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Lexington-Fayette Urban County Planning Commission
Lexington-Fayette Urban County Government
101 East Vine Street, Suite 700
Lexington, KY 40507

Re: Zone Change Request for 1580 Higbee Mill Road

Dear Members of the Planning Commission:

We represent Taylormade Real Estate in connection with its application to rezone the property located at 1580 Higbee Mill Road from Townhouse Residential (R-1T) zone to Planned Neighborhood Residential (R-3) zone and for a conditional use permit to operate a child care center known as ChildCare Network ("CCN"). This property has never been developed and is identified on LFUCG's vacant land inventory. In recognition of the previous land owner's zone change attempt on this property in February 2016, the Applicant is willing in advance to restrict the zoning to not allow multi-family residential dwellings.

CCN provides child care and Pre-Kindergarten programs for Infants, Toddlers, Twos-Three year olds, and of course Pre-Kindergarten ages. Its mission is to provide the educational foundation for each child to be successful throughout life, with quality curriculum and activities for every age group. CCN offers a minimum of six specialized learning centers in each classroom for children to explore; boosting their social, emotional, cognitive, and physical development. CCN utilizes what is known as HighReach Learning, with the ultimate goal for children to become competent, eager learners. The high-quality curriculum for children ages birth to five years of age provides many opportunities for active exploration, which create powerful and positive interactions for learning. The HighReach Learning Curriculum Approach is based upon the following principles:

- A child's development is continuous, individual, and begins at birth.
- The stages of development are unique to each child.
- Creating multiple connections supports current brain research for how infants and young children learn.
- Interactions and relationships are at the heart of learning.
- Families are truly a child's first teachers and are an integral part of the learning community.
- Learning experiences are purposeful, interactive, meaningful, relevant, active, and playful.
- Curriculum is project-focused and is based in play investigation. Play is the avenue for child investigations.
- The ultimate goal is for children to become ready, able, competent, and eager learners.

Currently, CCN is located next to Kroger in the Boston Road shopping center. This facility is limited due to the shopping center construct in many ways. For example, the facility has a 5,000 square foot play yard that is not connected to the CCN space. The children have to walk outside the building through the parking lot to have access to the adjacent play area. The new free-standing facility will offer over 10,000 square feet of fenced in play area just outside each classroom. The existing CCN provides transportation from Stonewall, Picadome, Wellington, and Clays Mill Elementary Schools.

The proposed site is well suited for a child care center due to its location near established neighborhoods and along two major traffic corridors which the residents living in the south end of Lexington use to travel to and from work. The property is located just off the corner of Higbee Mill and Clays Mill Road and backs up to Man o'War Boulevard. Attached to this letter is a map detailing the location of the existing CCN clientele. While there are parents scattered throughout the Harrodsburg, Nicholasville, and Tates Creek Road corridors – a significant majority of users are south of Man o'War. As such, it is anticipated that most of the traffic will utilize Man o'War as opposed to the local neighborhood streets.

This request is in agreement with the Comprehensive Plan as the proposed project meets several of the Goals and Objectives of the Comprehensive Plan. Specifically, the project is in compliance as it supports infill and redevelopment (Theme A, Goal #2) provides for accessible community facilities (Theme D, Goal #2); and is developing underutilized properties within the Urban Service Area by absorbing vacant land (Theme E, Goal #1).

The proposal is also consistent with the Comprehensive Plan's Land Use Change Consideration:

2. The proposed land use enhances, and is compatible with, adjacent land uses.
7. The land use will not impair existing environmental conditions of the site (floodplain).
8. The existing utility and transportation networks will accommodate the new land use.
9. Underutilized land should be promoted for greater utility, function, and/or residential densities and/or land uses.
13. The land use should maximize opportunities to accommodate future growth within the Urban Services Area, include land that is underutilized, vacant or planned for a reuse.

Further, the proposal meets several of the key additional considerations for land located outside of the downtown area in the Urban Service Area:

1. A greater intensity of land use should be concentrated along minor and major arterial roadways, and to appropriate quadrants of collect street intersections

2. Where residential density, and existing infrastructure are adequate to support the use, and the adjacent uses are compatible, the development should create more walkable neighborhoods, neighborhood-oriented businesses and neighborhood amenities.
5. The use shall provide a service deemed beneficial for the immediate area.
6. Developments that improve the livability of existing neighborhoods by adding compatible uses and compatible urban design should be encouraged.

The proposed child care facility is consistent with the above-stated Themes, Goals and Objectives of the 2013 Comprehensive Plan. This is a suburban infill property which is well suited for the proposed child care facility use. Its proximity to the nearby Stonewall, Wellington, Higbee Mill, Wynham, Robinwood, Monticello, Clemens, and Copperfield neighborhoods will be of significant convenience to parents in need of child care services. The design of the proposed childcare center will also be compatible with the existing neighborhood.

As part of this application, CCN is also requesting a conditional use to operate the child care facility. Granting the requested conditional use permit will not adversely affect the subject property or any surrounding properties due to the proximity to Clays Mill and Man o'War traffic corridors. This is an existing user that is moving only a mile down the road. As referenced above, child care facilities are typically located in close proximity to existing neighborhoods, along the roads utilized for travelling to work, or the work places themselves. This site meets two of these possibilities making it an ideal location. As this is an existing use in the area, this is not new traffic being introduced – this is only redirected traffic already using the arterial and collector street system in the area. Onsite parking will be provided and the property and parking lot will be landscaped and screened as required by the Zoning Ordinance. Finally, the property is located in a developed area and all necessary public facilities and services, including roads, sanitary sewers, utilities, refuse collection, police and fire protection, are available and adequate to serve a child care center.

I look forward to presenting this application for your consideration during the March meeting of the Planning Commission.

Best Regards;

Stoll Keenon Ogden PLLC



Nick Nicholson

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