

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: East Riverside/Oltorf Combined Neighborhood Plan

CASE#: NPA-2009-0021.01

PC DATE: September 8, 2009 and September 22, 2009

ADDRESS: 2500 Montopolis Drive

SITE AREA: 12.34 acres

APPLICANT: Austin Energy – City of Austin

OWNER: City of Austin

AGENT: Lena Lund, Austin Energy

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Industry

To: Civic

Base District Zoning Change

Related Zoning Case:

From: LI-NP

To: P-NP

NEIGHBORHOOD PLAN ADOPTION DATE: November 11, 2006.

STAFF RECOMMENDATION: The staff recommendation is to **APPROVE** the requested change from INDUSTRY on the Future Land Use Map (FLUM) to CIVIC land use designation.

BASIS FOR RECOMMENDATION: The request meets the following East Riverside/Oltorf Combined Neighborhood Plan goals:

Land Use (Page 31)

Goal 3: Improve the appearance, vitality and safety of existing commercial corridors and community amenities and encourage quality urban design and form that ensure adequate transition between commercial properties and adjacent residential neighborhoods.

Obj. 3.1: Promote the redevelopment of underutilized properties.

Goal 4: Encourage a balanced mix of residential, civic, commercial, office and other land uses without adversely affecting adjacent residential neighborhoods.

Obj. 4.2: Offer diverse commercial and office types of serve the retail and professional service needs in the community.

R32: Maintain opportunities for office uses on major corridors.

The change in the future land use map supports the following land use planning principles:

- Ensure that the decision will not create an arbitrary development pattern;
- Minimize negative effects between incompatible land uses;
- Recognize suitable areas for public uses, such as hospitals and schools that will minimize the impacts to residential areas;
- Discourage intense uses within or adjacent to residential areas;
- Ensure neighborhood businesses are planned to minimize adverse effects to the neighborhood;
- Minimize development in floodplains and environmentally sensitive areas;
- Consider regulations that address public safety as they pertain to future developments (e.g. overlay zones, pipeline ordinances that limit residential development);
- Ensure adequate transition between adjacent land uses and development intensities;
- Recognize current City Council priorities;
- Avoid creating undesirable precedents;
- Promote expansion of the economic base and create job opportunities;
- Ensure similar treatment of land use decisions on similar properties;
- Balance individual property rights with community interests and goals;
- Consider infrastructure when making land use decisions;
- Promote development that serves the needs of a diverse population.

PLANNING COMMISSION RECOMMENDATION: On September 22, 2009 the motion to approve staff's recommendation for Civic was approved on the Consent Agenda by Commissioner Jay Reddy's motion, Commissioner Danette Chimenti second the motion on a vote of 9-0.

BACKGROUND: The East Riverside - Oltorf Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on November 11, 2006. The boundaries of the planning area are: IH-35 to the west, the Colorado River to the north, Grove Boulevard and Montopolis Drive to the east, and Highway 71 (Ben White Boulevard) to the south.

The property is zoned LI-NP (Limited Industrial Services –Neighborhood Plan) with the property designated as INDUSTRY on the future land use map. Austin Energy proposes to rezone the property to P-NP (Public – Neighborhood Plan) and to change the land use on the future land use map to CIVIC. Austin Energy proposes to use the facility as the City's new System Control Center.

On February 1, 2007 the Austin City Council approved a resolution authorizing the acquisition of the property located at 2500 Montopolis Drive to relocate the Austin Energy-System Control Center from the Green Water Treatment Plant at 301 West Avenue. The site on Montopolis Drive was previously owned by Tokyo Electron, a semiconductor manufacturing company. The System Control System will be the central location for the city staff and associated vehicles used to repair downed electrical systems though out the city.

Austin Energy's plan amendment application was filed out-of-cycle in February 2009 under the hardship provision of the plan amendment ordinance. The application was allowed to file out-of-cycle to protect the public health, safety, and welfare of the general community in the event of a catastrophic event and to maintain reliable electric service. See letter dated February 12, 2009, from Greg Guernsey, Director, Neighborhood Planning & Zoning Department, provided in this report.

