

## **Rebecca Ragsdale**

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**From:** Peter Drenan <peter\_drenan@yahoo.com>  
**Sent:** Thursday, December 17, 2015 11:19 AM  
**To:** Peter Drenan; Rebecca Ragsdale  
**Subject:** RE: CLE # 2015-231 Charlottesville Beautiful Minds (Family Day Home)

Ms. Ragsdale,

Thank you for your response. Clearly I am interested in knowing when this will be on the agenda for the Board.

Also, I failed to include one item of significant importance for the Board's consideration. The property for the Family Day Home is 3-bedroom home that is on a septic system. When they added 5 extra children (to the Owner's use of the property) the house's septic system was likely at or exceeding its design capacity. Before the Board allows the Family Day Home to expand to include as many as 12 children and additional staff members, they should consider carefully whether the septic system is in accordance with applicable rules and regulations of the appropriate health and regulatory agencies.

The size of the building lot and the location of the house likely prevent expansion of either the septic tank or the septic fields, which would likely be required based on the increased use of the system caused by housing an additional 12-14 people on the property every day.

I hope you can add this to the list of potential issues that should be considered in the zoning review process.

Thanks you,

Peter Drenan

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On Tue, 12/15/15, Rebecca Ragsdale <rragsdale@albemarle.org> wrote:

Subject: RE: CLE # 2015-231 Charlottesville Beautiful Minds (Family Day Home)  
To: "Peter Drenan" <peter\_drenan@yahoo.com>  
Date: Tuesday, December 15, 2015, 2:46 PM

I have received several other objections to this proposal and will need to schedule it for a Board of Supervisors meeting to be heard. The county will take your comments into consideration below when reviewing the proposal.

-----Original Message-----

From: Peter Drenan [mailto:peter\_drenan@yahoo.com]

Sent: Tuesday, December 15, 2015 1:58 PM  
To: Rebecca Ragsdale <rragsdale@albemarle.org>; Peter Drenan <peter\_drenan@yahoo.com>  
Subject: CLE # 2015-231 Charlottesville Beautiful Minds (Family Day Home)

Ms. Ragsdale,

This letter is written in response to the County's letter dated November 16, 2015, pertaining to a zoning request (CLE#2015-231) for the Charlottesville Beautiful Minds (Family Day Home) located in the Peacock Hill subdivision, a PUD community. The current zoning ordinance allows for a Family Day Home for less than five children in a single-

family residence without a zoning permit request, but requires additional consideration if the Family Day Home intends to provide care for more than five children. This Zoning Ordinance was not in place when Peacock Hill was created and zoned as a PUD, as the Zoning Ordinance was only implemented in 2013.

The current use of the property as a Family Day Home with 5 or fewer children (exclusive of the provider's own children) has been operational this year. We are not opposed to the continued use of the adjacent property under the zoning ordinance allowing five or fewer children into be cared for in this facility.

We are landowners whose property abuts the property identified in the zoning request.

Upon notification by the County, we have engaged in discussions with lawyers, realtors, real estate managers and other neighbors in Peacock Hill about the proposed increased use of this property. We are formally objecting to this zoning request based on the following concerns:

#### Daily

#### Round-Trip Traffic

The zoning request as we understand it, would be to allow consideration of the Family Day Home to expand to allow for the care for more than five but not more than twelve children. Each family day home providing care for more than five (5) but not more than twelve (12) children under the age of thirteen (13). As we understand it, the staffing of the facility would need to increase to provide appropriate coverage for the operation of the facility and appropriate care of the increased number of children. Further, as we understand the regulations for Family Day Homes, the number of children refers to the maximum number of children at the facility at any given time, rather than referring to the total enrollment of children. This means that if the facility is fully enrolled and a child is retrieved by the parents at lunchtime, another child can be scheduled to fill the available opening for that afternoon. Together, the increased staffing and child census at the facility would likely cause the additional traffic generated by a family day home (excluding trips associated with the dwelling unit), to exceed twenty-four (24) vehicle round trips per day. This is in excess of what the County zoning ordinance allows.

Further, this

level of daily traffic transforms the nature of this cul-de-sac from a bucolic, wooded rural neighborhood to a traffic-density similar to a commercial neighborhood.

