NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: East MLK Combined Neighborhood Plan

CASE#: NPA-2015-0015.02 **DATE FILED:** July 30, 2015

PROJECT NAME: Little Folk Daycare

PC DATE: October 27, 2015

ADDRESS/ES: 5700 and 5702 Reicher Drive

DISTRICT AREA: 1

SITE AREA: Approx. 0.223 acres

APPLICANT/OWNER: Nelda Frasier

AGENT: Vince Huebinger

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family **To:** Office

Base District Zoning Change

Related Zoning Case: C14-2015-0108

From: SF-3-NP **To:** NO-NP

NEIGHBORHOOD PLAN ADOPTION DATE: November 7, 2002

PLANNING COMMISSION RECOMMENDATION: Pending.

STAFF RECOMMENDATION: Staff recommends -- Office

BASIS FOR STAFF'S RECOMMENDATION: The E. MLK Neighborhood Plan states that it supports '*preserving existing small businesses and encourages new neighborhood-serving commercial services in appropriate locations*.' (p 45). Staff believes that the location of this existing daycare center, which has been in business at this same location for over 50 years, but has expanded in recent years, is an appropriate neighborhood serving business in this area, which across from an elementary school. Typically daycare centers are allowed as a conditional use in residential zones but due to this business being required to install a paved drop off driveway and parking, which exceeds the impervious surface coverage allowed in a residential zone, a request to rezone these two properties to a commercial zone was triggered (see site plan on p. 16). In

conclusion, staff believes that an 'Office' land use designation is appropriate for this location to permit this neighborhood serving use to continue to expand and operate.

The FLUM change to 'Office' meets the following Goals, Objectives and Text excerpted of the E. MLK Neighborhood Plan:

Objective 1.1: Maintain single-family zoning in established residential areas.

Goal 2 - Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses.

Objective 2.1: Where appropriate, address mis-matches between desired land use and zoning.

Goal 3 - Preserve existing small businesses and encourage new neighborhood-serving commercial services in appropriate locations.

Objective 3.1: Where zoning permits, promote neighborhood-oriented businesses and services such as restaurants, corners stores, and laundromats.

Recommendations

The planning priority for Pecan Springs is to preserve the existing residential neighborhood. The neighborhood would also like more pedestrian-oriented commercial development and fewer auto-related businesses that are perceived to contribute to crime problems. The major intersections are best suited for mixed use or neighborhood urban center development, with more limited neighborhood-oriented mixed use along the Manor Road corridor. Larger tracts in the residential areas could be developed with a mix of residential uses. New structures along Little Walnut Creek should be setback far enough from the creek to avoid flooding problems and allow for a future greenbelt or hike/bike trail.

LAND USE DESCRIPTIONS – EXISTING AND PROPOSED

Existing Land use

Single Family - Single family detached or two family residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;

2. Encourage new infill development that continues existing neighborhood patterns of development; and

3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and

2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development

Applicant's Proposed Land Use

Office -An area that provides for office uses as a transition from residential to commercial uses, or for large planned office areas.

Purpose

1. Encourage office-related services in areas that cannot support the traffic generation of commercial uses;

2. Provide for small lot office conversions as a transition from commercial to residential uses; and

3. Preserve sites for employment and office related services;

Application

1. Appropriate for low volume streets such a collectors and minor arterials; and

2. Can be used to provide a transition between residential uses and more intense commercial and industrial uses.

Staff Recommended Land Use

Office - An area that provides for office uses as a transition from residential to commercial uses, or for large planned office areas.

IMAGINE AUSTIN COMPREHENSIVE PLAN

While this property is not located along an existing Activity Corridor or Center, according to the Imagine Austin Growth Concept Map, staff believes the request to change the future land use map to 'Office' use in the East MLK Combined Neighborhood Plan meets the following policies in the Imagine Austin Comprehensive Plan, which supports nearby neighborhood serving uses.

LAND USE AND TRANSPORTATION POLICIES

LUT P1. Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.

LUT P4. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

LUT P6. Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.

LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

URBAN DESIGN POLICIES

UD P4. Assure that new development is walkable and bikable and preserves the positive characteristics of existing pedestrian-friendly environments.

UD P8. Transform major streets into vibrant, multi-functional, pedestrian-friendly corridor.

