



JOHNSON COUNTY

Department of Planning and Zoning
86 West Court Street
Courthouse Annex
Franklin, Indiana 46131

Phone: (317) 346-4350
Fax: (317) 736-4722
www.co.johnson.in.us

MEETING AGENDA

Johnson County Board of Zoning Appeals
August 24th, 2021, 7:00 PM
Public Auditorium, West Annex Building
86 West Court Street, Franklin, Indiana

CALL TO ORDER

ROLL CALL

APPROVAL of MINUTES

Approval of minutes from the June 29, 2021 meeting.

PUBLIC HEARINGS

-CONTINUED PETITIONS None.

-NEW PETITIONS

SP-2-21. J. EG3 Development, LLC . Undeveloped land south of 5043 Bancroft LnPage 3

SPECIAL EXCEPTION of the Johnson County Zoning Ordinance to allow for the development of a child care center in the B-1 (Neighborhood Business) Zoning District.

OLD BUSINESS None.

NEW BUSINESS None.

REPORTS AND RECOMMENDATIONS None.

ADJOURNMENT

The next regular meeting of the Johnson County Board of Zoning Appeals is scheduled for Tuesday, September 28th, 2021 at 7:00 PM.

- - -

Staff Report

CASE NUMBER: SP-2-21
ADDRESS: Undeveloped land south of 5043 Bancroft Ln;
Located on Block B of the Wakefield Commercial Subdivision Plat
Section 33, Township 14N, Range 3E
PETITIONER: EG3 Development, LLC

REQUEST

SPECIAL EXCEPTION of the Johnson County Zoning Ordinance to allow for the development of a child care center in the B-1 (Neighborhood Business) Zoning District.

STAFF RECOMMENDATION

Staff recommends **approval** of this request subject to substantial compliance with the submitted site plan.

PROPERTY DESCRIPTION

This approximately 1.5-acre site is zoned B-1 (Neighborhood Business). The site is currently vacant and partially wooded. The property is an approximately 1.5-acre out lot parcel from Block B (13.27 acres) of the Wakefield Commercial Subdivision.

SPECIAL EXCEPTION REQUEST

This Special Exception request, if approved, would legally establish a *child care center*, as defined by the Zoning Ordinance of Johnson County, Indiana. The Zoning Ordinance requires granting of a special exception in the B-1 zoning district for a child care center, which, by definition, involves the provision of child care services for at least seventeen (17) children.

The submitted Plan of Operation, included in this report, indicates that the petitioners plan to develop a child daycare learning facility on the property, known as Kiddie Academy. The development will include an approx. 12,000-square foot daycare building with a 12,000-square foot outside fenced playground area. It also indicates that child care services will be provided Monday through Friday, from 6:00 AM to 7:00 PM. Pick-up and drop-off hours will be from 6:30 AM to 6:30 PM. Forty-three parking spaces will be provided.

The property's use is consistent with the Comprehensive Plan's recommendation of Neighborhood Commercial use and development. The Goddard School for Early Childhood Development is located on Lot 2 of the Wakefield Commercial Subdivision (5044 Bancroft Ln.), north of the proposed site. The proposed use is consistent with this nearby child care center and educational facility.

The subject child care center is located within the Wakefield Commercial Subdivision and is adjoined on all sides by B-1 Neighborhood Business-zoned parcels. There is no indication that the child care center use will create a nuisance or undue traffic congestion. The proposed child care center will serve a genuine need for the county. The use does not compromise the neighborhood business appearance and use of the subject property. Staff recommends approval of this request.

FINDINGS OF FACT: STAFF ANALYSIS

1. **State Requirement:** The use shall be specifically identified as a special exception in this Ordinance for the zoning district in question.

The Zoning Ordinance specifically lists “child care center” as a use permitted by Special Exception in the B-1 District.

2. **State Requirement:** The Special Exception can be served with adequate utilities, access roads, drainage, and other necessary facilities.

The use is adequately served by necessary facilities.

3. **State Requirement:** The special exception shall not involve any element or cause any conditions that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with any and all design development standards for the use identified in this Ordinance.