Further, since the proposed

facility is at the very back of the Peacock Hill subdivision, all of the additional vehicular traffic will be traveling the full length of Turkey Ridge Road affecting virtually all of the residences in the neighborhood with the increased traffic and safety concerns.

#### Property Value

We have had

discussions with our realtor, other area realtors and our property manager about the impacts of having a Family Day Home directly next door to our property. Every person associated with real estate valuations, real estate comparable, and the impacts on selling or leasing a property next to this type of facility stated that we could expect to see a decrease in our property values. The sale of our property would be inhibited by the noise, traffic, and the nuisance of having an active child care facility next-door to our house, and that it will be detrimental to all adjoining properties and it will change the character of the residential community. This is predicted to have the impacts of reducing the marketability of our home, while also reducing the potential sale price of our house. Since our house is now of our largest investments as we face retirement in the near-term future, having any reduction of its potential value is a very concerning consideration for us.

#### Acorn Lane Roadway

#### Performance Standard

Acorn Lane is not rated

as a primary road within Albemarle County - it is not maintained, repaired managed by Albemarle County. The road was built to provide adequate roadbed integrity for a limited number of daily vehicles, including the roadbed, subsurface soils, drainage and surface materials. Any additional vehicle traffic on this road should not exceed the design rating of the road as was originally installed. Further, if the zoning request is approved, any repairs, maintenance and servicing of the roadway should be pro-rated to its usage - an agreement should be required by the County Zoning Ordinance that addresses the physical consideration of the roadway and its subsequent repairs in a manner commensurate with its use.

#### On-Street Parking

The children

that will be cared for in this potential facility will need to be dropped off and picked up daily, requiring as many as a dozen vehicles at any one time that will be parking on the shoulders of the roadway. It is not clear by the County's zoning and permitting ordinances and codes whether parking is allowed on the roadway of Acorn Lane, or along its shoulders. I ask the County to provide clarification of this point. In addition to the direct concerns of the permitted use of that level of parking, that level of parking raises some additional concerns. The staff parking plus the parent's parking for pick-ups and drop-offs might require as many as 12-14 cars to be parked on or along the road of Acorn Lane on a daily basis. The entire length of Acorn Lane is only about 275 feet long and as narrow as 16-feet, it is difficult to understand how this small road will be safely used when each standard parking space requires an area that is approximately 9-feet by 20-feet. The zoning clearance application for this request should require clear answers to issues regarding parking, including perhaps having County staff conduct an inspection to confirm adequacy of parking.

Further, beyond the physical limitations of parking, the twice-per-day high-demand parking will likely lead to parking on the roadway shoulders and/or private property. During wet conditions, the impacts of this vehicular traffic on unsupported landscaped areas would be to produce ruts and damaged areas adjacent to the roadway.

Further still, during

cool/cold condition the motors of vehicles might be left running while the children are being retrieved from the facility. This can result in significant concentrations of noxious and dangerous fumes that might contaminate the air quality and the existing vegetation in the vicinity of Acorn Lane.

#### Ingress/Egress

When considering the physical limitations of accessing the proposed facility on Acorn Lane, and further considering the real-life considerations of further reduced access through the impacts of the drop-off and pick-up activities, the public health, safety and welfare are likely to be impacted by a significantly curtailed ingress and egress to the facility. The Zoning Administrator should request review/approval of an entrance/access by the County Engineer or VDOT, if they deem it necessary, to ensure that the minimum standards necessary to protect the public health, safety and welfare by providing safe ingress and egress will be met. Compliance with and identified entrance and access improvements should be a condition of approval of a zoning clearance, in this circumstance.

Based on all of the above

considerations, we (Peter Drenan and Sarah Drenan), as abutting neighbors to the identified property, object to the zoning request for the use of the facility as a Family Day Home for more than five children.

Thank you for your consideration.

Respectfully,

Peter Drenan  
Sarah Drenan

## **Rebecca Ragsdale**

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**From:** Julie Martin <jhm3c@virginia.edu>  
**Sent:** Thursday, December 17, 2015 1:13 PM  
**To:** Rebecca Ragsdale  
**Subject:** CLE # 2015-231 Charlottesville Beautiful Minds (Family Day Home)

Dear Ms. Ragsdale:

As a resident and property owner in Peacock Hill, I am writing to express my opposition to the licensing the Charlottesville Beautiful Minds day care facility at Peacock Hill.

