

**CITY OF TAYLOR MILL**

**BOARD OF ADJUSTMENTS MEETINGS**

**DECEMBER 9, 1994**

The December 9, 1993, meeting of the Taylor Mill Board of Adjustments was called to order at 7:02 p.m. by Chairman Paul Maxfield, with the following members in attendance: Sherry Doggett, Lee Flischel, John Lucas, Charlie Darpel, Leo Dolan, and Paula Tretter.

Chairman Maxfield asked for any corrections to the minutes of the September 9, 1993, meeting. There being no other corrections, Chairman Maxfield made a correction to the first page to read " 168 *square* feet" and "Blue Pantry or *KFC* sign to be located nearby, *with no floodlighting for the parking lot*". Mr. Dolan made a motion to approve the minutes as corrected. Mr. Lucas seconded the motion. The motion passed unanimously.

Mr. Meece mentioned that there had been a request at the December 8, 1993, meeting of the Taylor Mill City Commission that yard signs be developed for the purpose of notifying all residents when any requests for zoning action are made. The board agreed with the suggestion, and instructed Mr. Meece to implement the policy as part of the internal application process. Motion was made by Mr. Darpel, and seconded by Ms. Tretter. The motion passed unanimously. Mr. Meece said the city would have the signs purchased, and available for use.

There being no other OLD BUSINESS, Chairman Maxfield moved to New Business: Public Hearing No.1. A request regarding 5126 Taylor Mill Road, Taylor Mill, KY, from Mr. Chip Malley of The Little Red Schoolhouse for:

1. A Conditional Use permit for a Preschool/Daycare facility at the address. (allowable in R1-C designation of the property)
2. A Variance from the minimum 50 foot Front Yard Setback Requirement.

The staff presented their objections to the approval of the Conditional Use permit, based upon a summary of the findings in their December 3, 1993, letter to the board:

1. Traffic Considerations - An increase in the amount of traffic to an already congested and dangerous area of Taylor Mill Road, without appropriate changes to the width and alignment of the road. An increased number of vehicles turning left, the cause of most accidents in this location, to access/exit the location. To allow the variance could also impact the improvements planned in the Taylor Mill Road Corridor Study, and could result in engineering difficulties, increased costs, and further delays to the improvements.

2. Future Development - Opinions from the Northern Kentucky Planning Commission, and other planning efforts of the city, have indicated that the "best use" for this land if developed would be Commercial Office. Also, the current Commercial Office Zone does not contain a preschool/daycare use. The location of this development would impact the future development of the area, in keeping with the comprehensive plan, and diminish planning efforts.
3. Safety - The location of so many small children in direct proximity to a major route of transportation, and at a diminished distance, could increase the risk of death and/or injury. This is important remembering the accident rate of the area.

After hearing the staff report, Chairman Maxfield asked Mr. Malley to make his presentation regarding the application. Mr. Malley gave a background on the origins of The Little Red Schoolhouse company, and its other locations in Northern Kentucky. He stated that the market of middle/upper income, dual income, families makes Taylor Mill a market with a need for these types of services. Mr. Malley contended that the staggered times for drop-off and pick-up, the limited amount of traffic increase( about 90 vehicles at full capacity), and the fact that most would be traveling towards I-75 in the morning, reduced any concerns regarding traffic problems. He stated that all of the other facilities are located on busier roads, and none of them have had a traffic accident as a result. Mr. Malley also felt that this would be an excellent use of the property, and had spoke with the NKAPC to know that they were considering the inclusion of preschool/daycare in future Commercial Office zoning matters. Finally, he stated the The Little Red Schoolhouse remains committed to child safety, and would not make the proposal if children were in danger. (a copy of Mr. Malley's handout is on file with these minutes).

Mr. Maxfield stated that his primary concern is that of traffic problems resulting from the approval of the application, especially North/South backups, left-hand turns, and the uncertainty of road improvements. Ms. Tretter asked how many students the facility will have after its first year. Mr. Malley responded that 90 students would be expected. Mr. Flischel asked Mr. Malley if he understood that 2 left-hand turns would be made by anyone picking up children (from I275). Mr. Malley agreed.

Mr. Maxfield asked if there were any citizens to speak. The following citizens were recognized:

Mr. Leslie Turner, 674 Walnut Street - Mr. Turner agreed with the traffic concerns of Mr. Meece & Mr. Finnell. He mentioned that Walnut is a narrow street, and often two cars will not fit at its entrance to Taylor Mill Road. Also, Ms. Theresa Turner said that the Remke's Right In/Right Out exit across from Walnut further complicated the traffic problem.

Mr. James Walker, 680 Walnut - Mr. Walker was concerned about the driveway for the facility, and that it would pass directly outside his bedroom. It would disturb the sleep of his wife, who works nights.

Mr. Afton Kordenbrock, 728 Winston Hill - Mr. Kordenbrock stated that several groups have passed the Taylor Mill Road Corridor Study and are trying to get it funded. He stated that 24000 cars pass through the intersection on a workday, and that problems exist with left-hand turns and no turning lanes. He also said that a nursery school could not be put in a commercial office zone presently.

Following the citizen comment, Mr. Dolan asked if a five lane expansion of Taylor Mill Road is to be a possible outcome of the road study. Mr. Finnell responded that five lanes would be too expensive and difficult to engineer in many spots, probably not a real possibility. Implementation money would be easiest for three lanes and re-alignment.

Mr. Dolan asked Mr. Malley why there was no turn around for parents. Mr. Malley said that if employees park to the rear of the lot, ample room would be left for vehicle to enter and leave the lot. Mr. Dolan asked if Mr. Malley had planned any re-surface for Walnut, given the use. Mr. Malley responded that it would depend on the city. Ms. Doggett asked if there were other locations in Taylor Mill where such facilities could be located. Mr. Finnell stated that there may be other lots available depending on owner/buyer negotiations. Mr. Malley stated his desire to utilize this lot so that he could catch traffic headed towards I275.

Chairman asked if there were any further questions. There being none, Chairman Maxfield asked for a motion regarding the determination of a Conditional Use permit (per section 9.144 of the Taylor Mill Zoning Ordinances). Mr. Lucas made a motion that the board reject the application based on a finding of fact that the use would adversely affect the public health, safety, and welfare of persons working or living in the vicinity; and that the use would cause a hazard or nuisance; and upon the recommendations of the staff report. Ms. Doggett seconded the motion. The motion was passed unanimously.

There was no consideration of the variance application, the use permit being denied.

The meeting adjourned at 8:31 p.m.