

**PLANNING COMMISSION
CONDITIONAL USE PERMIT
SITE PLAN REVIEW SHEET**

CASE NUMBER: SPC-2017-0011A

PLANNING COMMISSION DATE: August 22, 2017

PROJECT NAME: Little Tiger Chinese Immersion School/Chinese with Meggie

ADDRESS: 5111 Eilers Avenue

WATERSHEDS: Boggy Creek (Urban)

AREA: 6250 square feet (.143 acres)

EXISTING ZONING: SF-3-NP

OWNER: Green OSA LLC (Michael Osborne)
708 E. 51st S
Austin, TX 78751

APPLICANT: Vincent Gerard & Associates
1715 s. Capital of Texas Hwy, Suite 207
Austin, TX 78746

CASE MANAGER: Nikki Hoelter
E-MAIL: nikki.hoelter@austintexas.gov

PHONE: 974-2863

DESCRIPTION OF PROJECT:

The applicant is requesting approval of a conditional use permit for Day Care Services (Commercial) and private primary educational facility 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. This use includes nursery schools, preschools, day care centers for children or adults, and similar uses, and excludes public and private primary or secondary educational facilities. However the applicant is also requesting the approval of private primary educational facility. With the approval of this conditional use site plan, it would a permit both land uses. The applicant is proposing to care for a maximum of 20 children (with 2 employees). The site will include an open area, parking and sidewalks, on .143 acres.

The conditional use permit will allow the change of use from the existing 1430 square foot single family residence and garage to a 1587 square foot day care use and private primary school.

No construction will occur with this permit.

An exemption will be reviewed and approved separately to permit construction of the 157 square

foot addition to the garage, construction of parking and the sidewalk improvements. The addition is shown in the current table on the plan because the exemption will be approved prior to or soon after the commission approves this request for a conditional use permit. This is the typical process for a land use plan.

STAFF RECOMMENDATION:

Staff recommends approval of the conditional use site plan, it meets all code requirements. The proposed project is not requesting any waivers or variances with this conditional use site plan.

SUMMARY COMMENTS ON SITE PLAN:

The site is being converted from a single family residence to a day care and private school. The owner will have both uses within the site, but they will not be separated by location within the building.

Compatibility standards are triggered along all property lines, but the north and south property lines were greatly affected. The site received a variance from the Board of Adjustment on June 12, 2017, to allow a drive and building to encroach into the compatibility setbacks. In addition the site received a variance from the BOA, to allow for a private school to be located on a street with 30 feet of pavement width, which is a reduction from 40 feet. This variance was also granted on June 12, 2017. Therefore the plan complies with code requirements.

The south property line is shared with a church, which has SF-3 zoning. The zoning district or land use trigger compatibility standards. The north property line abuts a single family home, with SF-3 zoning. A six foot decorative fence is provided along the north and south property lines.

The site will have no more than 20 children and 2 employees. Parking will be provided on site, with drop off and pick up to occur on-street on Eilers Street. Three parking spaces will be provided on site.

Vehicular access will be from Eilers Street and the alley on the east side of the property. A four foot sidewalk is proposed along Eilers Street.

NEIGHBORHOOD PLAN: North Loop Neighborhood Plan

BOARD AND COMMISSION ACTIONS: Board of Adjustment - June 12, 2017

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Independent School District
Austin Neighborhoods Council
Real Estate Council of Austin, Inc
SEL Texas
Sierra Club, Austin Regional Group
Sustainable Neighborhoods
Bike Austin
Homeless Neighborhood Association
Austin Northwest Association
Georgian Acres Neighborhood Association
North Lamar Combined Neighborhood Plan Contact Team
Friends of Austin Neighborhoods

North Growth Corridor Alliance

PROJECT INFORMATION

GROSS SITE AREA	.143 acres		
EXISTING ZONING	SF-3-NP		
WATERSHED	Boggy Creek		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance(Urban)		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	N/A		
PROPOSED ACCESS	Eilers Street and rear alley		
	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	N/A		
BUILDING COVERAGE		22.9%	25%
IMPERVIOUS COVERAGE		29.6%.	44%
PARKING		2	2 regular spaces 1 handicap

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single family residence
<i>North</i>	SF-3-NP	Single family residence
<i>South</i>	SF-3-NP	Church
<i>East</i>	SF-3-NP	Single family residence
<i>West</i>	SF-3-NP	Single family residence

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

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 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: This application complies with the requirements of this title.
2. **Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district. 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 and private school.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that are compatible with the use of an abutting site;** Staff response: This application is compatible with the abutting sites because the existing residential home will be used for the day care, and the building locations will not be changing. The project received a BOA variance to allow the uses on this site. The Conditional Use Permit is requested to allow day care (commercial) and private primary school
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: Parking for the employees will be provided on site. On-street parking will be for the parents dropping and picking up children, and will not be for an extended amount of time. Loading facility requirements are specifically for package deliveries and are not triggered with the size of the proposed use.
5. **Reasonably protect persons and property from erosion, flood, fire, noises, 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.

