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**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT (CUP) REVIEW SHEET**

CASE NUMBER: SPC-2019-0001A **COMMISSION DATE:** June 25, 2013

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)
1905 Cetona Ct
Austin, TX 78746

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 84 children (with 6 employees).

The applicant is requesting a variance from Land Development Code section 25-2-1067(G) from a 25' setback for a parking facility to an 8' setback.

The existing building is to be utilized. No new construction is proposed with this site plan. If a CUP is approved, another site plan will be submitted to permit an additional 1,787 sq. ft. building. This site meets all other requirements.

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 parking facility to provide adequate parking for the additional necessary teachers.

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 84 children (with 6 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. If a CUP is approved, another site plan will be submitted to permit an additional

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1,787sq ft building. The proposed day care is located on Rogge Lane, between Manor and Springdale. It is bounded by single family development. The parking facility is eight feet from the adjacent property.

PLANNING COMMISSION ACTION:

Approved a 40 kid CUP

Planning Commission approved a variance from Land Development Code Section 25-2-1067(F) from a 50' set back to a 23' setback to allow for an outdoor play area.

Planning Commission approved 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.

CASE MANAGER: Amanda Couch
Amanda.couch@austintexas.gov

Telephone: 512-974-2881

EXISTING ZONING: SF-3-NP –Family Residence

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

C.I.P. STATUS: Not applicable

T.I.A.: Not Required

APPLICABLE WATERSHED ORDINANCE: Comprehensive Watershed Ordinance

CAPITOL VIEW: Not applicable

PROJECT INFORMATION:

LEGAL DESCRIPTION: ABS 258 SUR 26 Eldridge Tract Acr 1.00

EXIST. ZONING: SF-3-NP

MAX. BLDG. CVRG ALLOWED: 40%

MAX. IMP. CVRG: 45%

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

PROPOSED IMP. CVRG: 13,660 sq. ft.
(31.4%)

MAX HEIGHT ALLOWED: 35'

REQUIRED PARKING: 6

EXISTING HEIGHT: 32 (1 story)

PROVIDED PARKING: 6

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 84 children (with 6 employees).

The applicant is requesting a variance from Land Development Code section 25-2-1067(G) from a 25' setback for a parking facility to an 8' setback.

The existing building is to be utilized. No new construction is proposed with this site plan. If a CUP is approved, another site plan will be submitted to permit an additional 1,787 sq. ft. building. This site meets all other requirements.

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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)

| <u>Street</u> | <u>R.O.W.</u> | <u>Surfacing</u> | <u>Classification</u> |
|---------------|---------------|------------------|-----------------------|
| Rogge Lane | 52' | 40' | Collector |

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.

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 parking area..

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.

In addition, a conditional use site plan may not:

6. 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.

7. 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.

8. Adversely affect an adjacent property or traffic control through the location, lighting,

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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.

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City of Austin

Development Review and Inspection Department

One Texas Center

505 Barton Springs Road

Austin, TX 78704

To Whom It May Concern,

I am the owner of 3030 Rogge Lane. My sister owns the adjacent property and we both work at Two Steps Ahead Day Care, on the adjacent property. Because we are related, I do not wish to trigger Compatlbility on the adjacent property for purpose of the conditional use site plan. The only Constructions being added within the setback are two new parking spaces aligned with a driveway that already exits.

Thanks you

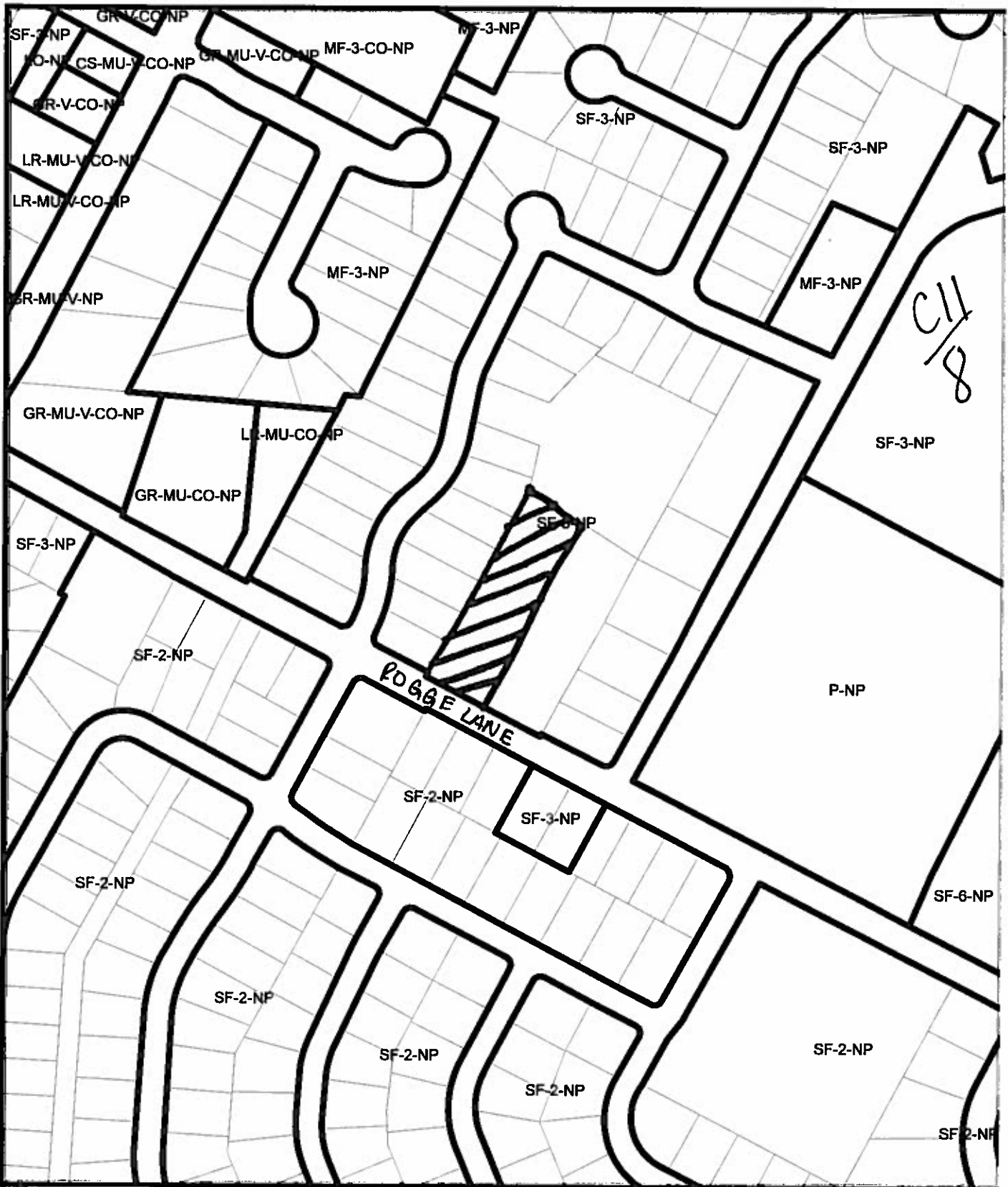
Melinda Ann Burse

Melinda A. Burse

3030 Rogge

Austin TX 78723

[Faint signature]



1 inch = 250 feet

Case Number: SPC-2013-0001A
Project Name: Two Steps Ahead Day Care
Case Manager: Amanda Couch (974-2881)

Jun 19, 2013

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