NEIGHBORHOODS POLICIES

N P1. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

N P2. Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors and infill sites

N P4. Strengthen Austin's neighborhoods by connecting to other neighborhoods, quality schools, parks, environmental features, and other community-serving uses that are accessible by transit, walking, and bicycling.

N P5. Strengthen planning processes by recognizing that the Comprehensive Plan and small-area plans, such as neighborhood plans, corridor plans, and station area plans, need to respect, inform, and draw from each other.

N P6. Protecting neighborhood character by providing opportunities for existing residents who are struggling with rising housing costs to continue living in their existing neighborhoods.

Imagine Austin

The subject property is not located along an Activity Corridor or Center according to the Imagine Austin Growth Concept Map. There is also another daycare center located two lots away on Rogge Lane, providing this needed neighborhood serving use.

BACKGROUND: The application was filed on July 30, 2015.

The applicant proposes to change the land use on the future land use map (FLUM) from Single Family to Office, which triggered a rezoning request when City staff required the installation of a drop off driveway and additional parking, which increased the impervious surface coverage on the two properties. The resulting increase in the impervious surface coverage is not permitted in a residential zone but is allowed in a Zone LO (Limited Office District). Staff recommends an 'Office' future land use category because it is a lesser intense land use category; is meant to act as a transitional use; and is more compatible with the residential adjacency to the north and west of the property.

The applicant proposes to change the zoning from SF-3- NP (Single Family – Neighborhood Plan) to NO-NP (Limited Office District) to expand the daycare center into a third house. For more information on the zoning request, please see the case report for case number C14-2015-0108.

PUBLIC MEETINGS: The ordinance required plan amendment meeting was held on September 8, 2015. Approximately 147 community meeting notices were mailed to property owner and renters located within 500 feet of the property, in addition to environmental and neighborhood organizations registered on the Community Registry. Two people attended the meeting, in addition to the applicant, the agent, and one city staff member. Below are the noted taken from the September 8, 2015, Community Meeting on this Neighborhood Plan Amendment case.

Ms. Fox gave a brief introduction explaining how a change of zone in the East MLK Combined Neighborhood Planning area triggered a Neighborhood Plan Amendment to the Plan's Future Land Use Map. The request is to change the FLUM from Single Family to Office. She also

discussed how the neighborhood contact team needed to forward her a recommendation on this case as soon as possible, that the neighborhood would be notified of the upcoming Planning Commission and City Council meeting on this case at least two weeks in advance of the Planning Commission meeting, and how the entire staff made a recommendation on a Neighborhood Plan Amendment.

Mr. Heubeinger, the agent came forward and explained that his clients wanted to expand their daycare center, and they were in the process of purchasing a duplex located at the corner of Reicher Drive and Rogge Lane. The applicants already owned two houses being used as a daycare center, which had been in operation since 1963. The City of Austin's Transportation Department was requiring the applicant to install a drive-thru driveway drop, connecting the new property on the corner (5700 Reicher Drive) with the existing property located at 5702 Reicher Drive, which increased the impervious surface coverage allowed. The resulting impervious surface coverage was not allowed in Zone SF-3-NP and this triggered a rezoning request to change the zones of both properties from Zone SF-3NP to Zone NO-NP to be in compliance with the City of Austin's Land Development Code.

Question: Does this use have enough parking?

- Yes. Parking requirement were determined by the number of employees. Nelda Frasier then discussed how a daycare center was first opened in the first house in 1963 and served the workforce community. Their business had been nestled into the community for years and was located across the street from an elementary school. She explained how there was a high demand for workforce daycare centers and that ninety percent of the children who used their daycare center were subsidized through the Texas Workforce Commission. For many years their daycare center has received a 4 star accreditation, the highest ranking. She explained that they just did not run a daycare center but taught a researched based education curriculum. She stated that maintaining a high quality daycare and providing the best care was their number one priority.

Question: How many families are served by their daycare?

- Sixty two (62) families were clients of their daycare center, with approximately 92 children coming and going from their daycare center on any given day. There was a high demand for infant and toddler care with a lengthy waiting list trying to get into their daycare center. Ms. Frasier also explained they put numerous improvements into the property. Mr. Frasier explained that one tree in the front, between the two properties would have to be removed to install the required drive-thru driveway per city staff. Ms. Frasier explained that their daycare facility served infants to 11 year olds, and that they

had a Pre-K 3 program to ensure the children were prepared to enter school, and an after school program for the older children.

