

CASE NUMBER:

SPC-2010-0008A

COMMISSION DATE: April 27, 2010

PROJECT NAME:

Two Steps Ahead Day Care

ADDRESS OF APPLICATION: 3028 Rogge Lane

SITE AREA:

43,423 sq. ft.

WATERSHED:

Fort Branch (Urban)

APPLICANT:

Belinda Shead 5704 Sandhurst Austin, TX 78723

AGENT:

Weiss Architecture Inc (Richard Weiss)

2111 Travis Heights Blvd.

Austin, TX 78704

PROPOSED DEVELOPMENT:

The applicant is requesting approval of a conditional use permit for Day Care Services (Commercial) in a SF-3-NP zoning district. Day Care Services (Commercial) use is the use of a site for the provision of daytime care for more than 20 persons. The applicant is proposing to care for a maximum of 40 children (with 4 employees).

The applicant is requesting a variance from Land Development Code section 25-2-1067(F) from a 50' setback for an outdoor play area to a 23' setback.

The applicant is requesting approval of a variance from Land Development Code Section 25-2-1067(H) from a 21' setback to a 5' setback to increase the width of the existing driveway to meet minimum fire lane requirements.

The existing building is to be utilized. No new construction is proposed with this site plan. This site meets all other requirements.

EXISTING ZONING: SF-3-NP – Family Residence

NEIGHBORHOOD PLANNING AREA: East MLK Combined NPA (Pecan Springs-Springdale)

NEIGHBORHOOD ORGNIZATIONS:

60—Pecan Springs—Springdale Neighborhood Assn.

511—Austin Neighborhoods Council

686—East MLK Neighborhood Combined COA Liaison

786—Home Builders Association of Greater Austin

972—PODER People Organized in Defense of Earth & Her Resources

981—Anberly Airport Association

1037—Homeless Neighborhood Assn.

1075—League of Bicycling Voters

1094—Sweeney Farms Neighborhood Association

1097—Windsor Park—Pecan Springs Heritage Neighborhood Association

1113—Austin Parks Foundation

1197—East MLK Combined Neighborhood Contact Team

1200—Super Duper Neighborhood Objectors and Appealers Organization

1228—Sierra Club, Austin Regional Group

1213—East MLK Combined Neighborhood Association

1224—Austin Monorail Project

1236—The Real Estate Council of Austin, Inc.

C.I.P. STATUS: Not applicable

T.I.A.: Not Required

APPLICABLE WATERSHED ORDINANCE: Comprehensive Watershed Ordinance

CAPITOL VIEW: Not applicable

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit to allow Day Care Services (Commercial) use, which allows the provision of daytime care for more than 20 persons. The site is subject to compliance with all other applicable ordinance requirements.

Staff recommends approval of the compatibility setback variances for the playground to provide an outdoor play area and for the driveway setback to comply with minimum fire land width.

DEPARTMENT COMMENTS: The applicant is requesting approval of a conditional use permit for a day care facility (Day Care Services – Commercial) in a SF-3 zoning district. The applicant is proposing to care for a maximum of 40 children (with 4 employees). Neighborhood-based day care is a civic use, which is compatible for this district.

The day care will utilize an existing building, and no additional construction is proposed with this site plan. The proposed day care is located on Rogge Lane, between Manor and Springdale. It is bounded by single family development. The playground is twenty-three feet from the adjacent property.

PLANNING COMMISSION ACTION:

CASE MANAGER: Donna Galati Telephone: 974-2733

Donna.Galati@ci.austin.tx.us

PROJECT INFORMATION:

LEGAL DESCRIPTION: ABS 258 SUR 26 Eldridge Tract Acr 1.00

EXIST. ZONING: SF-3-NP

MAX. BLDG. CVRG ALLOWED: 40% EXISTING BLDG. CVRG: 2,147 sq. ft. (5%)

MAX. IMP. CVRG: 45% PROPOSED IMP. CVRG: 9,800 sq. ft.

(22.5%)

MAX HEIGHT ALLOWED: 35' EXISTING HEIGHT: 32 (1 story)

REQUIRED PARKING: 4 PROVIDED PARKING: 4

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SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting approval of a conditional use permit for Day Care Services (Commercial) in a SF-3-NP zoning district. Day Care Services (Commercial) use is the use of a site for the provision of daytime care for more than 20 persons. The applicant is proposing to care for a maximum of 40 children (with 4 employees).

The applicant is requesting a variance from Land Development Code section 25-2-1067(F) from a 50' setback for an outdoor play area to a 23' setback.