PUBLIC MEETINGS: Seventy-five neighborhood planning meeting notices were mail to property owners and utility account holders within 500 feet of the property, in addition to the members of the East Riverside/Oltorf Planning Contact Team, neighborhood associations, and environmental groups registered with the city. The meeting was conducted on Wednesday, April 22, 2009. Nine stakeholders attended the meeting, in addition to two City of Austin staff members, Judy Fowler, Austin Energy and Maureen Meredith, Neighborhood Planning and Zoning Department.

Judy Fowler from Austin Energy explained that the current Emergency Control Center is an older facility and needs to be located to a better site. The former Tokyo Electron building was in a good location with access to major roads, in addition to having a former clean room which will be good for the control room.

The attendees asked the following questions:

- Will the city install rolled barb wire fence?
 - No. The city will have a vertical, metal slate fence 6 to 8 feet high.
- Is there enough surface parking for the City?
 - Yes, but the City could possibly build a parking garage in the future. At this time, the city is not sure if it will be above ground or below ground.
- Will the facility be a maintenance facility?
 - There will be full-body pick-up trucks, 10-12 at a given time.
- How many city employees will work there?
 - 150 – 200 employees will work in the facility in various shifts day and night.
- Is the outside lighting sufficient for the city's use of the building?
 - Yes. There appears to be no need to change the lighting or the existing security system.
- Did the city research whether the property needed chemical abatement?
 - The city conducted an independent environmental analysis which determined that the site is clean with no abatement needed.
- Will the natural areas be preserved?
 - Yes.

After the question and answer session, attendees had the following comments:

- The location is not a good location and would like the City to have the facility at Seaholm.
- The City keeps dumping these types of uses in East Austin. People who live in this area would like to have more businesses with uses they could use.
- The attendees would like the City to work to make the Country Club Creek trail a reality.

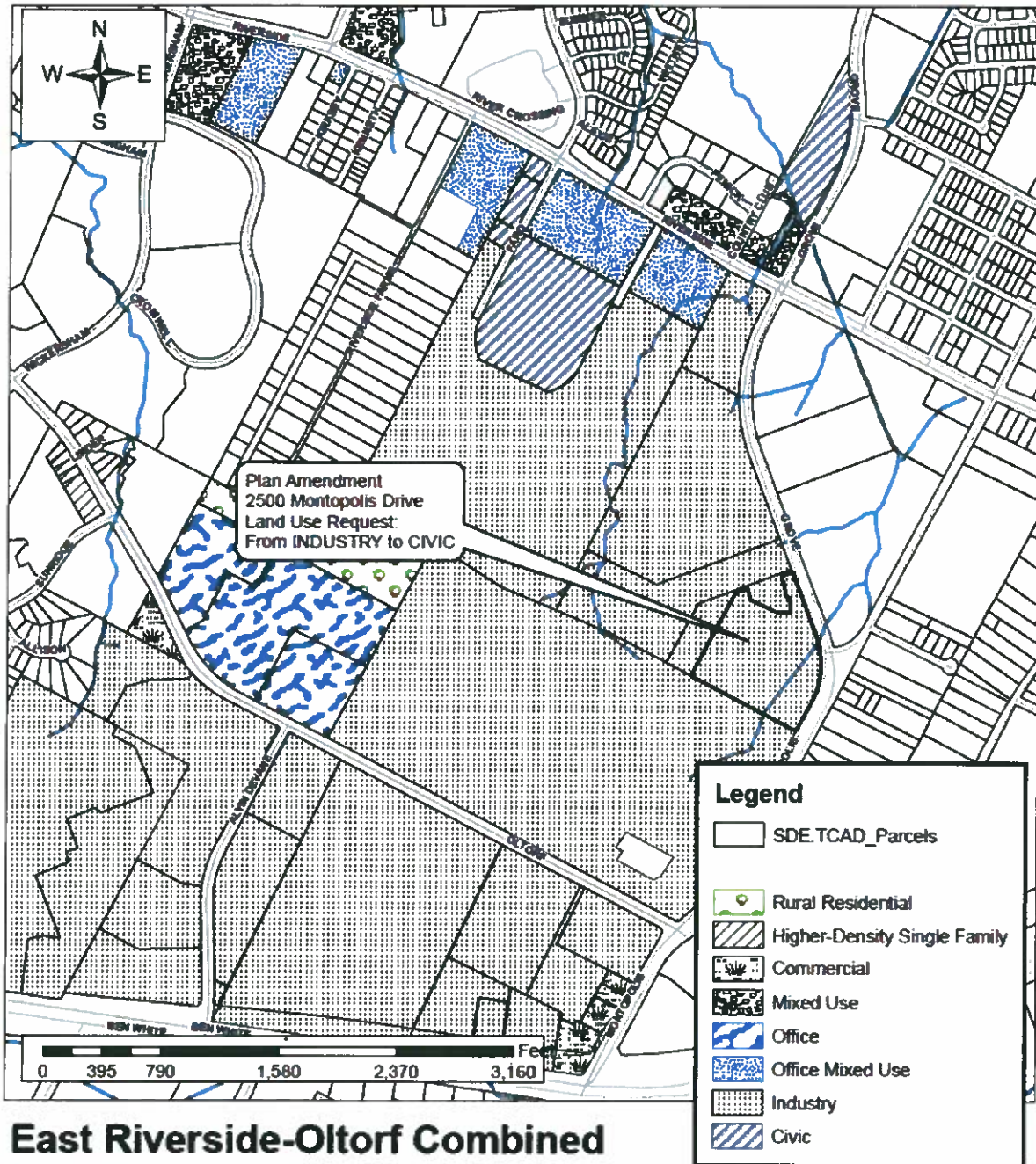
For several months after the April 22, 2009 meeting, there was communication between the East Riverside/Oltorf Combined Planning Contact Team (EROC PCT) and Austin Energy regarding their issues.

