

Baxter, Tamara

From: Meridythe Winslett <meridythewinslett@yahoo.com>
Sent: Wednesday, April 13, 2022 11:33 AM
To: Baxter, Tamara
Subject: Re: CPC CU 21-00196

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hi there,

>

> I'm writing you to oppose the expansion of a daycare in my neighborhood (permit number referenced in subject line). We left our previous neighborhood over issues we experienced with a daycare. We had our mailbox hit twice, our driveway blocked, and traffic became very difficult to navigate. Increased traffic and the expectation that similar situations would occur as in our previous neighborhood lead me to let you know that we do not support any daycare, let alone the expansion of an existing one. Please consider this information and decline the permit requested. Thank you.

>

> Meridythe Winslett

> 8276 Andrus Dr.

>

> Sent from my iPhone

Baxter, Tamara

From: KEITH ANNA <jkmdanna@comcast.net>
Sent: Tuesday, April 19, 2022 8:00 AM
To: Baxter, Tamara
Subject: Fwd: File Number CPC CU 21-00196, Opposition to Application for Large Daycare Services

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good morning Ms. Baxter. Can you post our public comments we sent to you on 4/15/22 to the agenda notes. The comments you have listed for us is from 12/29/21, which we have updated and added two more items (see below). Thank you.

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

From: KEITH ANNA <jkmdanna@comcast.net>
To: "Tamara.Baxter@coloradosprings.gov" <Tamara.Baxter@coloradosprings.gov>
Date: 04/15/2022 9:36 AM
Subject: File Number CPC CU 21-00196, Opposition to Application for Large Daycare Services

To City Planner and Staff,

Thank you for submitting the notification of a proposed conditional use development plan at 8265 Clifton Drive, 80920 and allowing for feedback on this business. Please note that we did provide the same feedback on December 29, 2021 to then City Planner Andrew Bowen. We are opposed to increasing the current small daycare business to a large daycare business for the following reasons.

1. The covenants of the Fairfax Division of Briargate do not allow for residential homes to be used for business enterprises and especially day care service. Why was a permit initially granted for such a business at this location and when was that completed?
2. The noise level generated by the children when outside is quite loud. Our residence directly aligns with their backyard and we seem to be most affected by the noise level generated. At times we do have to close our windows so as not to hear the loud noise and doing so on nice weather days is not appreciated. We love to have our windows open and enjoy our backyard deck but the noise from the children can be annoying.
3. In reading through the proposed plan, the business owner cites that she follows Academy District 20 calendar and also cites she is closed during the summer. We find this information to be inaccurate as this business has been open during summer hours and many times after 4 pm.
4. It is common knowledge among realtors that large daycare centers may have an effect on home property values of those residences near or adjacent to such daycare centers. Especially at the time of selling and buying which is unfair to homeowners who pay elevated property taxes without any regard being next to daycare centers throughout every tax year.
5. Monitoring of daycare centers. Does the Planning and Community Development Department properly monitor daycare centers with unannounced visits and survey the local neighborhood residents adjacent to such daycare centers for input on the effects

such as noise levels, hours of operation, and traffic issues? This really should be accomplished as it generally occurs where permits are issued but there is no monitoring of the business to maintain the standards of business as cited within the plan.

We thank you for the opportunity to oppose the proposed plan to increase daycare services and recommend no approval.

Keith and Jackie Anna
7555 Potomac Drive, 80920

Baxter, Tamara

From: Diane Henderson <dianerhend@gmail.com>
Sent: Wednesday, April 20, 2022 11:35 AM
To: Baxter, Tamara
Cc: Diane Henderson
Subject: Daycare. CPC CU 21-00196

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

APRIL 20, 2022

Dear Tamara Baxter,

This letter is in response to the proposed plan for a "Large" daycare center allowing up to 12 children which would only be a couple of houses away from our house. Refer to the file CPC CU 21-00196.

My husband and I are retired and are 100% opposed to this plan which we already stated on December 29, 2021. As stated in our previous email, we did not settle in this neighborhood to have to deal with the increase in traffic and noise that will occur if this plan goes through. We already see cars come and go and the noise of the playground in their backyard. A capacity of 12 children would require additional help for their enterprise and additional noise we do not need.

Why this continual request keeps popping up we do not know. Is this going to be an annual issue?

Once again as I previously stated in the December 2021 email:

Our grandchildren have always been in a daycare setting when growing up, but never in a neighborhood with residential homes right next door. We feel it is truly unfair to us and our feedback should count. Please consider our concerns and our rights as homeowners.

