

C12

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0141
Montopolis Reclaimed Water Tank

PC DATE: January 14, 2014

ADDRESS: 2801 Montopolis Drive

AREA: 2.005 acres

NEIGHBORHOOD PLAN AREA: Montopolis

OWNER: City of Austin/Austin Water Utility

AGENT: Austin Water Utility (Dan Pedersen, P.E.)

ZONING REQUEST **FROM:** LI-NP **TO:** P-NP

SUMMARY STAFF RECOMMENDATION:

To grant P-NP zoning, contingent on approval of the associated Neighborhood Plan Amendment

PLANNING COMMISSION ACTION:

To be considered January 14, 2014

DEPARTMENT COMMENTS:

This approximate 2-acre tract is located between East Ben White Boulevard and Montopolis Drive, in the middle of 55-plus acres zoned limited industrial service (see Exhibits A). The subject tract, and its immediately surrounding properties, are undeveloped or – for those along Ben White, have recently been vacated.

The property is outside the boundaries of the East Riverside Corridor Regulating Plan, but is within the limits of the Montopolis Neighborhood Plan. Because that Plan's Future Land Use Map designates this area as Industry, a Neighborhood Plan Amendment (NPA) is required. That application (NPA-2013-0005.02) is to be considered concurrently with this zoning application. The subject tract is beyond the limits of the Scenic Roadway Corridor Overlay, associated with Ben White Boulevard frontage, and is beyond the limits of the Airport Overlay Zone.

The request for the NPA and rezoning is driven by the desire to develop the site with a reclaimed water tank and associated pump station. As part of the growing reclaimed water program, the Austin Water Utility would use this site to serve neighboring properties and the Roy G. Guerrero Colorado River Park.

Although a site plan has not been submitted, it is anticipated that the site would include two primary facilities: a tank and pump station. The reclaimed water would be stored in a ground-level tank, approximately 40 feet in height with a diameter of about 130 feet. The pump station would be housed in an adjacent building about 70 feet in length by 65 feet in width. Because the site is more than one acre in size, approval of a conditional use site plan is required. Access to this land-locked site would be by means of an easement to Montopolis.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|-------------|---------------|------------------|
| <i>Site</i> | LI-NP | Undeveloped |

| | | |
|--------------|-----------------|--|
| <i>West</i> | LI-NP | Undeveloped; Light Manufacturing; Vacant (formerly VA); Restaurant & Service Station |
| <i>East</i> | LI-NP; CS-MU-NP | Undeveloped/Vacant (formerly home sales) |
| <i>South</i> | LI-NP | Undeveloped/Vacant (formerly home sales); Ben White Blvd |
| <i>North</i> | LI-NP; CS-NP | Undeveloped; Single-Family Residential |

TIA: Not required**WATERSHED:** Carson Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ASSOCIATIONS & COMMUNITY ORGANIZATIONS:**

| COMMUNITY REGISTRY NAME | REGISTRY ID |
|---|--------------------|
| Crossing Garden Home Owners Association | 299 |
| Austin Neighborhoods Council | 511 |
| Montopolis Area Neighborhood Alliance | 634 |
| Del Valle Independent School District | 774 |
| PODER | 972 |
| Homeless Neighborhood Organization | 1037 |
| Bike Austin | 1075 |
| Carson Ridge Neighborhood Association | 1145 |
| Super Duper Neighborhood Objectors and Appeals Organization | 1200 |
| Austin Monorail Project | 1224 |
| Montopolis Neighborhood Plan Contact Team | 1227 |
| Sierra Club, Austin Regional Group | 1228 |
| The Real Estate Council of Austin, Inc. | 1236 |
| Pleasant Valley | 1255 |
| Del Valle Community Coalition | 1258 |
| Montopolis Tributary Trail Association | 1321 |
| Montopolis Neighborhood Association | 1339 |
| Austin Heritage Tree Foundation | 1340 |
| Montopolis Community Alliance | 1357 |
| SEL Texas | 1363 |
| Montopolis Neighborhood Association – El Concilio | 1394 |
| Go! Austin/Vamos! Austin | 1408 |
| Preservation Austin | 1424 |