Question: How many more additional children would be added if they converted the third house into a daycare center?

- Ms. Frasier explained that approximately an additional 30 children would be served and their license would have to be changed to allow up to a total of 120 children. Typically with the square footage they had in all three houses, they would be allowed to have up to 150 children but that they did not want to reduce the quality of their daycare center or over-extend their staff and serve that many kids.

Question: How many staff currently work at the daycare center?

- Ms. Frasier explained that 27 staff members worked at the daycare center, and many were part time employees. They had 11 classrooms and some of their staff also worked in administration.

Question: Functionally, how would you operate between the three buildings?

- Ms. Frasier explained that the new building would add 2 or 3 additional classrooms and would mostly be used for infants and toddlers, where there was the greatest demand and need. Older children typically were only at their facility for their after school program, when they walked across the street from the elementary school.

Question: Have they owned this business since 1963?

- Ms. Frasier explained that the original daycare was owned by another family from 1963 until 1983, when their family bought this daycare center.

CITY COUNCIL DATE: November 12, 2015 **ACTION:** Pending.

CASE MANAGER: Kathleen.fox@austintexas.gov **PHONE:** 512-974-7877

EMAIL: Kathleen.fox@austintexas.gov

To: Planning Commission and City Council members
Re: NPA-2015-0015.02
Date: October 21, 2015

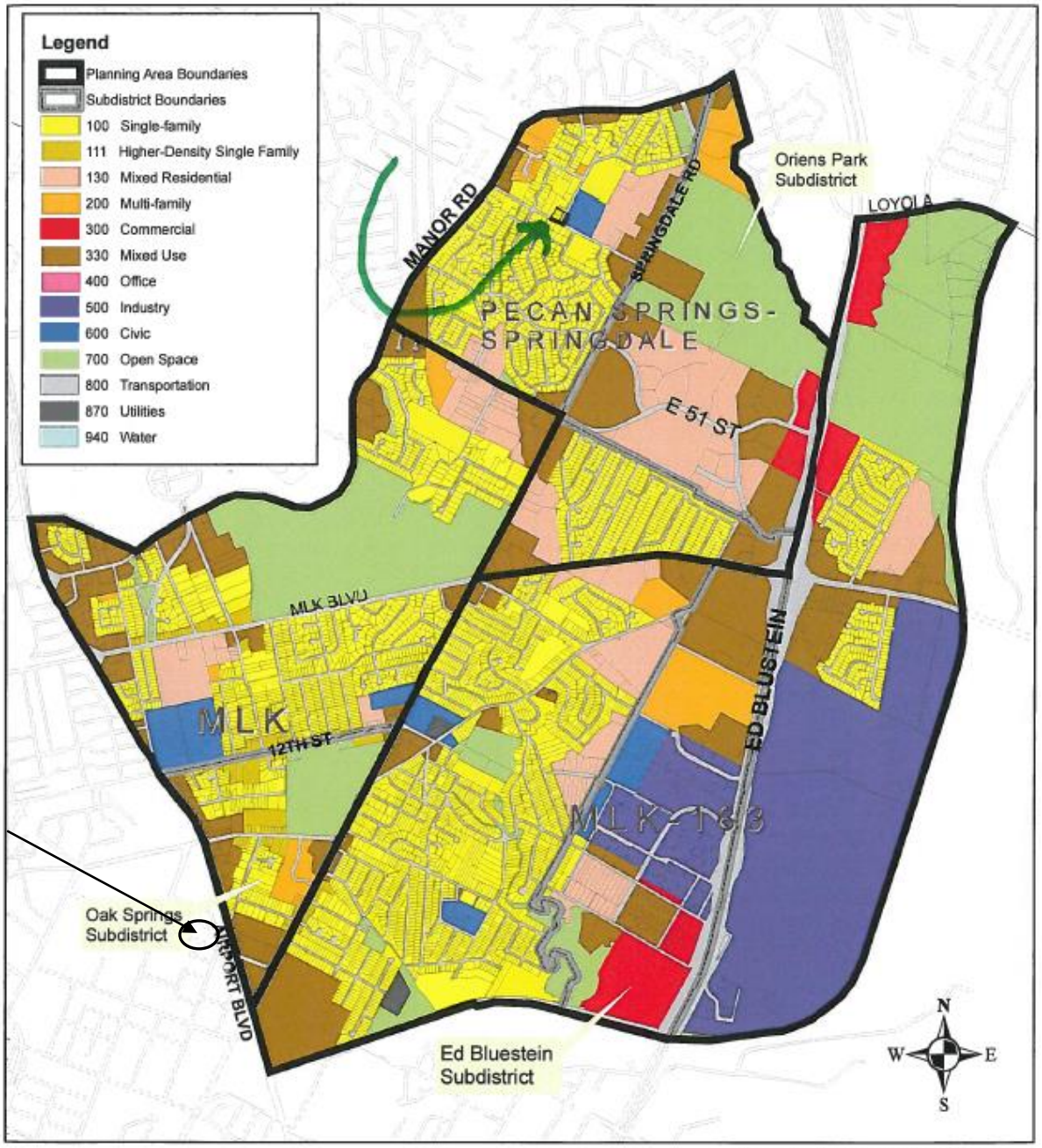
On October 20, 2015, the East MLK Contact Team held a meeting in accordance with our bylaws to discuss the applicant's proposed future land use amendment from Single Family to Office for the properties located at 5700 & 5702 Reicher Drive. A member of the contact team attended the community meeting on September 10, 2015 and relayed feedback from surrounding neighbors which was taken into consideration by the contact team.