The use complies with all Zoning Ordinance development standards and creates no conditions which may be dangerous, injurious, or noxious to any property or person.

4. **State Requirement:** The Special Exception shall be sited, oriented, and landscaped to produce a harmonious relationship to buildings and grounds to adjacent buildings and property.

The site plan indicates the use of landscape buffers and native plantings in and around the property.

5. **The Special Exception shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.**

6. The proposed development will match the visual impression and environment of existing commercial development in the area. It will exist harmoniously with adjacent buildings, ground, and uses. **State Requirement:** The Special Exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.

The use generates little traffic and provides an ample vehicle maneuvering and turnaround area for picking up and dropping off children, with a staggering drop-off/pick-up method for parents.

7. State Requirement: The Special Exception shall preserve the purpose of the Zoning Ordinance, and shall not interfere substantially with the Comprehensive Plan.

The child care center will maintain the neighborhood business use relationship with the area and will not interfere with the Comprehensive Plan.

GENERAL INFORMATION

Applicant: John Strzalka – EG3 Development, LLC
20900 NE 30th Ave., Ste 307
Aventura, FL 33180

Owner: Wakefield Associates, LLC
320 N Meridian St. Ste 700
Indianapolis, IN 46204

Zoning: B-1
Land Use: Vacant
Future Land Use: Neighborhood Commercial

-RLS

SP-2-21 PETITIONER'S FINDINGS OF FACT

FINDINGS OF FACT, SPECIAL EXCEPTION

JOHNSON COUNTY BOARD OF ZONING APPEALS

1. The use shall be specifically identified as a special exception in this Ordinance for the zoning district in question because:

Petitioner is proposing a "child day care" use on a B-1 zoned property

2. The special exception can be served with adequate utilities, access roads, drainage and other necessary facilities because:

adequate utilities exist within the adjacent right-of-ways, existing storm infrastructure was previously installed for the commercial property, existing driveway curb-cuts were provided to the property

3. The special exception shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons, and shall comply with any and all design development standards for the use identified in this Ordinance because:

the proposed 'child day care' use will be designed and constructed in accordance with local and state licensing laws for child day cares.

4. The special exception shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and property because:

adequate landscape buffers and native plantings will be utilized in and around the property in accordance with Johnson County specifications

5. The special exception shall produce a total visual impression and environment which is consistent with the environment of the neighborhood because:

the Petitioner is proposing a facility that aesthetically blends with the surrounding neighborhood