The applicant is requesting approval of a variance from Land Development Code Section 25-2-1067(H) from a 21' setback to a 5' setback to increase the width of the existing driveway to meet minimum fire lane requirements.

The existing building is to be utilized. No new construction is proposed with this site plan. This site meets all other requirements.

Transportation: The site fronts on Rogge Lane. The site plan complies with all transportation requirements.

Environmental: This site is located in the Fort Branch watershed and subject to Urban Watershed regulations. All Environmental comments have been cleared.

SURROUNDING CONDITIONS:

Zoning/ Land Use

North: SF-3-NP (single family)
East: SF-3-NP (single family)

South: Rogge Lane, then SF-2-NP (single family)

West: SF-3-NP (single family)

Street
Rogge LaneR.O.W.
52'Surfacing
40'Classification
Collector

SPC-2010-0008A

Two Steps Ahead Day Care



CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Planning Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section." A conditional use site plan must:

1. Comply with the requirements of this title:

Staff Response: The site plan will comply with all regulations and requirements of the Land Development Code.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The SF-3 zoning district is intended for moderate-density residential development and development densities compatible with residential development including civic uses, such as day care. This site plan complies with all development regulations of the SF-3 zoning district, including height, impervious cover, and building cover. The Conditional Use Permit is requested to allow day care (commercial), which allows for care of more than 20 children.

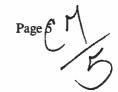
A variance is requested and supported by staff for compatibility setback variances for the open play area and for an increase to the width of the existing driveway to comply with minimum fire lane requirements.

- 3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site; Staff Response: The proposed development complies with the site development regulations of the SF-3 zoning district. The Conditional Use Permit is requested to allow the operation a day care (commercial) in SF-3 zoning district. Neighborhood-based day care is a civic use, which is compatible for this district.
- 4. Provide adequate and convenient off-street parking and loading facilities; and Staff Response: the site plan complies with off-street parking and loading facility requirements.
- 5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

Staff Response: The site plan will comply with all requirements of the Land Development Code and reasonably protects the health, safety, and welfare of persons and property.

6. For a conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.

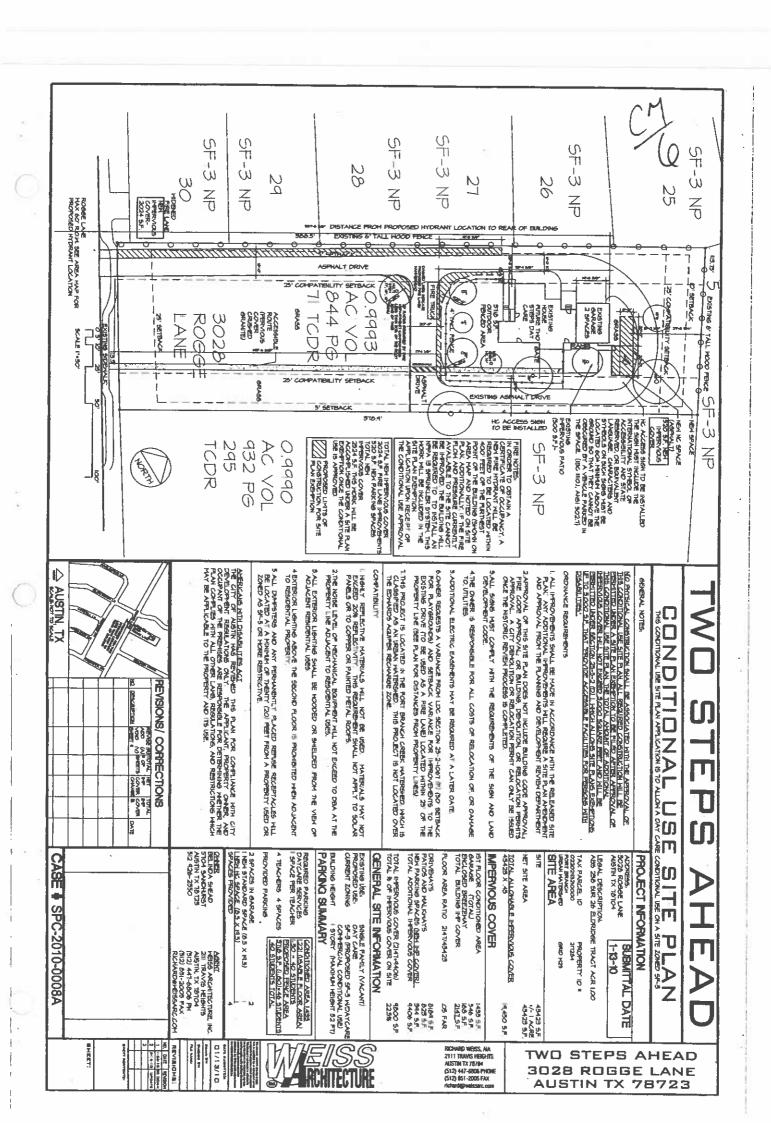
Staff response: The proposed project is not in the East Austin Overlay. The proposed use meets the requirements of the East MLK combined neighborhood plan.