A Conditional Use Site Plan May Not:

1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform to all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: A daycare and private primary school uses only require parking be provided for employees on site.
3. **Adversely affects an adjacent property or traffic control through the location, lighting,**

or type of signs; Staff response: Any proposed signage will comply with the requirements of the Land Development Code sign regulations.

North Loop Neighborhood Association | P.O. Box 4873, Austin, Texas 78765

July 15, 2017

City of Austin
Planning Commission
Austin City Hall
301 W. 2nd Street
Austin, Texas 78701

Re: Support for Conditional Use Permit

Commissioners:

I write today on behalf of the North Loop (formerly Northfield) Neighborhood Association (the "Neighborhood Association"). Please be advised that in our July meeting, the Neighborhood Association unanimously voted to support Mike Osborne's and Meggie Chou's request for a Conditional Use Permit for 5111 Eilers Avenue.

Mike diligently presented his Conditional Use Site Plan to the Neighborhood Association in our June meeting and attended the July meeting to provide an update as to his progress and to seek a formal vote of support for his request. In both meetings, Mike answered a number of questions about his and Meggie's planned use for the property at 5111 Eilers Avenue. After these presentations, I am pleased to report that the Neighborhood Association unanimously voted to support Mike and Meggie in their request.

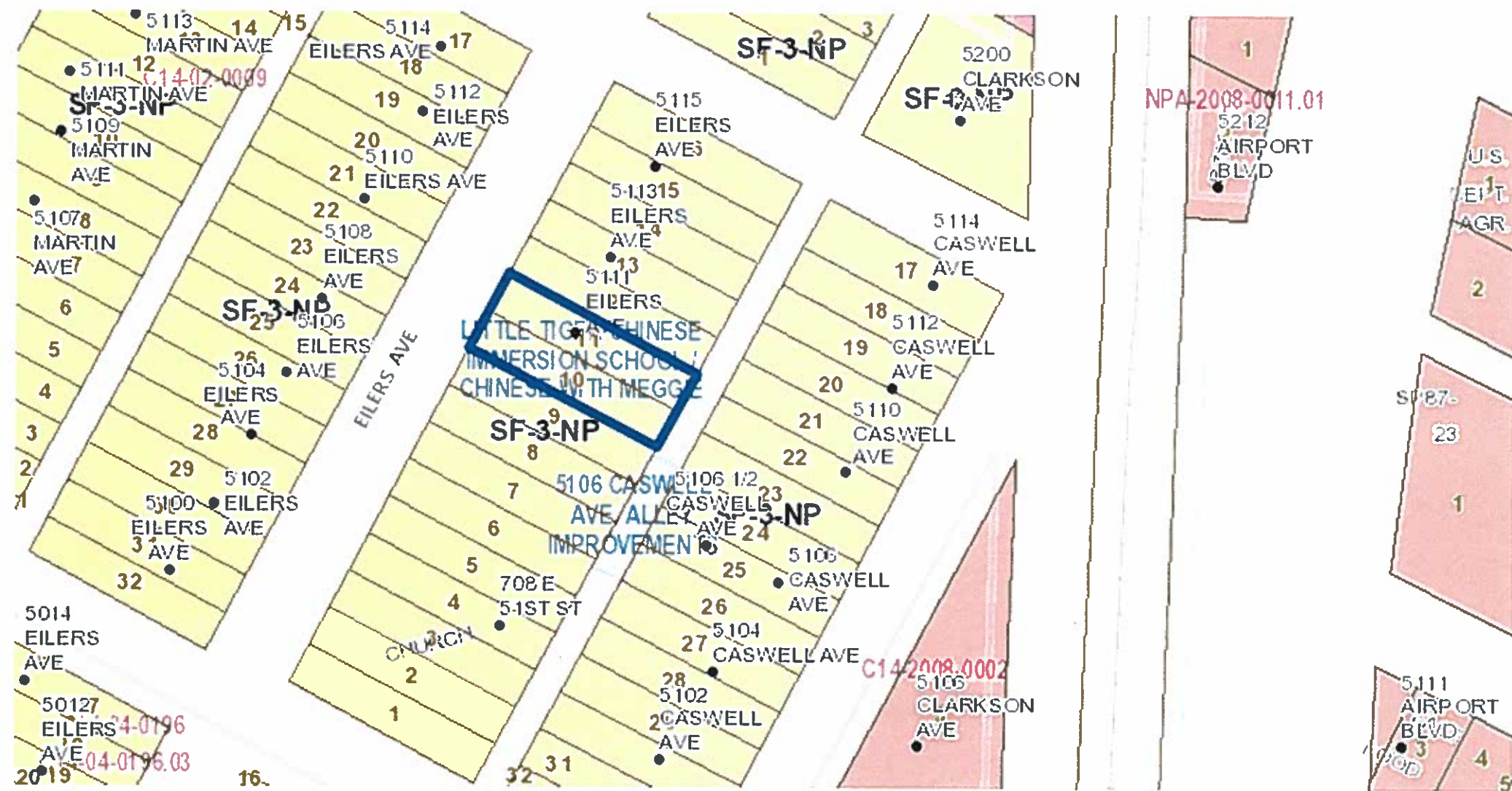
On a personal note, Mike's thorough preparation and transparency with us throughout this process has been extremely appreciated. I truly do appreciate neighbors like Mike and Meggie and believe that their program is an asset to our neighborhood.