SCHOOLS:

Del Valle Independent School District:

Smith Elementary

John P. Ojeda Middle School

Del Valle High School

CASE HISTORIES:

This tract was part of a 1,413-acre tract annexed into Austin's full-purpose jurisdiction in 1976 (C7A-76-005). At the time, the majority of the property was industrial in nature,

primarily large tracts comprising the Missouri Pacific Industrial Park. Single-family properties to the north, along Montopolis, Thrasher and Maxwell were within full-purpose limits by 1951. There may have been some delay in annexing this larger industrial area because it was, at that time, within the "high noise contour" of the Bergstrom Air Force Base. Per Council minutes, City and base officials had discussed land use controls, and recommended that most of the land use should not be residential in nature.

In addition to individual rezonings listed below, the Montopolis Neighborhood Plan (C14-01-0060), adopted September 2001, and appended existing zoning districts with the NP designation. Properties on the west side of Montopolis Drive are covered with the Pleasant Valley Neighborhood Plan, adopted in November 2006 (C14-05-0113).

| NUMBER | REQUEST | LAND USE COMMISSION | CITY COUNCIL |
|--|---|--|--|
| North and West of Site (north to south) | | | |
| <i>East of Montopolis</i> | | | |
| 6300-6503 Carson Ridge C14-85-287 | SF-3 to CS | Dismissed; 11/17/1987 | Dismissed; 12/3/1987 |
| 6503 Carson Ridge C14-2009-0092 | CS-NP to GR-MU-CO-NP | Recommended; 10/13/2009 | Approved; 01/28/2010 (CO limits to 1500 vtd) |
| 2800 Block Montopolis C14-00-2046 | LI to MF-2 | Recommended; 05/09/2000 | Approved MF-2 on 1 st Reading; Expired |
| 2713-2517 Montopolis (approx.. 40 acres) C14-78-220 | Interim "A" 1 st H&A to "DL" Light Industrial 1 st H&A | | Approved; 04/05/1979 |
| 2801 Montopolis C14-85-117 | Interim SF-2 to LI, as amended | Denied CS; 07/02/1985; Recommended LI w/conditions; 08/06/1985 | Approved; 02/27/1986 (RC limits certain uses; lists site dev. standards) |
| <i>West of Montopolis</i> | | | |
| Systems Control Center (COA) 2500 Montopolis C14-2009-0018 | LI-NP to P-CO-NP | Recommended P-CO-NP; 09/22/2009 | Approved P-CO-NP; 10/15/2009 (CO limits certain uses) |
| 2700 Montopolis (approx. 100 acres) C14-78-010 | Interim "A" 1 st H&A to "D" Industrial 1 st and 3 rd H&A | Recommended | Approved; 03/02/1978 |
| 2706 Montopolis (COA Substation) C14-90-0041 | "MI" Major Industry to P | Recommended; 09/11/1990 | Approved; 10/04/1990 |
| 3000 Montopolis C14-05-0111.06 | SF-2 to CS | Recommended; 01/10/2006 | Approved; 01/26/2006 |
| 3004 Montopolis C14-00-2265 | SF-2 to CS | Recommended GR-CO; 01/23/2001 | Approved GR-CO; 03/01/2001 (CO limits vtd to less than 2000) |
| East of Site | | | |
| 7016 E Ben White | LI-NP & CS-NP | Recommended; | Approved; 04/16/2012 |

| | | | |
|-------------------------------------|-------------|------------|---|
| (approx. 30 acres) C14-2011-0169 | to CS-MU-NP | 02/28/2012 | (also terminated a 1979 RC that required a PDA for industrial use and limited uses to sales or lease of mobile & modular homes & GR uses) |
|-------------------------------------|-------------|------------|---|

As might be determined from the above, there has been relatively little rezoning in the immediate area. The immediate area is zoned LI (limited industrial service) or MI (major industry). There is some commercial zoning at the intersection of Montopolis and Ben White, and further north on Montopolis and east on Ben White. But with the exception of the Montopolis/Ben White intersection, the larger GR-MU, CS, and CS-MU tracts remain undeveloped.

