

STAFF REPORT

TO: Mayor J.B. Lawrence and the Blowing Rock Town Council

FROM: Kevin Rothrock, Planning Director

SUBJECT: CUP 2016-03 Sunny Side Day Care Center

APPLICANT: William and Amber Fairbetter

DATE: September 13, 2016

REQUEST

William and Amber Fairbetter are requesting a conditional use permit to convert a portion of the commercial building at 8100 Valley Blvd to a day care center. The day care center is being designed for occupancy for up to 30 children. The property is zoned GB, General Business and is located in the WS-IV-PA water supply watershed. The property is further identified by Watauga County PIN 2817-06-8485-000.

BACKGROUND

The Town Land Use Ordinance defines a *Day Care Center* as: "Any child care arrangement that provides day care on a regular basis for more than four hours per day for more than five children of pre-school age." Sunny Side Day Care has been providing child care for up to eight (8) children at 393 Skyland Drive since 2011 through a conditional use permit. The Applicant would like to move the day care from its current location to 8100 Valley Blvd beside Papa Joe's restaurant, and requests the expansion of the day care to allow up to 30 children.

PARKING

A total of twelve (12) spaces are required. The Land Use Code requires 1 parking space per employee plus 1 space per 200 sq ft of gross floor area. There will be up to four (4) employees which requires four (4) full time spaces and 1,650 square feet of day care space requiring an additional eight (8) parking spaces, including one (1) handicap space. The parking for drop-off and pick-up is temporary, but must be available on site. The one (1) van-accessible handicap parking space is provided along the north side of the building with direct access to a ramp at the front door entry. Other parking spaces on site will be regraded with new gravel and located at the side and rear of the property. These spaces were once used for the subject building use and also used for overflow parking at Papa Joe's.

OTHER SITE CONSIDERATIONS

A playground area will be fenced and secured behind the building. This area must provide at least 75 square feet per child for recreation use. The fencing for the playground area may not be chain link or wire.

There are additional NC State Building Code requirements that have to be satisfied for day care operations. Those items include: plumbing modifications, electrical changes, access ramps, and additional smoke detectors.

PLANNING BOARD RECOMMENDATION

At the August 18, 2016 meeting, the Planning Board recommended approval of the CUP as submitted.

ATTACHMENTS

1. Draft CUP
2. Site plan
3. Aerial map of subject property
4. Photo of building frontage

NORTH CAROLINA

WATAUGA COUNTY

TOWN OF BLOWING ROCK CONDITIONAL USE PERMIT
Sunny Side Home Day Care
CUP No. 2016-03

On the date listed below the Town Council of the Town of Blowing Rock met and held a public hearing to consider the following application:

Applicant: William and Amber Fairbetter

Project Name: Sunny Side Day Care Center

Property Location: 8100 Valley Blvd

Tax Parcel Nos.: 2817-06-8485-000

Property Owners of Record: Douglas Icenhour

Proposed Use of Property: Day Care for up to Thirty (30) Pre-school Age Children

Current Zoning Classification of Property: GB, General Business

Meeting Date: September 13, 2016

Having heard all of the evidence and arguments presented at the above-referenced hearing, the Blowing Rock Town Council finds that the application complies with all applicable requirements of the Code of Ordinances of the Town of Blowing Rock, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable conditions of the Land Use Code and the following additional conditions:

1. The Applicant shall complete the development of the subject property in accordance with the site plans submitted and approved by the Council, except as amended by the following conditions. Where said plans are in conflict with the provisions of the Land Use Code, the provisions of the Land Use Code shall prevail, except as specifically provided herein. Copies of said plans are made a part hereof as if fully rewritten herein, and shall be maintained in the Conditional Use Permit file in the Town Clerk's office. Any deviations from or changes in the plans must be pointed out to the Administrator in writing and specific written approval must be obtained as provided in the Blowing Rock Land Use Code.
2. The Applicant is hereby permitted to provide day care services to no more than thirty (30) children.
3. All signage shall conform to the Land Use Ordinance.
4. The day care operation shall have and maintain a minimum of twelve (12) parking spaces on site, including one (1) van-accessible ADA space. Four (4) employee spaces must be reserved during business hours.

5. The paved area in front of the building may be used for drop-off or pick-up but no parking shall be allowed in the ADA access area from the building to the ADA space.

6. The existing vegetation shall serve as the required screening for the day care. Additional landscape improvements are required at the building front entrance and a plan must be submitted for review and approval of the Planning Director. All landscape improvements must be installed before a Certificate of Occupancy will be issued. The Applicant shall be responsible for the perpetual maintenance of all trees, plants and landscaping on the leased portion of the subject property. Any dead, unhealthy, or missing vegetation, or any vegetation disfigured by severe pruning, shall be replaced with new vegetation by the Applicant.