The contact team **voted in favor** of the applicant's request for an Office use designation. This vote was made with the following considerations:

- Alignment with the adopted East MLK Neighborhood Plan Action Item 28- "Allow the "Neighborhood Urban Center" at the intersections of Springdale and Manor and Springdale and Rogge" due to the close proximity to Rogge and Springdale.
- The intended use promotes local business and fulfills a need for local day care options.
- Some contact team members did express concern over "spot zoning".

The contact team recommends that Planning Commission and City Council approve the request for NO zoning.

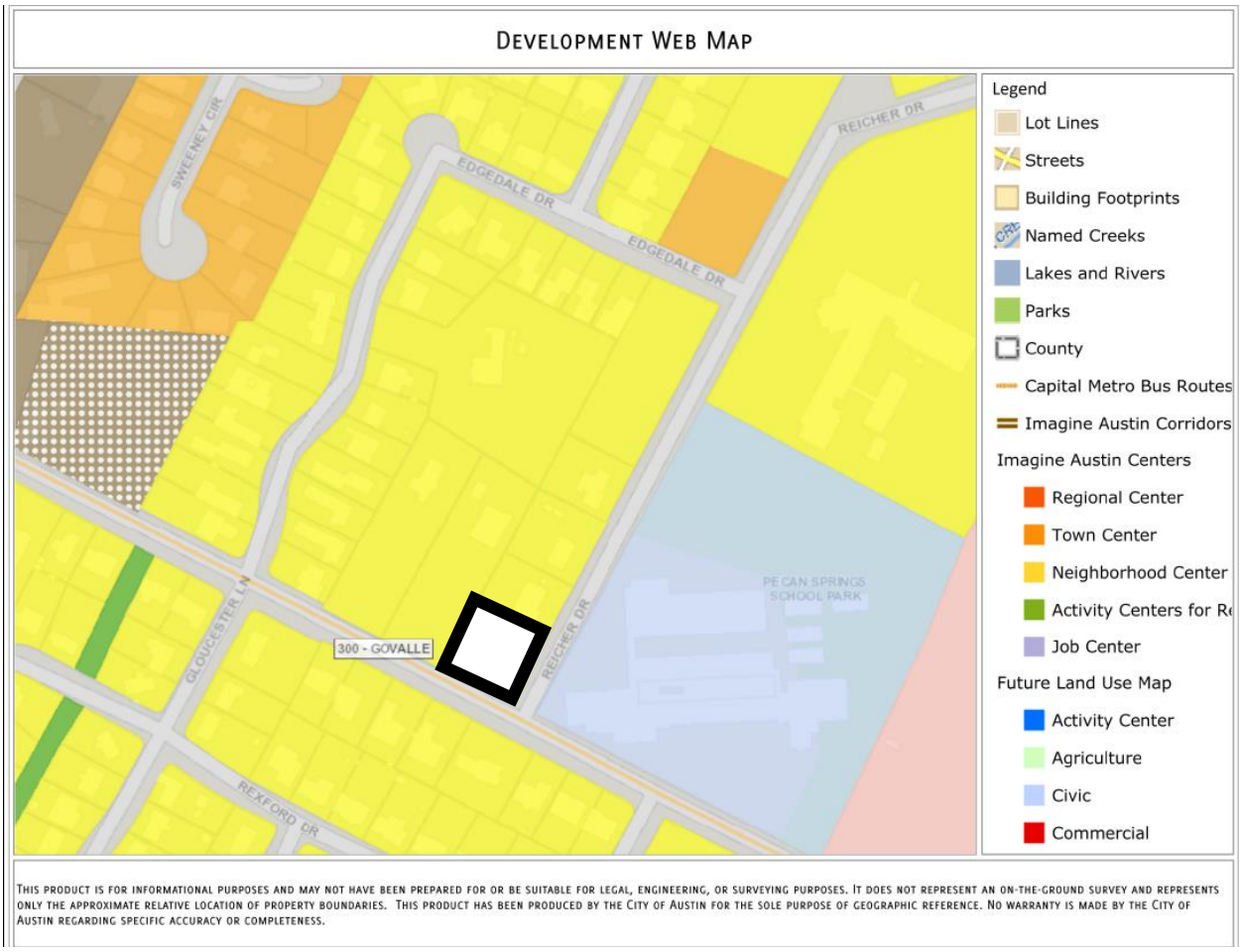
Brent Laumen, East MLK Contact Team Chair
(512) 507-0544, emlkchair@gmail.com