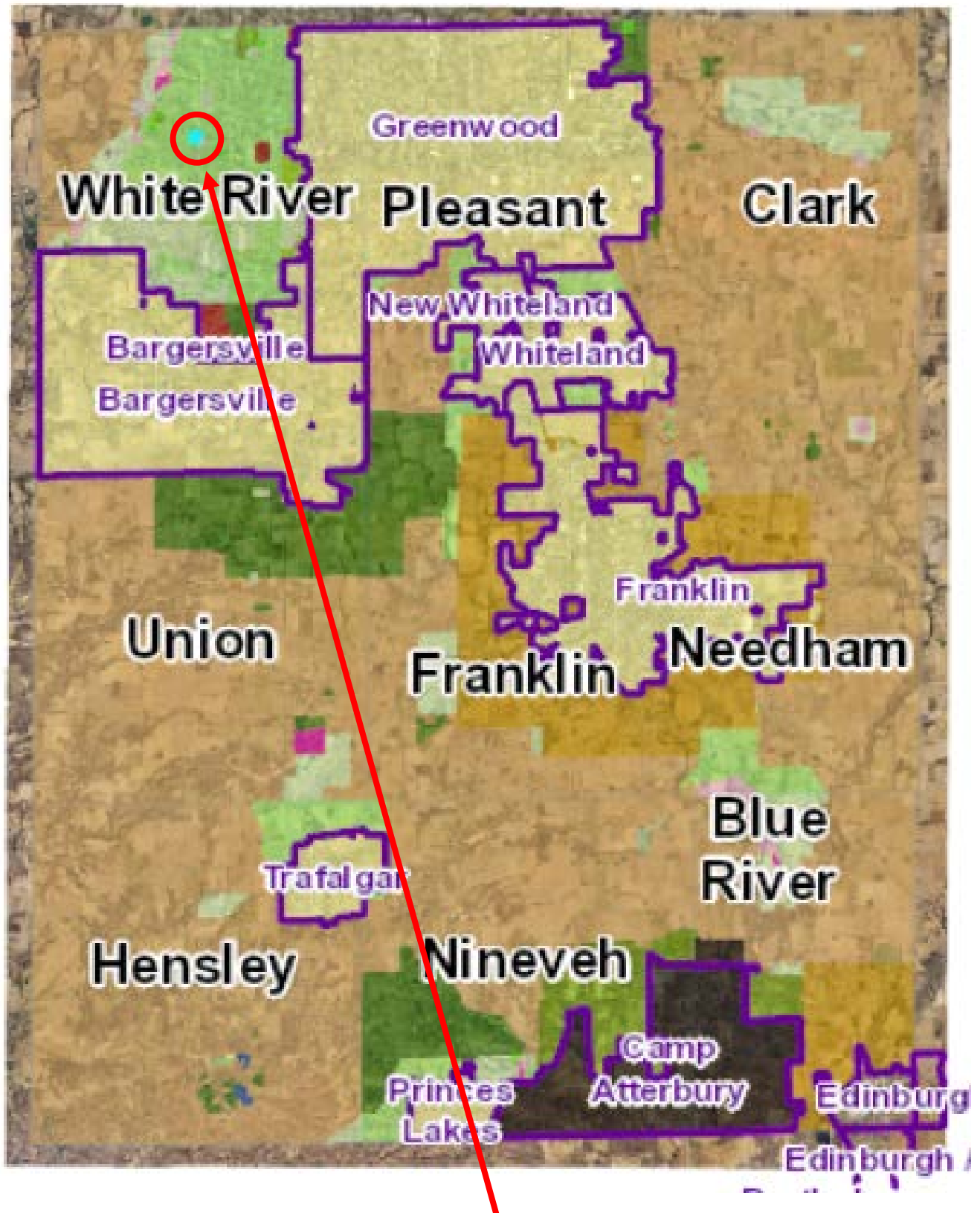
6. The special exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood because:

the site plan has been designed to facilitate vehicular access into the site without impacting into the adjacent public roadways.
while providing a safe pedestrian environment

7. The special exception shall preserve the purpose of this Ordinance, and shall not interfere substantially with the Comprehensive Plan because:

the proposed use is consistent with a commercial use, of which is permitted with this property based on the FLU of "Neighborhood Commercial"