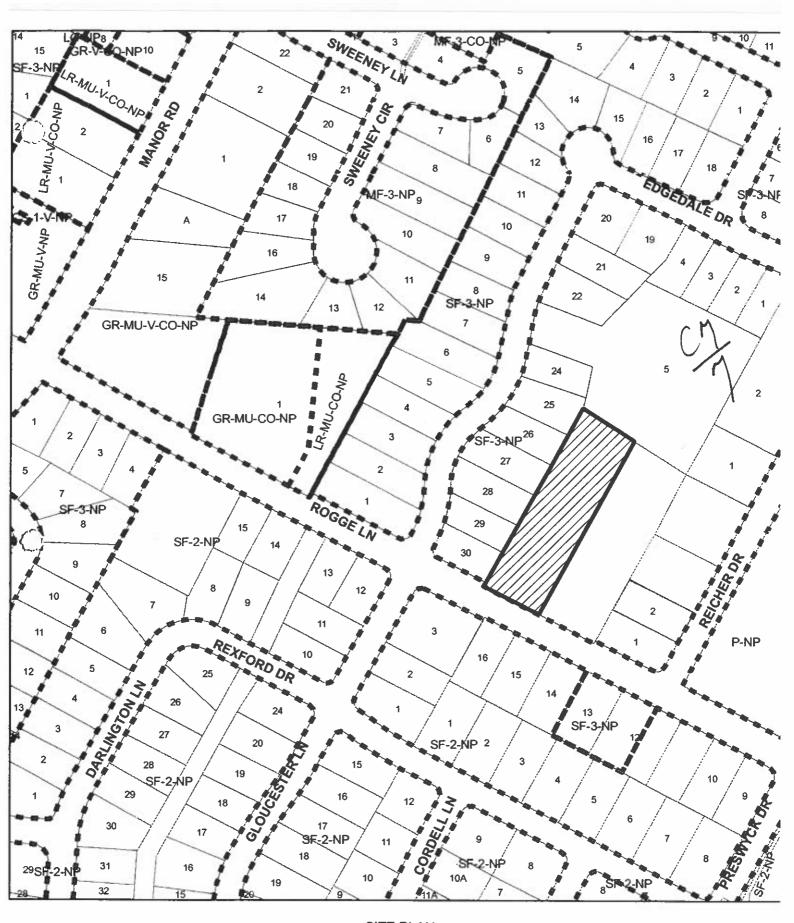


In addition, a conditional use site plan may not:

- 7. More adversely affect an adjoining site than would a permitted use;
 Staff Response: The proposed site plan complies with all development regulations of the SF-3 zoning district. Neighborhood-based day care is a civic use, which is compatible for this district.
- 8. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or Staff Response: The site plan will not adversely affect the safety and convenience or vehicular and pedestrian circulation in the vicinity.
- 9. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.

Staff Response: All signs will comply with the requirements of the Land Development Code. Compatibility notes on the plans regulate lighting, and the applicant will demonstrate compliance with lighting requirements prior to release of the site plan. Any proposed signage will comply with the requirements of the Sign and Land Development Code.