On August 19, 2009, the EROC PCT sent a letter in support of the proposed zoning change and plan amendment with conditions. The planning contact team submitted a list of uses they would like to see prohibited in the P-Public zoning district. The full letter is provided in this report.

CITY COUNCIL DATE: October 15, 2009 **ACTION:** (pending)

CASE MANAGER: Maureen Meredith, Senior Planner **PHONE:** 974-2695

E-MAIL: maureen.meredith@ci.austin.tx.us



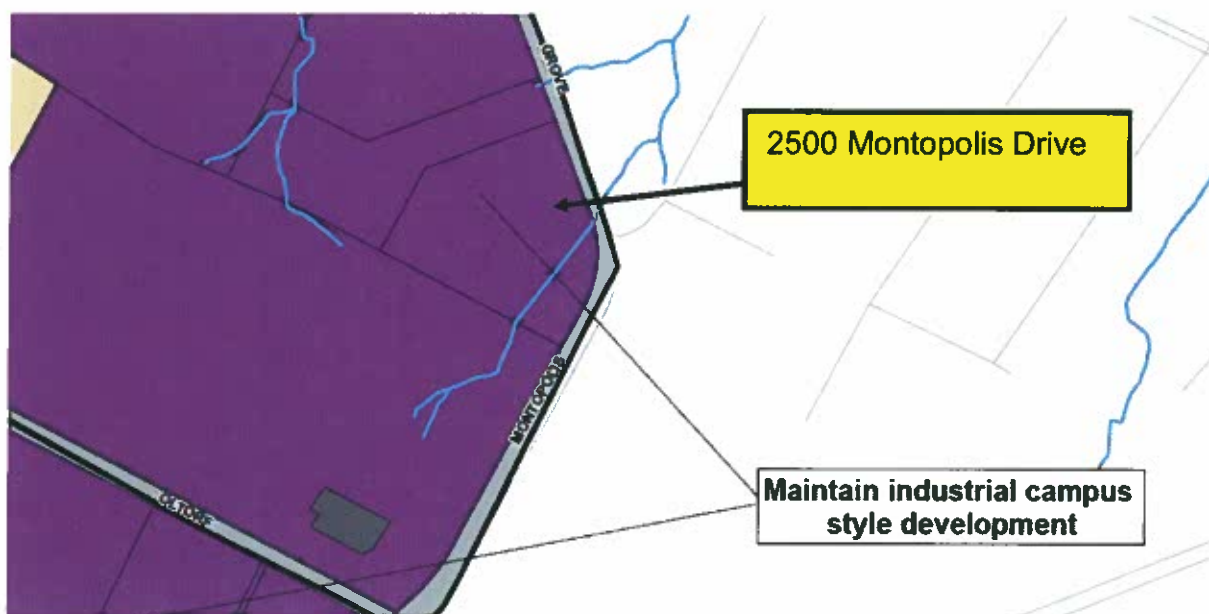
East Riverside-Oltorf Combined Neighborhood Plan Amendment