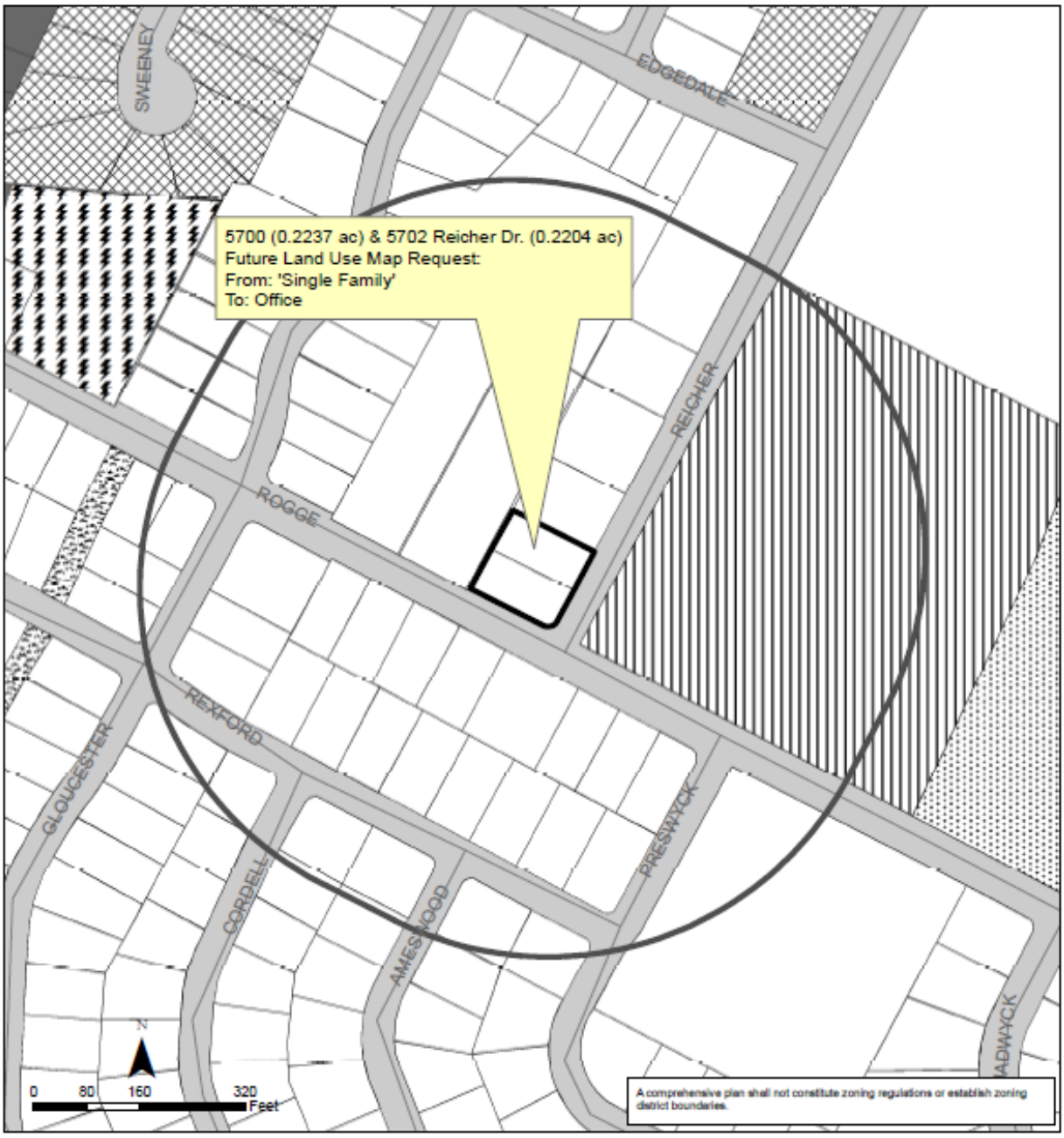


East MLK Combined Neighborhood Planning Area Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Updates may occur past the date of this map. Please verify with the COA.


DEVELOPMENT WEB MAP
SWEENEY CIR
EDGEDALE DR
EDGEDALE DR
REICHER DR
REICHER DR
GLOUCESTER LN
REXFORD DR
300 - GOVALLE
PECAN SPRINGS SCHOOL PARK
Legend
Lot Lines
Streets
Building Footprints
Named Creeks
Lakes and Rivers
Parks
County
Capital Metro Bus Routes
Imagine Austin Corridors
Imagine Austin Centers
Regional Center
Town Center
Neighborhood Center
Activity Centers for R
Job Center
Future Land Use Map
Activity Center
Agriculture
Civic
Commercial
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 CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.



East MLK Combined Neighborhood Planning Area
NPA-2015-0015.02

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 Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

City of Austin
Planning and Development Review Department
Created on 8/3/2015, by: meredithm

Future Land Use

- 500 ft. notification boundar
- Subject Property
- Single-Family
- Higher-Density Single-Family
- Mixed Residential
- Multi-Family
- Neighborhood Mixed Use
- Mixed Use
- Mixed Use/Office
- Civic
- Recreation & Open Space
- Transportation
- Utilities

Photographs of subject properties and adjacent properties

Subject Property 1 – 5700 Reicher Drive (on corner of Reicher Drive and Rogge Lane)