We are unable to attend the actual Public Hearing on April 21, 2022 at 0830 due to previous commitments. However, as we previously stated: We are 100% opposed to the Daycare plan.

Thank you,

Mark and Diane Henderson
8285 Clifton Dr.
Colorado Springs, CO 80920

April 19, 2022

Tamara Baxter
The Planning & Community Development Department
Land Use Review Division
121 S. Tejon Street
Colorado Springs, CO 80903

RE: CPC CU 21-00196

Formal objection:

Violation/daycare prohibited by our covenants

Devalues our property

Increased noise

Increased traffic

Adjacent destruction of private property / ONGOING

Unnecessary hardship affecting health

Dear Ms. Baxter,

The issue is clear. Daycare operations are prohibited by our covenants. Declaration of Conditions, Covenants, Restrictions and Easements for Fairfax Ridge Filing No. 3. Article 1, Section 101: Property Uses:

All Lots and Building Sites in the Subdivision shall be used exclusively for private residential purposes. No dwelling erected or maintained within the Subdivision shall be used or occupied for any purpose other than for a single-family dwelling. **No business, profession, or other activity conducted for gain shall be carried on or within any building site.**

Article VI General Provisions For Effect Of The Covenants. Section 601(e) Due Notice: Due Notice means written notice delivered in accordance with the requirements of these Covenants at least ten days prior to the action required by the notice.

Conditional use permits require that Anna Johnson show her daycare operation won't harm surrounding neighborhoods, and will be consistent with local zoning (we are classified residential). Her daycare clearly harms our neighborhood. It devalues our neighborhood property, causes increased noise, causes increased traffic congestion, and causes destruction of private property.

In all likelihood, this daycare operation could have been blocked at the very beginning had we surrounding homeowners known that a daycare application had been filed. There was no notice given to any homeowner before this was approved. I later saw Anna's application that stated no homeowners had opposed a daycare. This was not accurate information.

I have tried many times to receive information from both the city and the state how this daycare operation could have been approved against neighborhood covenants prohibiting such. I have never had any response.

My name is Sandra Foss. I own the property at 8275 Clifton Drive. I personally gave a copy of the covenants to Jesus Perez and Anna Johnson within days of their moving in. They were clearly aware that day care was prohibited.

I am a retired Special Education teacher. I am 81, handicapped, disabled, and on crutches. I love children. When coming into my home, there is a double door closet on the right. Both doors are covered with drawings and notes to me from the neighborhood children.

The daycare parents park on the sidewalk, they block driveways. They destroy the plants on my lawn. I have repeatedly asked them not to walk on my lawn. I have also put up signs and erected fences. It makes no difference. They still walk on my lawn.

I cannot open the windows on the south and east of my home because the noise and disturbances from the daycare is so loud and disrupting. When I need to get off my legs, I have to go to the other side of my home to lie down. As a homeowner, I am deprived of the use of my yard due to the loud noise and disturbances from next door.

As one example--two weeks ago, I went to go to King Soopers. I could not. I was blocked from getting out because a daycare parent was parked across my driveway.

I suggest the Stetson Hill Police Department be contacted re: complaints against Jesus Perez and/or Anna Johnson at their house at 8265 Clifton Drive. There have been numerous violations against city codes.

Before the deadline to respond to CPC CU 21-00196 in December of 2021, I left two telephone messages and sent an email to Andrew Bowen at the telephone number and email address provided on the notice and never received any response from him. I mailed a letter (via USPS) to Mr. Bowen on Wednesday, December 22, 2021 addressing the issues and my opposition; before out-patient surgery later that day. No determination of status has been, to this date, given to

us. Our neighborhood has received the notice for an open hearing regarding CPC CU 21-00196 to be held April 21, 2022.

It would be sincerely appreciated and legally correct that this daycare operation be completely shut down. I plan to attend the hearing in person and will bring a complete copy of the covenants and my email voicing my objections with me.

Sincerely yours, Sandra Foss

Sandra Foss
8275 Clifton Drive
Colorado Springs, CO 80920
719-282-2258
Email: sweet5pea3@gmail.com

MS. BAXTER,
MY EMAIL WONT
HANDLE THIS LONG A
MESSAGE SO I AM
HANDBRING IT TO
YOUR OFFICE 4/21/21
SANDRA FOSS
CPC CU 21-00196