NPA-2009-0021.01

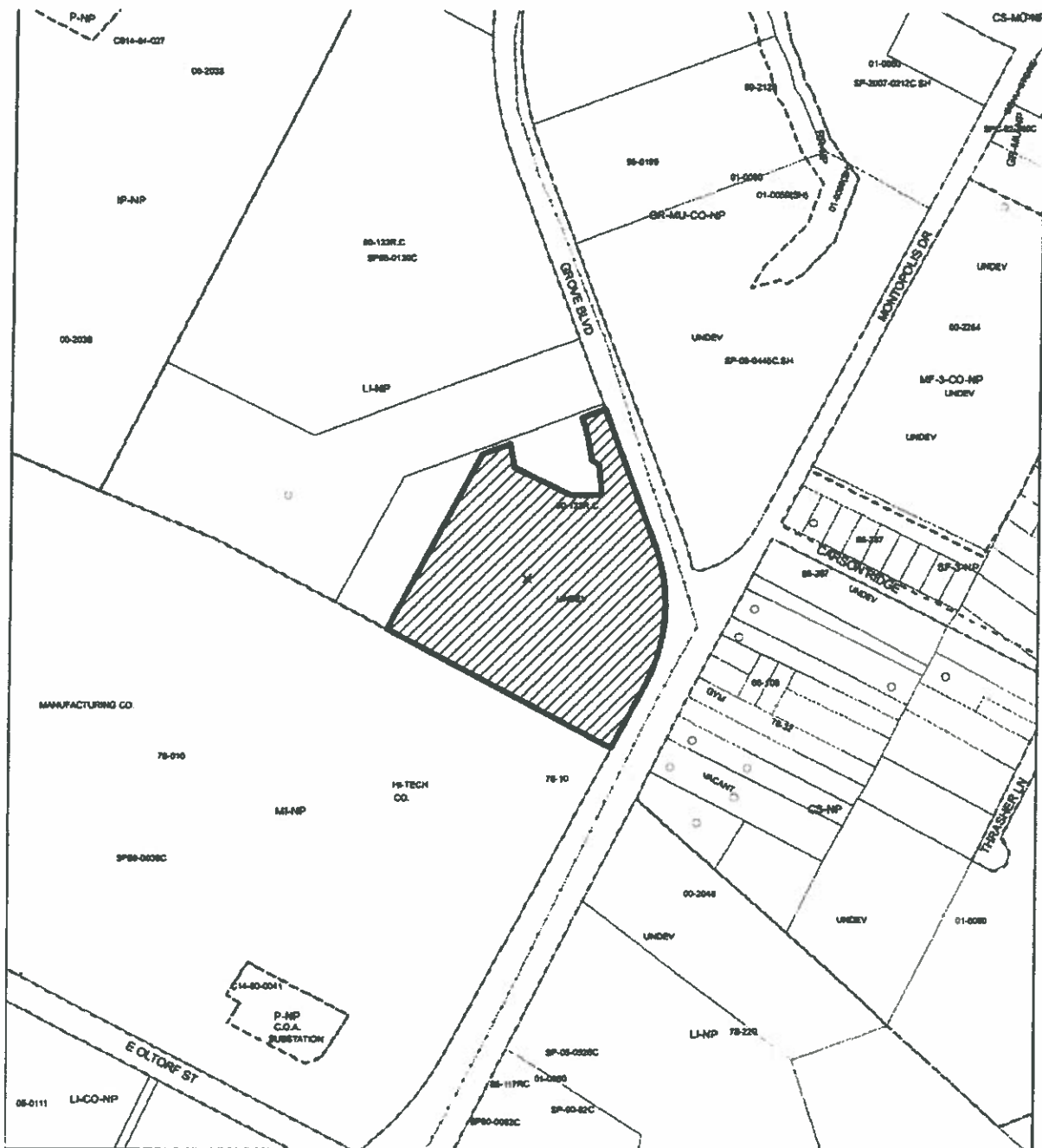


City of Austin
Planning & Development Review Dept.