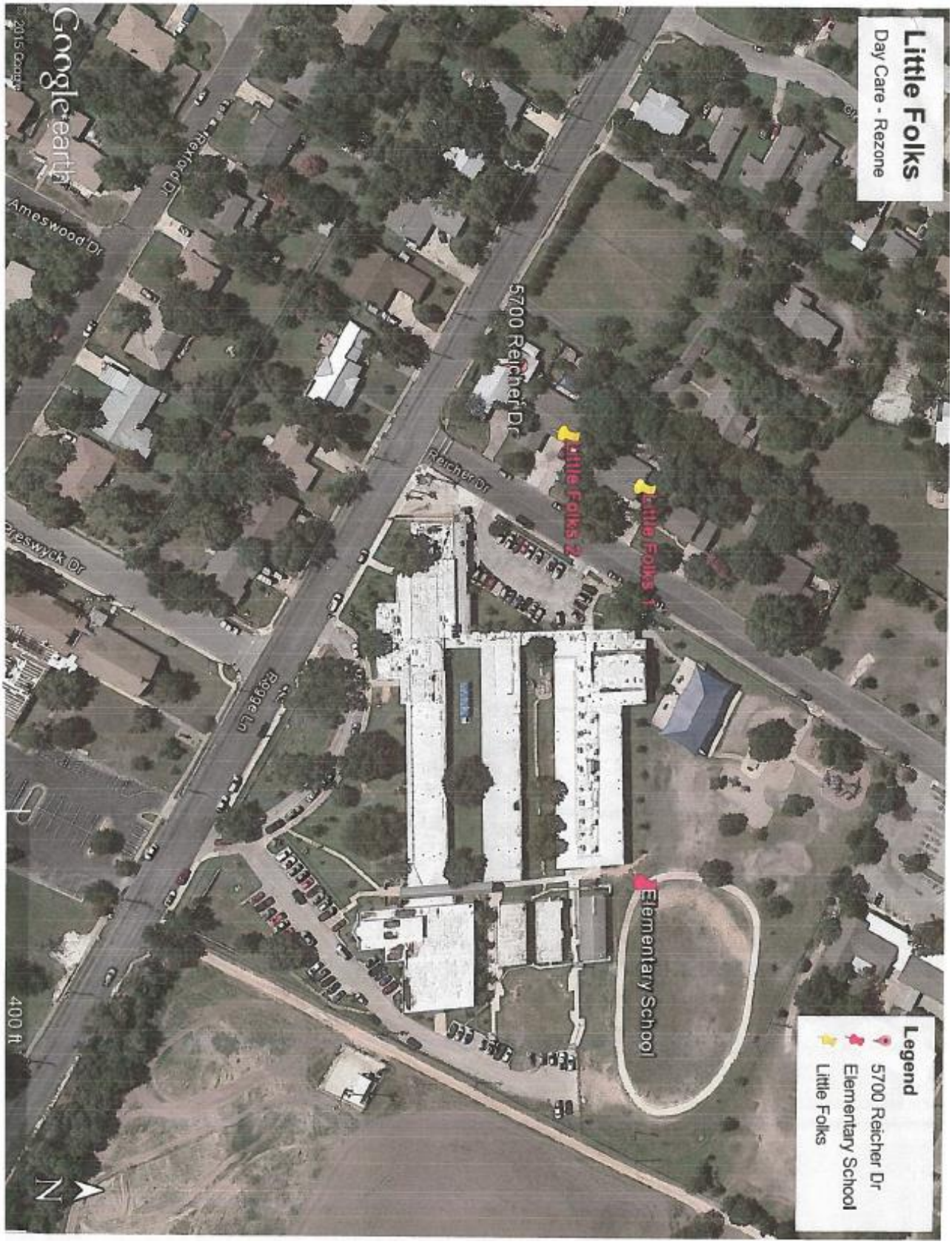
Subject Property 2 – 5702 Reicher Drive

5706 Reicher Drive (north of subject property) and site of original daycare center opened in 1963

Pecan Springs Elementary School (east of subject properties on corner of Reicher Drive and Rogge Lane)

Single family house (south of subject properties on Rogge Lane)

Single family house (west of subject properties on Rogge Lane)


Little Folks
Day Care - Rezone
Legend
5700 Reicher Dr
Elementary School
Little Folks
Elementary School
Little Folks 1
Little Folks 2
5700 Reicher Dr
Reicher Dr
Ameswood Dr
Ripswyck Dr
Reykold Dr
Ragge Ln
Google earth
400 ft
N

Little Folks
Bilingual Child Development Center

5706 Reicher Dr., Austin, TX 78723
Phone (512) 926-0234 Fax (512) 220-1553

Welcome – Bienvenido

Little Folks has been operating since 1963, providing quality child care for families in the North East Austin Community. Reflective of our local demographics, we serve primarily low income families that are subsidized by funding agencies.

Licensed Capacity - 120 children
Ages – Newborn to 11 years
Program – Infant, Toddler, Preschool and After School Care