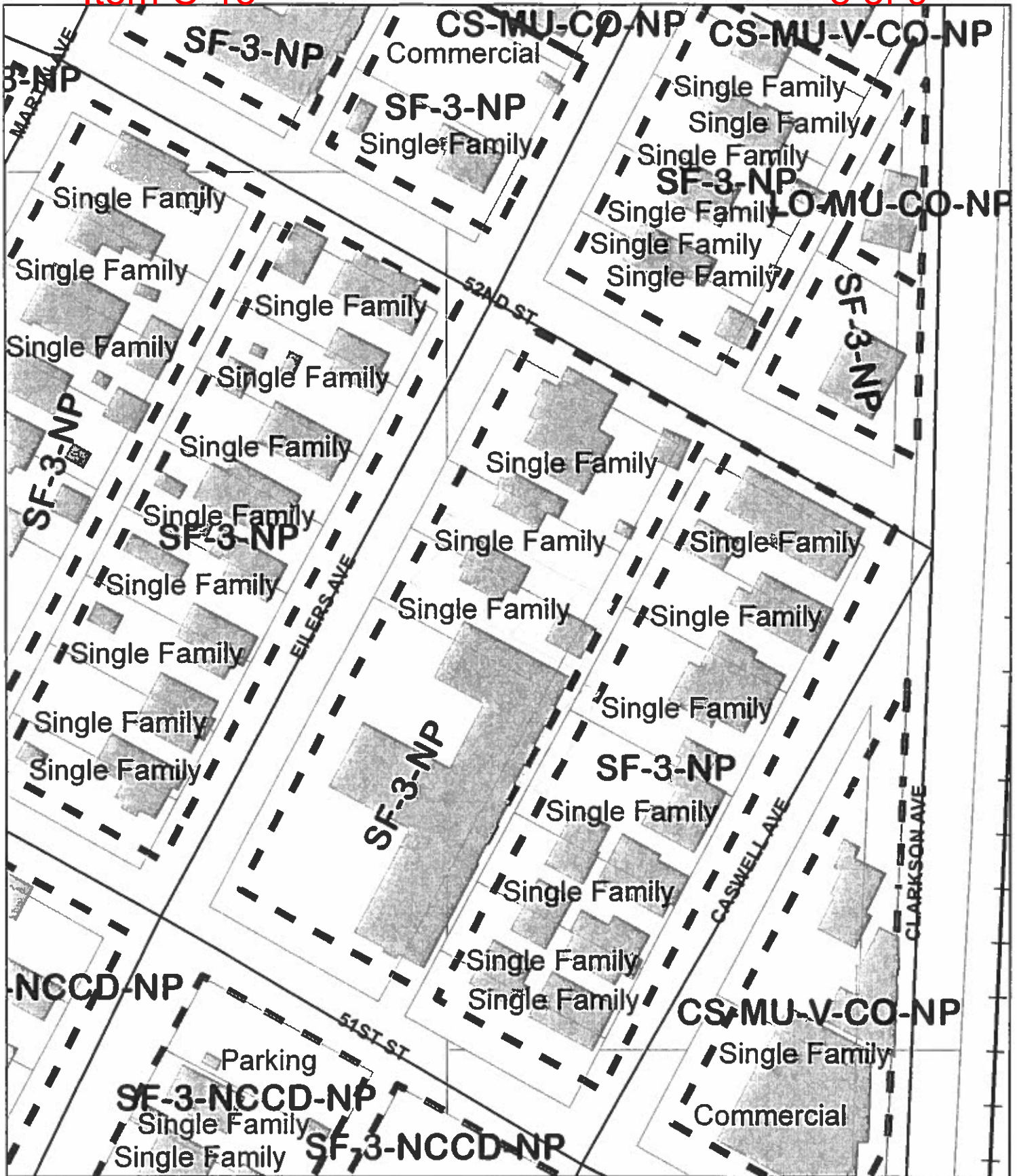
In light of the strong support Mike and Meggie have received from the neighborhood, I hope that you will approve their request for a Conditional Use Permit.

Sincerely,



James Howard
Vice President,
North Loop Neighborhood Association





SITE PLAN



-  SUBJECT TRACT
-  ZONING BOUNDARY

0 40 80 160 Feet

CASE#: SPC-2017-0011A
 ADDRESS: 5111 Eilers
 CASE NAME: Little Tiger Chinese Immersion School
 MANAGER: Nikki Hoelter

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the



SPC-2017-0011A