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Close-up view of East Riverside/Oltorf
Future Land Use Map



N

1" = 400'

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR: S. MEEKS

ZONING

ZONING CASE#: NPA-2009-0021.01

ADDRESS: 2500 MONTOPOLIS DR

SUBJECT AREA: 0.000 ACRES

GRID: K18 & L18

MANAGER: M. MEREDITH

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2500 Montopolis
Drive



City of Austin

Neighborhood Planning and Zoning Department

505 Barton Springs • P.O. Box 1088 • Austin, Texas 78767-8835 • 512-974-7668

February 12, 2009

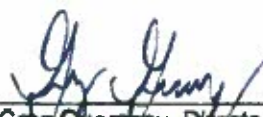
Neighborhood Plan Amendment Declaration of Hardship

This letter certifies that the plan amendment request by Austin Energy for property located at **2500 Montopolis Drive, located within the East Riverside/Oltorf Combined Neighborhood Plan**, meets the hardship exemption criteria established in Ord. No. 20080306-073, Sec. 25-1-804, (C) (1), and is therefore not subject to the waiting period for filing a neighborhood plan amendment application.

This letter **only** exempts the applicant from the waiting period and does not indicate a positive staff recommendation.

This case fulfills the following hardship criterion for public safety:

- Austin Energy (AE) must relocate its existing Energy Control Center and other offices located at 301 West Avenue due to the Green Water Treatment Plant RPF and other issues associated with the building. On February 1, 2007 the Austin City Council approved a resolution authorizing the acquisition of the property located at 2500 Montopolis Drive. This property will be the site of the newly named Austin Energy System Control Center.
- The Austin Energy System Control Center is necessary to protect the health, safety, and welfare of the general community in the event of a catastrophic event and to maintain reliable electric service.
- The plan amendment request supports the following East Riverside/Oltorf Neighborhood Planning goal:
 - a. Goal 4: Encourage a balanced mix of residential, civic, commercial, office and other land uses without adversely affecting adjacent residential neighborhoods.



Greg Guernsey, Director
Neighborhood Planning and Zoning Department

2/17/09

Date

Letter from the East Riverside/Oltorf
Neighborhood Planning Contact Team

From: Terry & Barb Fox [mailto:tbfox@swbell.net]
Sent: Wednesday, September 02, 2009 5:57 PM
To: Rye, Stephen
Cc: 'Jan Long'; 'Jean Mather'; jharms1@gmail.com; 'Malcolm Yeatts'; 'Mike'; 'Wayne Gronquist'; simplydivine@juno.com; 'Linda Watkins'; 'Linda Land'; 'Toni House'; 'Carl Braun'; 'Dawn Cizmar'; 'Fred'
Subject: EROC Contact Team Vote on Rezoning & Future Land Use Chagne for AE's property @ 2500 Montopolis

Stephen,

With this going to Planning Commission next Tuesday and Monday being a holiday and although I don't have the vote back from all of our EROC Contact Team yet, I do have a majority vote of support so I am advising City Staff and Austin Energy (please forward this email to Sonny Poole with AE) now that:

A majority of the EROC NPCT supports the rezoning Case # C14-2009-0018 from LI-NP to P-NP and Future Land Use designation Case # NPA-2009-0021.01 from INDUSTRY to CIVIC with the inclusion that the P – "Public Land Uses" noted below in black (not background highlighted in yellow) from Lena Lund's (w AE) email dated 09-01-09 @ 3:12 PM be excluded/prohibited from use at the 2500 Montopolis Dr property through a conditional overlay (as agreed to by Austin Energy in this email).

Again, I want to state that I look forward to Austin Energy being a good neighbor and ask their continued support in making the entire Country Club Creek Trail a reality for our community and look to Austin Energy in gaining the necessary recreation easements required to help complete the Trail.

Regards,

Barb Fox
Co-Vice Chair EROC NPCT
1615 Whitney Way

512.389.1615

From: Lund, Lena [mailto:Lena.Lund@austinenergy.com]
Sent: Tuesday, September 01, 2009 3:12 PM
To: Rye, Stephen
Subject: RE: 2500 Montopolis (AE)

Stephen,

Austin Energy has reviewed the following "P – Public Land Uses" which EROC NPCT requested be prohibited from use at 2500 Montopolis. through a conditional overlay. The uses that are highlighted need to be retained by Austin Energy as allowed uses for this property.

