

Taylor Mill Board of Adjustments
July 19, 1994
7:00 PM

Chairman Maxfield called the meeting to order at 7:00 PM.

The minutes of the previous meeting (7/14) were not completed, and so no action was required at this time. There being no further old or new business, Chairman Maxfield moved to open Public Hearing Number One: a variance request from the 50' side-yard requirement of the NSC zone.

Applicant: Kiddie Campus, 710 Valley Square Drive, Linda McDaniel; Mr. Ken Reese was also present from the Drees Corporation.

Mr. Meece reviewed the problems which resulted on 7/14 regarding the inappropriateness of the NSC zone for this application and that the information upon which such a conclusion was based is incorrect. Mr. Meece apologized on behalf of the staff for this error, and said that tonight's meeting was to provide immediate remedy for that error and avoid causing the applicant substantial financial loss. The NSC zone in Taylor Mill does allow for "Daycare" in the zone (amendment 1983). Mr. Meece said that if the technical aspect of the notice hadn't been met for this meeting, the spirit of the meeting was accomplished with signs, previous written notice, and special personal contacts. No outstanding complaints or concerns have been raised at this time.

Mr. Bowling presented a technical review of the site plan, and its application to the zoning laws and codes. The variance involves a request to shorten the side yard requirement, on the Valley Square side of the building (S), from 50' to 35'. All other aspects of the proposed addition meet current zoning requirements. Mr. Bowling had also provided copies of the NSC zoning requirements to all board members. Mr. Maxfield commented that the possibility of widening Taylor Mill Road had been discussed on other matters, but that this was not really affected by even the possibility of such a widening.

Mr. Maxfield recognized Mr. Ramsey, Drees, who said that they felt that this was the best way to accomplish the addition, and presented a site plan overview. This addition allowed for the non-interference with residential units involved and maintaining the play area. Mr. Meece ask the height of the re-located fence in the side-yard, to be sure it is in compliance with the zoning ordinance. Mr. Meece also asked about the type of external lighting to be added to the outside of the building. Mrs. McDaniel stated that the lighting would be normal residential lighting to match the current fixtures, of a decorative nature.

Public Comment:

Mr. Afton Kordenbrock, 728 Winston Hill Drive, spoke to the traffic concerns of adding the additional space. He also mentioned if the addition wouldn't run real close to the current sidewalk. The additional traffic and safety concerns of these new students. Cars are already squealing in and out right now. The Taylor Mill Corridor Study identified several changes to the road and proposes a four-lane all the way to Hands Pike. Mr. Kordenbrock mentioned what effect this addition might have on the other business in the area, detective agency.

Mr. Meece said that from his pictures it can be seen that the new addition shouldn't impact the business' sight from T.M. Road. Mr. Maxfield asked if the additions to the daycare were being driven by the new condos in the area. Mr. Ramsey couldn't answer. Mrs. Doggett asked the

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applicant what percentage is coming from the south. Mrs. McDaniels estimated that 35% of their students come from Mill Valley. Mr. Maxfield asked if the additional students will come from the new condos. Mrs. McDaniel couldn't answer, except to say that most of the new spots are already taken by students on a waiting list. Mrs. McDaniel stated that she is requesting an additional 30% capacity to her student body, from the Human Resources Cabinet. The largest portion of the new students will be in the baby department. Mr. McDaniel stated that there used to be a problem with pull-outs (traffic) when the south lot was grown up, now that the lot is cleared for construction there is not a big problem pulling out onto T.M. Road.

Mr. Lucas asked if the business had contacted the city in regards to this issue. At this point, no contact has been made to the city from the business. Mrs. McDaniel, and/or a representative from Drees, has also personally spoke to all of the abutting property owners to get their concerns. Mrs. McDaniel also stated that the addition is the result of her concerns with age group division, the flow of pedestrians on site, and other different movements of children. Mrs. McDaniel stated that inside the fence will be concreted for the purpose of extending the play area.

Mr. Kordenbrock restated that the traffic concerns still remain with this project, especially with the growing size of the enrollment. Also, Mr. Kordenbrock was concerned that there are too many daycare's in Taylor Mill. Mrs. Doggett stated that there is a need for the child care based on the large number of working mothers, and families in Taylor Mill. Mr. Kordenbrock again stated that the highway is still a problem, and the study needs to be funded.

Mr. Meece answered Mrs. McDaniels' questions regarding the type and height of fence allowed in the side-yard of a corner lot, as illustrated in the zoning ordinance. Mr. McDaniel stated that the same fencing would be used, only re-located.

Mr. Maxfield asked for any final discussion or a motion. Mr. Flischel commented on the visual impact of the existing business, not necessarily with this project but possibly with other uses to be located in the same vicinity. Mr. Flischel also stated that the traffic volume was substantial on T.M. Road, however, Valley Square Drive does provide for stacking of vehicles attempting to enter T.M. Road and a deceleration lane for south-bound traffic turning into the daycare. Calculations regarding the extra volume of traffic for the daycare are negligible when compared to the additional traffic to be generated by the Condo's, but it is still a concern.

Mr. Lucas called for a motion that the Board approve the variance requested for the side-yard of 710 Valley Square Drive, Taylor Mill, as having met the criteria set forth in the zoning ordinance. Ms. Doggett seconded the motion.

Mr. Meece took a roll call vote on the motion:

Mr. Flischel: Yes

Ms Doggett: Yes

Chairman Maxfield: Yes

Mr. Darpel: Yes

Mr. Lucas: Yes

The motion passed unanimously. Mr. Maxfield apologized for the previous mix-ups that occurred last week. Mr. Meece also made apology for the errors, and thanked the board for their patience. The meeting adjourned.