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ORDINANCE NO. O-1314-29

ITEM NO. 9

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Thomas J. Rose
REQUESTED ACTION	Special Use for a Private School/Early Education Center and Day Care
EXISTING ZONING	I-1, Light Industrial District
SURROUNDING ZONING	North: I-1, Light Industrial District East: I-1, Light Industrial District South: I-1, Light Industrial District West: I-1, Light Industrial District
LOCATION	2795 Broce Drive
SIZE	0.71 acres
PURPOSE	Early Education Center and Daycare
EXISTING LAND USE	Office, Private Music Education Center
SURROUNDING LAND USE	North: Office/Warehouse East: Office/ Warehouse South: Music Education Center West: Office/ Warehouse
LAND USE PLAN DESIGNATION	Industrial

**SYNOPSIS:** The applicant, Bright Start Early Education Center, has submitted a rezoning application to rezone Lot 4, Block 2 in Broce Industrial Park, Section 2 from I-1, Light Industrial District to I-1, Light Industrial District with Special Use for a private school.

**ANALYSIS:** The applicants have submitted this application to allow for the use of a "private school and day care" in an area zoned I-1, Light Industrial District. The current zoning, I-1, Light Industrial District will not allow the establishment of a school without Special Use Zoning in place and a day care is not an allowed use under any circumstances. The site currently has two buildings. The front building is 6,000 square feet which will be the site for Bright Start. The rear building is 5,000 square feet and is currently occupied by Norman Music Institute. Norman

Music Institute offers general music lessons and also holds small concerts and events at their facility. Norman Music Institute has a lease on their building for the next five years.

Bright Start's building has the capacity for 100-120 children which will range from infant to pre-school age children. Bright Start offers before and after school care for elementary school children, as well as transportation to and from the school site. The facility will operate from 6:30 a.m. to 6:00 p.m., Monday through Friday with various drop off and pick up times. This facility will differ from the traditional public schools as not all children will be dropped off or picked up at the same time and as stated by the applicant the facility does have vehicles that will deliver kids to school as well as pick them up from the school at the end of the day, returning them to the Bright Start site. Per the Zoning Ordinance definition of a "child care center" Bright Start accurately fits the definition. A "child care center" is defined as "any place, home or institution which receives more than seven children under 18 years of age" constitutes a child care center. Bright Start offers summer camps, field trips and outdoor physical activities. There will be eight to ten employees for the facility.

#### **ALTERNATIVES/ISSUES:**

- **IMPACTS** With an occupancy of 100 - 120 infants and school age children it is realistic to say there will be traffic impacts at different times of the day.
- **PARKING** The site as designed has twenty-two parking spaces. The site for Norman Music Institute is considered as a professional use and depending on the usable area within the building could require approximately sixteen parking spaces. However, staff does not have the calculations for the Music Institute facility. The Bright Start facility will require at a minimum eight to ten parking spaces for the eight to ten employees on-site. This could leave at best four to six parking spaces for drop off and pick up of the children.

#### **OTHER AGENCY COMMENTS:**

- **PARK BOARD** Parkland dedication is not required for this application.
- **PUBLIC WORKS** Public improvements are not required as part of this application. However, there is concern with the location of the dumpster so close to the playground area.

#### **STAFF RECOMMENDATION:**

This applicant does have a pre-school/pre-kindergarten class taught by a Norman Public School (NPS) teacher. However, staff is working under the concept that this facility is a day care as this facility cares for approximately sixty-one infants through three year olds, up to pre-school age children and has drop-off and pick-up from school, a service typically provided by a day care facility. Staff does not dispute the credibility of this facility but does the location. This is an industrial area that has a good deal of traffic generated daily from deliveries and workers coming and going. The applicant noted in their application packet that there are other "child oriented businesses" in the area. The applicant listed Bart Conner, Massey's Dance Star, Shock Cheer, Norman Music Institute and Explosive Athletics. While all of these businesses are within the area, they are businesses that typically work after 5 and are not in the day care business or an educational facility approved by the laws of Oklahoma and regulated by the State Department of Education. Community Christian School and their new high school are also noted on the applicant's submittal. The original Community Christian School was in place prior to the requirement of "special use

requirements" in industrially zoned areas. The new Community Christian High School received Special Use approval on July 24, 2012. As previously stated, staff does not dispute the quality or business practices of this facility, however, staff can not support the location of a child care center in an industrially zoned area because it is not an allowed use. With the number of children this facility cares for, the summer programs, after school care and transportation service, this facility does not meet the test for what is generally considered a school, which would allow its location as a special use in an industrially zoned area. Staff recommends denial of Ordinance No. O-1314-29.