7. The area behind the building must be fenced for the playground area and any equipment must meet any applicable state requirements. No chain link or wire fence shall be allowed.

8. Failure to comply with any provision herein shall subject the Applicant to forfeiture of the Permit and a stop work order on any further construction.

9. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this Permit shall be void and of no effect.

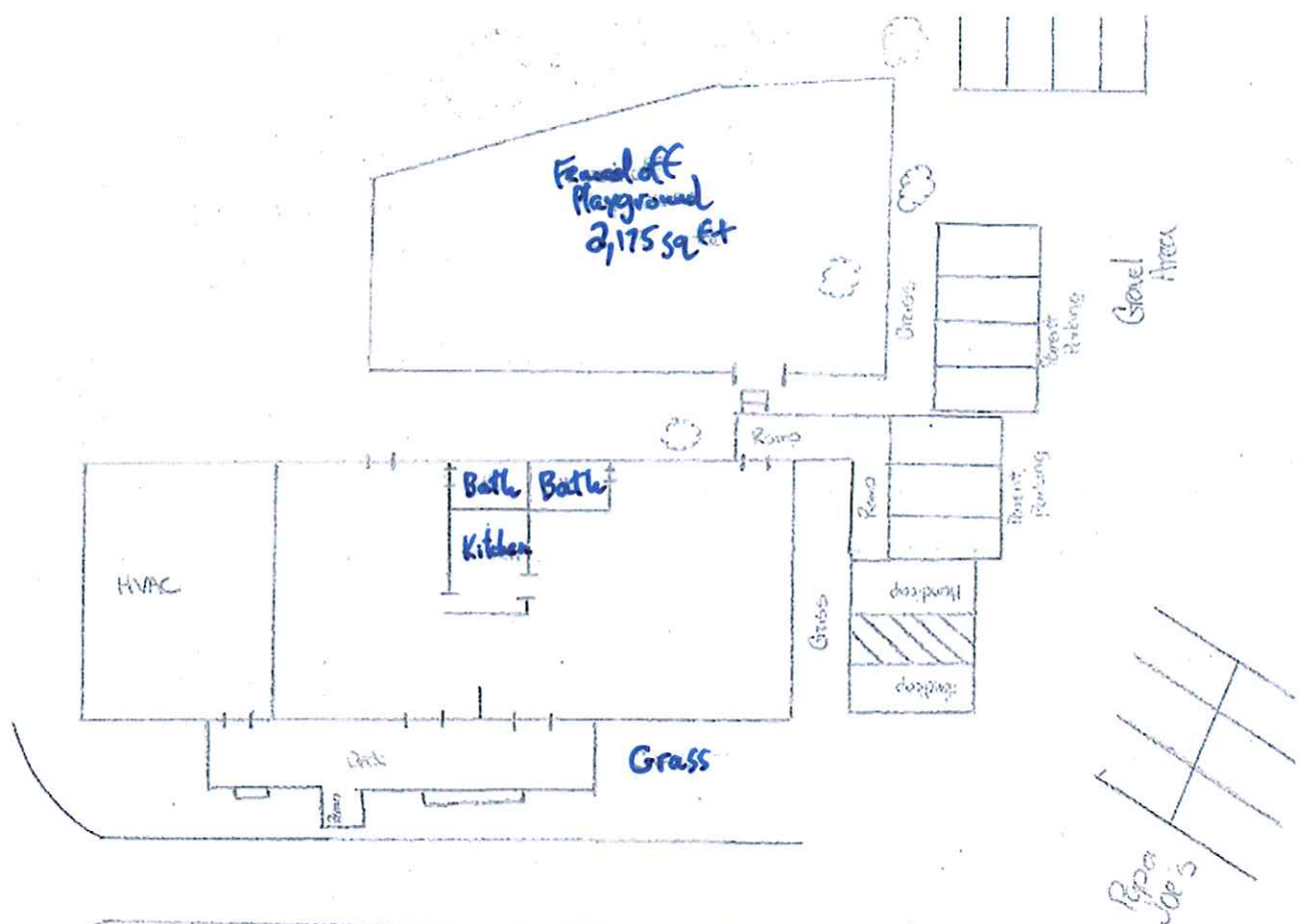
IN WITNESS WHEREOF, the Town of Blowing Rock has caused this Permit to be issued in its name and the undersigned being property owner(s) and/or agent(s) of the property owner(s) does hereby accept this Conditional Use Permit, together with all of its conditions as binding upon them and their successors in interest.

TOWN OF BLOWING ROCK

By: _____
J.B. Lawrence, Mayor

ATTEST: _____
Hilari H. Hubner, Town Clerk

(CORPORATE SEAL)



SITE PLAN
 SUNNY SIDE DAY CARE CENTER



Sunny Side Day Care Center
8100 Valley Blvd



Sunny Side Daycare Center