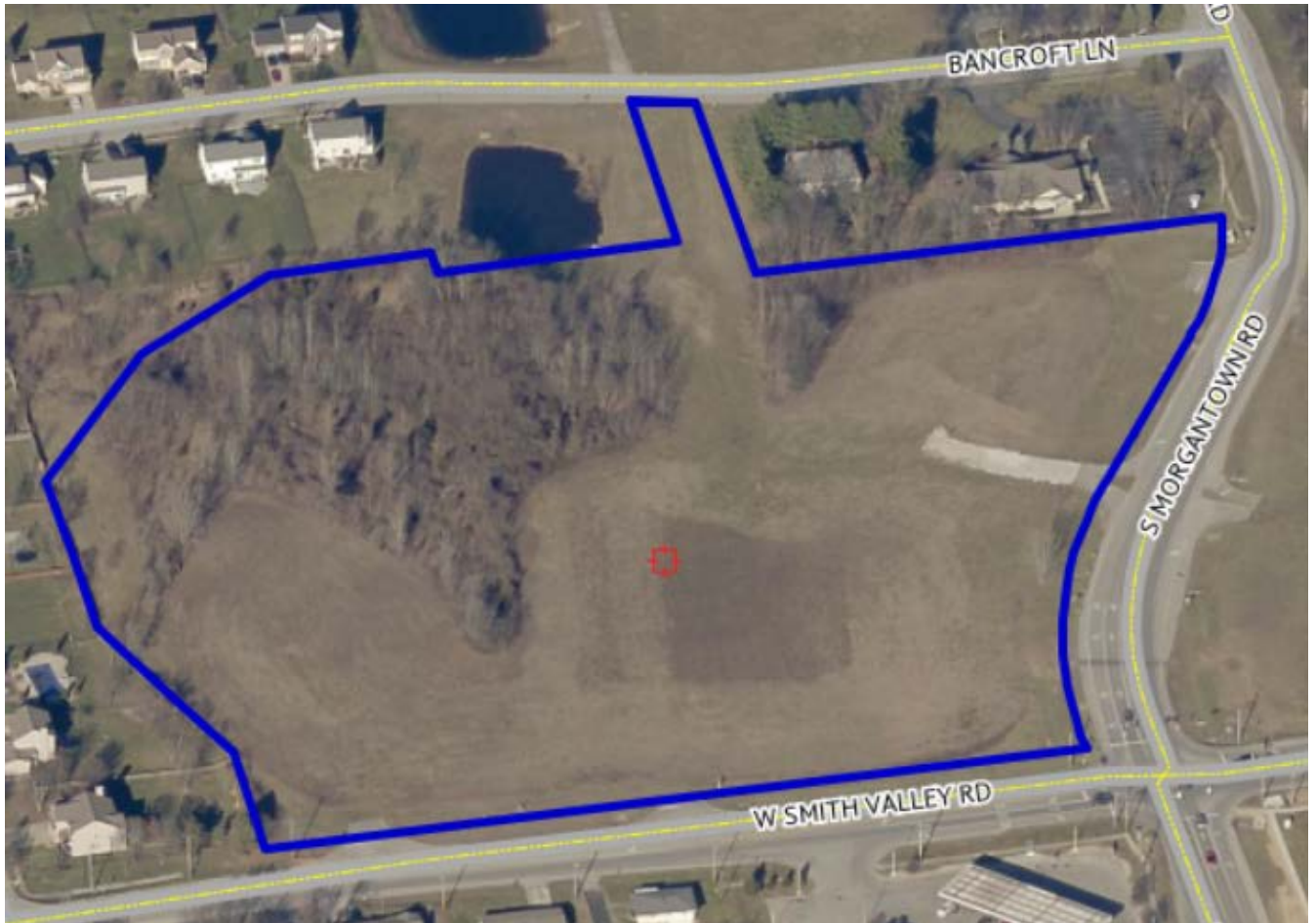
SP-2-21 BASE MAP



SP-2-21 AERIAL PHOTOGRAPH



SP-2-21 AERIAL PHOTOGRAPH II



SP-2-21 PRELIMINARY SITE PLAN 1



SITE DATA	
APPROXIMATE	JOHNSON COUNTY, IN
LOCAL	R-1 - RESIDENTIAL BUREAU
PLANNED LAND USE	NEIGHBORHOOD COMMERCIAL
EXISTING USE	WOODED / UNDEVELOPED
PROPOSED USES	ONE DAY ONE
TOTAL SITE AREA	14.505 AC.

SUMMARY OF PROPOSED DEVELOPMENT					
NO.	USE	ACREAGE	UNIT	MAJOR	MINOR
1	OFFICE	0.50	100,000	100	100
2	PARKING	14.00	100	100	100
TOTAL DEVELOPMENT				200	200

