaces must be either on-site, on the street, or in a parking lot. Parking for this family day home is available on-site with two garage parking spaces for the home along with up to four spaces in the driveway. The family day home has also established a parking space parallel to Acorn Lane. Staff shares concerns of neighbors on Acorn Lane that cars should not block the travelway. Staff has observed other properties, not the family day home, parking along Acorn Lane. This is a private street maintained by the HOA and they have not received any complaints regarding on-street parking. Should the applicant wish to continue on-street parking for the family day home, the parking area must be widened so that cars are completely out of the travelway of Acorn Lane.

**Noise:** Property owners that live nearby on Big Oak Road have raised concerns regarding noise that may be generated from the family day home but were not specific as to what noise impacts have been experienced. The family day home is currently operating with five children, which does not require a zoning clearance. When noise has been raised as a concern with other family day homes, staff has recommended a condition that limits hours of outdoor activity.

**Septic Capacity:** The request has been forwarded to the Health Department to verify that the home's existing septic and drainfield has adequate capacity. This is already part of a zoning clearance review for a family day home and will be confirmed prior to staff acting on the application.

**Property Values:** Staff cannot comment on property value concerns but notes that family day homes are an accessory use to the single family dwelling. No exterior changes are proposed to the property and no detrimental impacts are expected from the use.