I support in full the concerns that other residents have submitted and will not repeat them here. However, I would like to submit an additional one. Specifically, this neighborhood not only has children who play out of doors and sometimes, in the way of children, get onto the roads, but it also supports a substantial amount of pedestrian traffic, including runners, people with strollers, and dog walkers. The ability to engage in these outdoor activities is one of the most significant attractions of Peacock Hill.

In keeping with the character of the Peacock Hill neighborhood, there are no sidewalks in this subdivision, but there is already a significant amount of vehicular traffic, not all of which obeys the speed limit and some of which constitutes a real danger to pedestrians. As a twice daily dog walker, I can attest to this. The additional traffic generated by a licensed family day care center would most certainly increase the hazards already faced by pedestrians of all sorts.

I am requesting, therefore, that in light of the many concerns of the residents of Peacock Hill, including the hazards presented by increased vehicular traffic, you deny the licensing of the Charlottesville Beautiful Minds day care center.

Sincerely yours,

Julia H Martin  
216 Turkey Ridge Rd  
Charlottesville, Virginia 22903

## Rebecca Ragsdale

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**From:** Natasha Copeland <copelandnatasha1@gmail.com>  
**Sent:** Thursday, December 17, 2015 8:55 PM  
**To:** Rebecca Ragsdale  
**Subject:** Peacock Hill/Beautiful Minds

Dear Ms. Ragsdale,

Dale and I are very troubled by the idea of the Beautiful Minds Family Day Home expansion, and wanted to voice our opposition to it.

About six years ago our first cat was killed by a neighbor in her car coming from the far end of Turkey Ridge Road too fast past our house. Since our son Liam was only two we realized that with our then only child, and our neighbor Matt's boys also playing in their front yard (they visit on holidays), that we needed to do something about the speed. People whip around that last curve with the end of the road in sight and it's very troubling to all of us. Three summers ago someone came around that same curve before our house and slammed into our electrical box, destroying it, almost starting an electrical fire, and putting our power out for four days.

Matt and Julie (across the street) walk often together at a very slow pace with Matt's cane and with Julie's dog, Minha's, own bad hips. Bob Cook is at the end of the road, also taking it very slow on his hips and feet. Every morning a group of children gather at the corner of TRR for the school bus, and at least one comes from Maria's house across the street from us. People rushing from Peacock Drive, turning right into TRR at that time also fly around that corner and kids waiting for the bus may be crossing with poor visibility just then. We do not have sidewalks. Our road does not have a line painted down the middle as it is more of a country lane. This activity described all occurs in the space of a row of seven houses.

At the time we investigated the speed bump question and ultimately determined that the best possible solution available to us was to have "25 MPH Slow Children" signs (or something to that effect) installed, which VDOT did just before the curve and at the end by the stop sign (too close to the intersection to notice, in my opinion) at our request. That was about 5 years ago, and to be perfectly honest, there has been little to no reduction in speed.

Now we have Katya (age 5) who is much more precocious about being out and about, and this is a big fear. We have an orange cone we put out sometimes when we're out in the front yard.

I myself am a harried mother who is trying not to rush through life like many... But I believe that parents rushing their kids to daycare in order to get to work on time may not always be as vigilant as they should about the lives going on around them in their commutes... even more so when it is not their own neighborhood. Our neighborhood is intended to be a peaceful one, and many of our residents chose it because they like to be tucked away in their houses, enjoying nature at their own leisure, away from the rush of commutes.

Under no circumstances do Dale and I want a business which draws a larger group of people along our almost seemingly single lane road. There is additional wear and tear on the road, it makes daytime walks far less pleasant for professionals or retirees who work at home, and most importantly of all, we fear for the lives of our children and our pets. This is not a zoned commercial area.

I am asking that you take a stand against such an expanded commercial venture in our residential neighborhood. If there is a county meeting at which this will be discussed, I would love to have an opportunity to attend.

Thank you so much in advance for your consideration of our profound concerns.