OPERATOR: Donna Galati

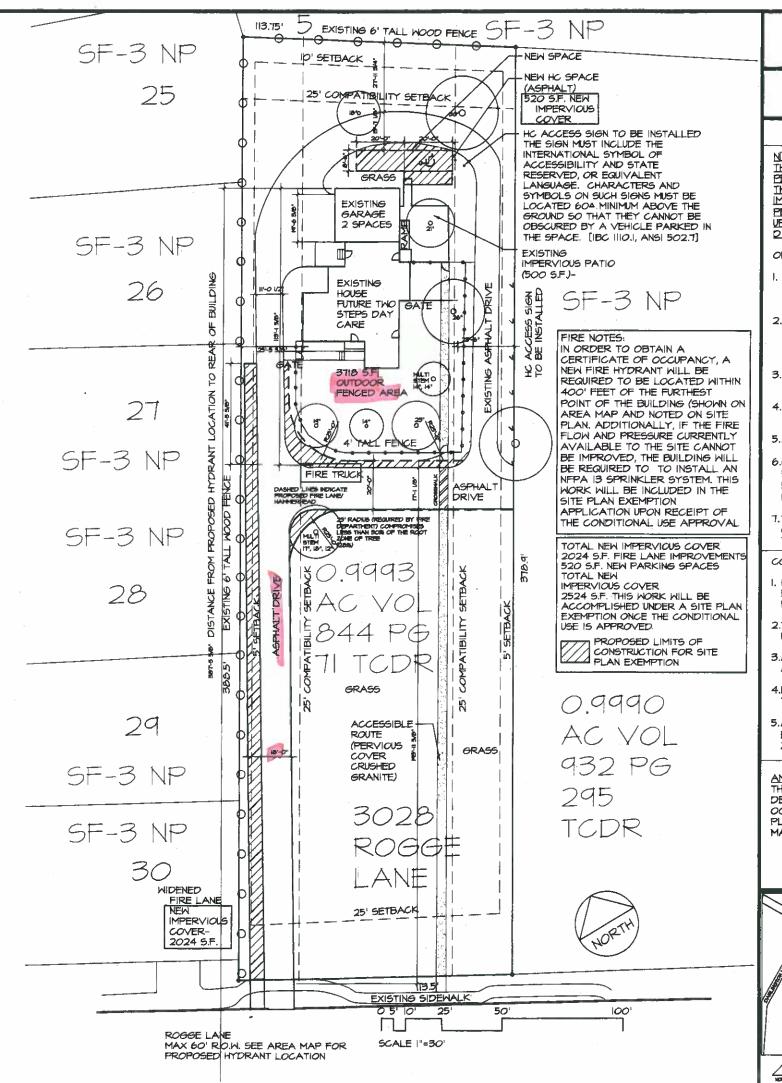
SITE PLAN

CASE#: SPC-2010-0008A ADDRESS: 3028 Rogge

CASE NAME: Two Steps Ahead Day Care

MANAGER: Donna Galati





STEPS AHE

USE

THIS CONDITIONAL USE SITE PLAN APPLICATION IS TO ALLOW A DAY CARE CONDITIONAL USE ON A SITE ZONED SF-3

GENERAL NOTES

NO PHYSICAL CONSTRUCTION SHALL BE ASSOCIATED WITH THE APPROVAL OF THIS CONDITIONAL USE SITE PLAN, ALL REQUIRED CONSTRUCTION WILL BE PERMITTED UNDER A SITE PLAN EXEMPTION TO BE FILED AFTER APPROVAL OF THIS CONDITIONAL USE SITE PLAN. THE TOTAL AMOUNT OF ADDITIONAL IMPERVIOUS COVER WILL NOT EXCEED 3,000 SQUARE FEET AND WILL BE PERMITTED UNDER SECTION 25-5-2 (D) I. WHICH ALLOWS SITE PLANS EXEMPTIONS UP TO 3,000 S.F. THAT "PROVIDE ACCESSIBLE FACILITIES FOR PERSONS WITH DISABILITIES".

ORDINANCE REQUIREMENTS

- ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE RELEASED SITE PLAN. ANY ADDITIONAL IMPROVEMENTS WILL REQUIRE A SITE PLAN AMENDMENT AND APPROVAL FROM THE PLANNING AND DEVELOPMENT REVIEW DEPARTMENT
- 2.APPROVAL OF THIS SITE PLAN DOES NOT INCLUDE BUILDING CODE APPROVAL; FIRE CODE APPROVAL: OR BUILDING, DEMOLITION, OR RELOCATION PERMITS APPROVAL. A CITY DEMOLITION OR RELOCATION PERMIT CAN ONLY BE ISSUED ONCE THE HISTORIC REVIEW PROCESS IS COMPLETED.
- 3.ALL SIGNS MUST COMPLY WITH THE REQUIREMENTS OF THE SIGN AND LAND DEVELOPMENT CODE.
- 4.THE OWNER IS RESPONSIBLE FOR ALL COSTS OF RELOCATION OF, OR DAMAGE TO UTILITIES.
- 5, ADDITIONAL ELECTRIC EASEMENTS MAY BE REQUIRED AT A LATER DATE.
- 6.0WNER REQUESTS A VARIANCE FROM LDC SECTION 25-2-1067 (F) (50' SETBACK FOR PLAYGROUNDS) AND SETBACK VARIANCE FOR IMPROVEMENTS TO THE EXISTING DRIVE (TO BE USED AS A FIRE LANE) LOCATED WITHIN 25' OF THE PROPERTY LINE (SEE PLAN FOR DISTANCES FROM PROPERTY LINES)
- TITHIS PROJECT IS LOCATED IN THE FORT BRANCH CREEK WATERSHED, WHICH IS CLASSIFIED AS AN URBAN WATERSHED. THIS PROJECT IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.