KA - WAKEFIELD
JOHNSON COUNTY, IN

PRELIMINARY SITE PLAN

7/28/2021 - CONTACT: REBEKAH CLAUGHNIN, P.E. - (407) 427-1911 - REBEKAH.CLAUGHNIN@KIMLEY-HORN.COM

SP-1

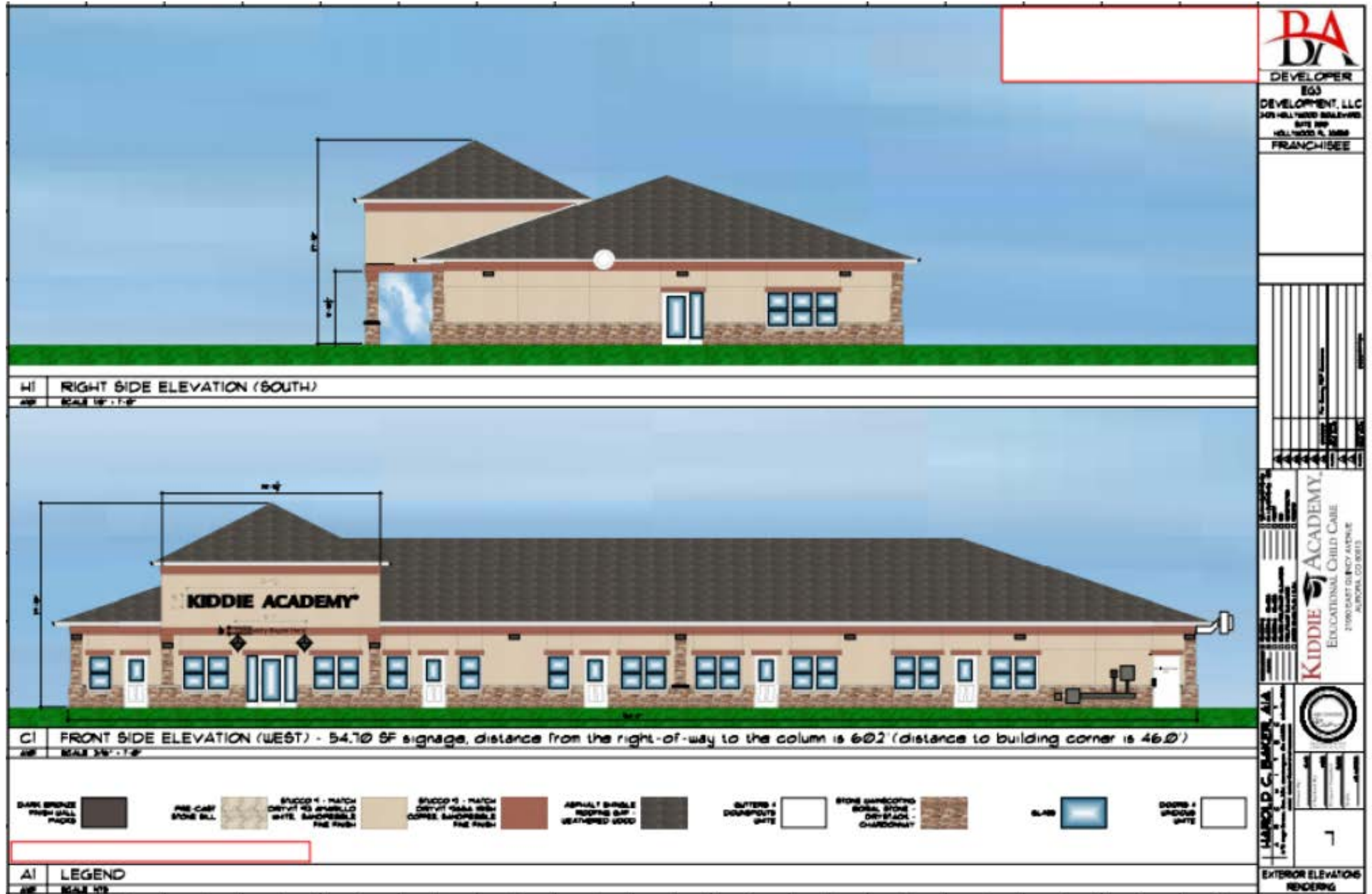
1. THIS IS A PRELIMINARY SITE PLAN AND IS NOT A FINAL DESIGN.
2. THE DESIGNER ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.
3. THE DESIGNER ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.
4. THE DESIGNER ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.
5. THE DESIGNER ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.