## Rebecca Ragsdale

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**From:** Nicholee Elder <nickie.elder@gmail.com>  
**Sent:** Thursday, December 10, 2015 8:04 PM  
**To:** Rebecca Ragsdale  
**Subject:** Family Day Home at 707 Acorn Lane

Ms. Ragsdale,

My daughter, Katherine West, and I, as owners of 720 Acorn Lane, would like to make a written objection to the increase in participants and time extension to full days at the Charlottesville Beautiful Minds Day Care.

Our court is more of a shared driveway than a road, with barely enough room for cars to pass each other. We have a couple of residents who regularly park on the street limiting the passage to one vehicle at a time. The roadway is not maintained by the county and the cost falls on the property owners. Parking would involve ruts being created along the street as the drive sideways are not paved. I have observed some drop offs and it takes from 10 to 20 minutes to get the children dropped off. I can see that having 10 vehicles at one time could cause delays for the property owners trying to get to their homes after work or for getting out of the court. I have also noticed that the current participants park facing both directions in front of the home, some drivers side toward the pavement and some drivers side toward the house.

Our area does not have fire hydrants and uses tank trucks if there is a fire. I feel like access to our home would be cut off completely if there was a problem during pick up or drop off times. I recently had a heart attack and know seconds count when you are in need of emergency help.

One additional concern is for the children and pets living on the court. Middle school and high school students would be walking home from the bus stop around the 5pm pick up time. Younger children frequently ride their scooters and bikes around the circle and play in the court.

Thank you for your consideration of our concerns.

Nicholee Elder

## Rebecca Ragsdale

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**From:** Martha Orton <mrorton@hotmail.com>  
**Sent:** Thursday, December 10, 2015 10:24 PM  
**To:** Rebecca Ragsdale  
**Cc:** dcbrawley@gmail.com; nmagee@gmail.com  
**Subject:** RE: CLE # 2015-231 Charlottesville Beautiful Minds (Family Day Home)

County of Albemarle  
Department of Community Development  
401 McIntire Road, North Wing  
Charlottesville, Virginia 22902

December 10, 2015  
RE: CLE# 2015-231 Charlottesville Beautiful Minds (Family Day Home)  
707 Acorn Lane, Tax Map Parcel 073B0010007400

We the undersigned would like to make our objections known with regard to the request for the expansion of the preschool at 707 Acorn Lane. We believe that the increased traffic, parking and noise would be detrimental to our residential neighborhood and are not consistent with the guidelines for home businesses in Albemarle County, particularly due to the level of traffic involved. Already with five students attending only part-time a few days a week the preschool has had a negative impact on the quality of life for residents on Acorn Lane and Big Oak Road. Lots on Big Oak abut the property except for a narrow area of common land which goes between the lots on both roads. They are directly affected by noise from Acorn Lane as well the traffic. The cars picking up children concurrently when three different County school buses would also be in the general area from 3:00 PM to 4:45 PM would increase the traffic congestion. Consequently we believe that an increase from five to twelve students and also extending the hours from 9:00 AM-12 noon to 9:00 AM-5:00 PM, as well as offering a five-day-a week schedule, would have an even greater negative impact on our community.

Thank you for taking our views into consideration.

Sincerely,

Diana Brawley and Neal Magee  
626 Big Oak Road  
Charlottesville, VA 22903

Robert and Martha Orton  
634 Big Oak Road

## **Rebecca Ragsdale**

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**From:** ewrae60@aol.com  
**Sent:** Wednesday, December 16, 2015 12:52 PM  
**To:** Rebecca Ragsdale  
**Subject:** CLE # 2015-231 Charlottesville Beautiful Minds (Family Day Home)

Ms. Ragsdale:

I am writing as a resident and property owner in Peacock Hill to object strongly to the licensing of a family day care center in our development. Peter Drenan's letter to you of December 15 clearly outlines the damage that would be done to our neighborhood.

I will not be redundant yet will add an additional objection: Section

7.02 of the Peacock Hill Community Association Covenant clearly states that property is to be used for "residential purposes only". Section

7.04 addresses noise and nuisance. While Albemarle County may have redefined "residential use only" to include a business which cares for up to 12 children on a daily basis and the traffic and noise this includes, those of us who accepted the Covenant as a condition of ownership did not.

I request that you deny this application to ensure that the peaceful residential nature of our community is protected.

Respectfully,

Eleanor Cartwright  
218 Turkey Ridge Road  
Charlottesville VA 22903