Residential Uses

- **Single-Family Residential (4)**

Commercial Uses

- **Agricultural Sales & Services (4)**
- **Art Galley (4)**
- **Art Workshop (4)**
- **Automotive Rentals (4)**
- **Automotive Repair Services (4)**
- **Automotive Sales (4)**
- **Bail Bond Services (4)**
- **Building Maintenance Services (4)**
- **Business or Trade School (4)**
- **Business Support Services (4)**
- **Campground (4)**
- **Commercial Off-Street Parking (4)**
- **Communications Services (4)**
- **Construction Sales and Services (4)**
- **Consumer Convenience Services (4)**
- **Convenience Storage (4)**
- **Drop-Off Recycling Collection Facility (4)**
- **Equipment Repair Services (4)**
- **Equipment Sales (4)**
- **Exterminating Services (4)**
- **Financial Services (4)**
- **Food Preparation (4)**
- **Food Sales (4)**
- **Funeral Services (4)**
- **General Retail Sales (Convenience) (4)**
- **General Retail Sales (General) (4)**
- **Hotel-Motel (4)**
- **Indoor Entertainment (4)**
- **Indoor Sports and Recreation (4)**
- **Kennels (4)**
- **Laundry Services (4)**
- **Liquor Sales (4)**
- **Marina (4)**
- **Medical Offices – exceeding 5000 sq. ft. gross floor area (4)**
- **Medical Offices – not exceeding 5000 sq. ft. gross floor area (4)**
- **Monument Retail Sales (4)**
- **Off-Site Accessory Parking (4)**
- **Outdoor Entertainment (4)**
- **Outdoor Sports and Recreation (4)**
- **Pawn Shop Services (4)**
- **Personal Improvement Services (4)**
- **Personal Services (4)**
- **Plant Nursery (4)**
- **Printing and Publishing (4)**
- **Recreational Equipment Maint. & Stor. (4)**
- **Recreational Equipment Sales (4)**
- **Research Assembly Services (4)**
- **Research Services (4)**
- **Research Testing Services (4)**
- **Research Warehousing Services (4)**

- Restaurant (General) (4)
- Restaurant (Limited) (4)
- Scrap and Salvage (4)
- Stables (4)
- Theater (4)
- Veterinary Services (4)

Industrial Uses

- Basic Industry (4)
- Custom Manufacturing (4)
- General Warehousing and Distribution (4)
- Light Manufacturing (4)
- Limited Warehousing and Distribution (4)
- Resource Extraction (4)

Civic Uses

- Aviation Facilities (4)
- Camp (4)
- Cemetery (4)
- Club or Lodge (4)
- College and University Facilities (4)
- Community Events (8)
- Community Recreations (Private) (4)
- Community Recreation (Public) (4)
- Congregate Living (4)
- Convalescent Services (4)
- Cultural Services (4)
- Day Care Services (Commercial) (4)
- Day Care Services (General) (4)
- Day Care Services (Limited) (4)
- Detention Facilities (4)
- Employee Recreation (4)
- Family Home (4)
- Group Home, Class I (General) (4)
- Group Home, Class I (Limited) (4)
- Group Homes, Class II (4)
- Guidance Services (4)
- Hospital Services (General) (4)
- Hospital Services (Limited) (4)
- Major Public Facilities (4)
- Military Installations (4)
- Park and Recreation Services (General) (4)
- Park and Recreation Services (Special) (4)
- Postal Facilities (4)
- Private Primary Educational Facilities (4)
- Private Secondary Educational Facilities (4)
- Public Primary Educational Facilities (4)
- Public Secondary Education Facilities (4)
- Railroad Facilities (4)
- Religious Facilities (4)
- Residential Treatment (4)
- Safety Services (4)
- Telecommunication Tower (4)
- Transportation Terminal (4)

Please let us know if you need any additional information.

**Lena Lund
Austin Energy
Public Involvement/Real Estate Services
721 Barton Springs Road, Suite 102.1
Austin, TX 78704-1145
512-322-6587
512-322-6101 Fax**

Site – former Tokyo Electron Manufacturing Facility



Site parking lot

Berm between the site
and Montopolis Drive