COMPATIBILITY

- HIGHLY REFLECTIVE MATERIALS WILL NOT BE USED. MATERIALS MAY NOT EXCEED 20% REFLECTIVITY. THIS REQUIREMENT SHALL NOT APPLY TO SOLAR PANELS OR TO COPPER OR PAINTED METAL ROOFS.
- 2.THE NOISE LEVEL OF MECHANICAL EQUIPMENT WILL NOT EXCEED TO DBA AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL USES.
- 3.ALL EXTERIOR LIGHTING SHALL BE HOODED OR SHIELDED FROM THE VIEW OF ADJACENT RESIDENTIAL USES.
- 4.EXTERIOR LIGHTING ABOVE THE SECOND FLOOR IS PROHIBITED WHEN ADJACENT TO RESIDENTIAL PROPERTY.
- 5.ALL DUMPSTERS AND ANY PERMANENTLY PLACED REPUSE RECEPTACLES WILL BE LOCATED AT A MINIMUM OF TWENTY (20) FEET FROM A PROPERTY USED OR ZONED AS SF-5 OR MORE RESTRICTIVE.

AMERICANS WITH DISABILITIES ACT.
THE CITY OF AUSTIN HAS REVIEWED THIS PLAN FOR COMPLIANCE WITH CITY DEVELOPMENT REGULATIONS ONLY. THE APPLICANT, PROPERTY OWNER, AND OCCUPANT OF THE PREMISES ARE RESPONSIBLE FOR DETERMINING WHETHER THE PLAN COMPLIES WITH ALL OTHER LAWS, REGULATIONS, AND RESTRICTIONS WHICH MAY BE APPLICABLE TO THE PROPERTY AND ITS USE.

PROJECT INFORMATION

ADDRESSI 3028 ROSSE LANE AUSTIN TX 78704

SUBMITTAL DA 1-13-10

434

+/- 1

434

19,45

.05

8180

823

394

LEGAL DESCRIPTION: ABS 258 SUR 26 ELDRIDGE TRACT ACR 1.00

TAX PARCEL ID 02202||52|0000 FORT BRANCH URBAN WATERSHED

NET SITE AREA

PROPERTY ID #

GRID M25 SITE AREA

TOTAL ALLOWABLE IMPERVIOUS COVER 43423 X .45

IMPERVIOUS COVER

1433 IST FLOOR CONDITIONED AREA 546 GARAGE (TOTAL) 168 ENCLOSED BREEZEWAY TOTAL BUILDING IMP COVER 2147

FLOOR AREA RATIO 2147/43423

DRIVEWAYS PATIOS AND WALKWAYS NEW PARKING SPACES (NEW IMP COVER) TOTAL ADDITIONAL IMPERVIOUS COVER

TOTAL IMPERVIOUS COVER (2147+9406) TOTAL % OF IMPERVIOUS COVER ON SITE

GENERAL SITE INFORMATION

EXISTING USE: PROPOSED USE: CURRENT ZONING

SINGLE FAMILY (VACANT) DAY CARE SF-3 (PROPOSED SF-3 W/DA

BUILDING HEIGHT

COMMERCIAL CONDITIONAL I I STORY (MAXIMUM HEIGHT !

PARKING SUMMARY

REQUIRED PARKING DAYCARE SERVICES SPACE PER TEACHER

TEACHERS 4 SPACES

:30 = 40 STUDENTS PROPOSED FENCE AREA 3718 S.F. (1:80)=46 STUD 40 STUDENTS TOTAL

CONDITIONED AREA 1.43

221 (USABLE FLOOR AF

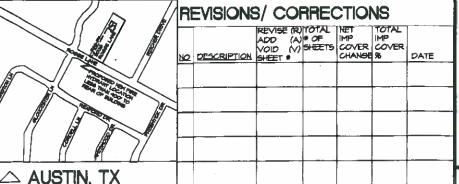
PROVIDED PARKING

2 SPACES IN GARAGE NEW STANDARD SPACE (8.5 X 19.5)

NEW HC SPACE (8.5 X 19.5) SPACES PROVIDED

BELINDA SHEAD 5704 SANDHURST AUSTIN TX 78723 512 926-2350

<u>AGENT</u> WEISS ARCHITECTUR 2111 TRAVIS HEIGHTS **AUSTIN, TX 78704** (512) 447-6806 PH (512) 851-2005 FAX RICHARDOWEISSARC





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