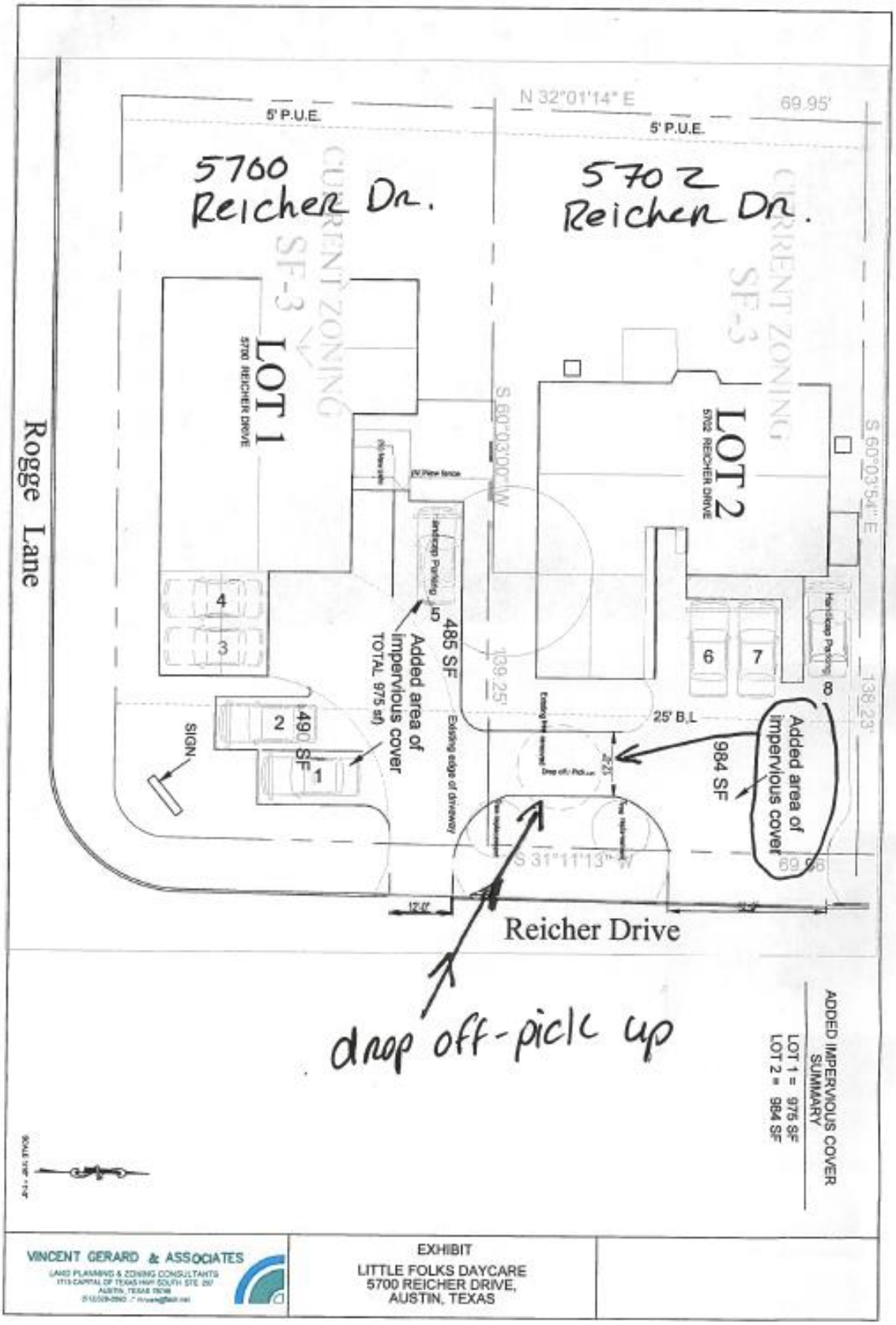
Bilingual Program
Texas Rising Star Provider
Texas Early Education Model Projects
Texas School Readiness Certified
National Accreditation Commission for Early Care and Education Program (NAC Accredited)
Seeking NAEYC Accreditation
Research Based Curriculums

Collaborative Efforts:

- Workforce Solutions Child Care Services
- United Way
- Salvation Army Women's Shelter
- City of Austin Child Care Program
- NAACRRA Child Care Program
- Teach Project
- Teacher Track Project
- Child Protective Services
- Austin Child Guidance
- Early Childhood Intervention

United Way Participation: Instrumental in our success in providing quality child care.

- Success By Six – Center Project
- Facility Improvement Grant
- 3M Corporation
- St. Andrews
- Intel Corporation
- ACE Project – AmeriCorps
- And More


5700 Reicher Dr.
5702 Reicher Dr.
CURRENT ZONING SF-3
LOT 1
5700 REICHER DRIVE
LOT 2
5702 REICHER DRIVE
N 32°01'14" E
69.95'
5' P.U.E.
S 60°03'54" E
S 60°03'00" W
139.25'
138.23'
S 31°11'13" W
69.66'
25' B.L.
Added area of impervious cover TOTAL 975 sf
485 SF
490 SF
984 SF
Added area of impervious cover
SIGN
Reicher Drive
Rogge Lane
drop off-pick up
ADDED IMPERVIOUS COVER SUMMARY
LOT 1 = 975 SF
LOT 2 = 984 SF
VINCENT GERARD & ASSOCIATES
EXHIBIT
LITTLE FOLKS DAYCARE
5700 REICHER DRIVE,
AUSTIN, TEXAS