GRAPHIC SCALE IN FEET
0 10 20 30

Kimley-Horn

[illegible]

SP-2-21 PRELIMINARY ELEVATIONS



EGG
DEVELOPMENT, LLC
3015 HOLLWOOD BLVD
HOLLWOOD, CA 91601
FRANCHISEE

21900 EAST QUINCY AVENUE
AURORA, CO 80013

KIDDIE ACADEMY
EDUCATIONAL CHILD CARE

KIDDIE ACADEMY
EDUCATIONAL CHILD CARE

HAROLD C. BAKER, AIA

EXTERIOR ELEVATIONS
RENDERING

SP-2-21 PLAN OF OPERATION



July 26, 2021

Johnston County
Planning & Zoning Department
86 W. Court St.
Franklin, IN 46131

RE: *Project Narrative (Plan of Operation)*
Kiddie Academy at Wakefield Commercial
Smith Valley Road and Morgantown Road
Parcel ID: 41-03-33-044-032.000-038

To whom it may concern:

EG3 Development, LLC, on behalf of the property owner Wakefield Associates, LLC, is proposing a new commercial project within Johnston County. The project will be constructed on an approximate 1.5 acre out-parcel located within Wakefield Commercial development, located at the northwest corner of the intersection of W. Smith Valley Rd. and S. Morgantown Rd. The property is currently zoned B-1 (Neighborhood Business) with a FLU of Neighborhood Commercial.

With the project, we are proposing to develop a child day care learning facility on the property, known as Kiddie Academy. The development will include an approx. 12,000-sf day care building with a 12,000-sf outside fenced playground area, along with associated driveways, parking and utility infrastructure.

The project will be designed to be in accordance with Johnston's County's criteria for FAR, open space, setbacks, building height, etc.

The child play area and building will be completely fenced (5-ft high decorative black aluminum around play area), with necessary pedestrian access gates for emergency egress. The play area will be sized in accordance with local licensing laws, based on the maximum child occupancy. The play area is constructed with pervious artificial turf and will contain playground equipment and shade areas.

Stormwater management for the entire property was previously designed, permitted, and constructed per the Wakefield Commercial Drainage Calculations.

Potable water service is to be provided by Bargersville Water, and wastewater service is to be provided by Greenwood Sanitation.

Parking and Child Drop-off/Pick-up

The child day cares child drop-off/pick-up operation consists of the parent parking and walking the child in & out of the facility in order to check-in/check-out with day care staff. Typical hours of operation are 6:00am – 7:00pm, with pick-up/drop-off hours from 6:30am – 6:30pm. Business days are Monday thru Friday only, as they are closed for weekends.

Drop off / Pick up Schedules of Children (per Kiddie Academy)

- Approximately 4-10 parent cars are projected during peak drop off (7:00 – 9:00 AM) in intervals of 10 minutes.
- Approximately 4-10 parent cars are projected during peak pick up (4:00 – 6:00 PM) in intervals of 10 minutes.
- System wide, approximately one-third (1/3) of children enrolled are two (2) sibling households.

Staff parking (per Kiddie Academy)

- A maximum of twenty (20) teachers and two (2) administrators (part time food service personnel and full time director) are planned to maintain staff/child ratios and management of the academy throughout the day. This equates to a total of twenty-two (22) staff members during peak child capacity.
- Approximately 15% of staff is dropped off at the academy, car-pools, or has another means of transportation to the academy (i.e. local mass transit, bicycle, ride sharing services (Uber/Lyft)).

Total Projected Parking (per Kiddie Academy)

- According to Kiddie Academy parking studies of similar existing facilities, the projected maximum total number of parent and staff cars for any period of time is twenty-two (22) parking spaces.

Per the County's Zoning Ordinance, parking for the proposed child day care facility requires:

- 1 parking space per employee, plus
- 1 parking space per 6 children

PARKING CALCULATION per Zoning Ordinance, Johnson County					
BUILDING	USE	REQUIREMENT	UNITS	REQUIRED SPACES	PROVIDED SPACES
1	CHILD DAY CARE	1 SPACE PER FULL TIME EMPLOYEE	12	12	43
		1 SPACE PER 6 CHILDREN	180	30	
PARKING SPACES				42	43

As shown on the submitted Preliminary Concept Plan, a total of 43 parking spaces are provided on the day care parcel (41 standard spaces, plus 2 ADA spaces). While 43 parking spaces are provided, this total is greater than what Kiddie Academy typically requires for a facility to operate safely and efficiently.

If you have any further questions, please do not hesitate to contact me at 407-427-1611 or by email at regan.olaughlin@kimley-horn.com

Sincerely,

Kimley-Horn and Associates, Inc.



Regan O'Laughlin