ABUTTING STREETS & TRANSIT:

| Street Name | ROW Width | Pavement Width | Classification | Bicycle Plan | Capital Metro | Sidewalks |
|------------------|-----------|----------------|----------------|--------------|---------------|-----------|
| Montopolis Drive | Varies | MAD 4 | Arterial | Yes | Yes | Yes |

CITY COUNCIL DATE: Scheduled for February 13, 2014

CITY COUNCIL ACTION:

ORDINANCE READINGS:

ORDINANCE NUMBER:

CASE MANAGER:

Lee Heckman / 512-974-7604 / e-mail lee.heckman@austintexas.gov

STAFF RECOMMENDATION**C14-2013-0141****SUMMARY STAFF RECOMMENDATION**

To grant public-neighborhood plan (P-NP) combining district zoning.

BACKGROUND

The tract is currently zoned limited industrial service – neighborhood plant (LI-NP). LI district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site, and is one of four industrial base districts.

The proposed zoning is public-neighborhood plan (P-NP). P is considered a special purpose base district, and is the designation for a governmental, civic, public service, or public institution use. A P district designation may be applied to a use located on property used or reserved for a civic or public institutional purpose or for a major public facility, regardless of ownership of the land on which the use is located. A P district designation may not be applied to government-owned property that is leased to a nongovernmental agency for a use other than a governmental service or for a use that supports a primary civic or public institutional use.

The NP combining district designation denotes a tract located within the boundaries of an adopted Neighborhood Plan, in this case, Montopolis.

BASIS FOR RECOMMENDATION

Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan.

A Neighborhood Plan Amendment (NPA) application accompanies this rezoning request (NPA-2013-0005.02). Staff and the Neighborhood Plan Contact Team recommend approval of the Future Land Use Map change from Industry to Civic. The staff recommendation to rezone the property to P-NP is contingent on the Planning Commission recommending, and City Council approving, the NPA.

Zoning should promote the goal of environmental protection; and

The rezoning should be consistent with the policies adopted by the City Council or Planning Commission/Zoning and Platting Commission.

Water supply and quality will be two of the most critical issues facing Austin as it adds population, according to the Imagine Austin Comprehensive Plan (IACP). The City's top water conservation priorities, per the IACP, include water restrictions, reclaimed water use, utility water rate structuring, and reducing water losses. Reclaimed water use saves 4 million gallons a day. In a typical year, the City currently treats and reuses 3% of its wastewater; that's almost 1.5 billion reclaimed gallons a year. Clearly, managing how water it is used, conserved, and reused, is a top policy concern of the Commission and Council.

Austin Water Utility's Water Reclamation Initiative provides non-potable water, which protects the drinking water supply, recycles water, and can save money. Efforts to expand the water reclamation network rely on the construction of additional facilities, such as the proposed tank and pump station on the subject tract. This specific tract was chosen both for the Utility's technical needs, as well as the neighborhood's preferences. Staff from the

Austin Water Utility (AWU) have consulted with the Montopolis Neighborhood Plan Contact Team (MNPCT) for a few years and this location was selected.

Zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner; and

Granting of the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city.

Reclaimed water satisfies a public need; any reclaimed water that can be used for irrigation or other purposes is less water that must be drawn from our drinking water supply.

The subject tract is surrounded by industrial-zoned property, some of it used, some undeveloped. This location was selected after discussing with the MNPCT and other stakeholders. Given this consultation with local stakeholders, staff thinks locating a tank and pump station at this location is acceptable to those who live or work within the immediate area. While some may think a tank is undesirable, it is being located away from existing residential uses and does not remove developable space from Ben White or Montopolis – both arterials that will likely see development and redevelopment in the future. Even so, the tank is anticipated to be only 40 tall; it will not loom over existing residents or employees. Moreover, there is no need for a concern about precedent in the neighborhood; this facility will support the use of reclaimed water in the Montopolis area, including the Roy. G. Guerrero Colorado River Park and neighboring properties. Another water tank is not anticipated in this area.

The proposed zoning should be consistent with the purpose statement of the district sought.

The use of the site for a water reclamation tank and pump station is clearly a public endeavor; the property is owned by the City and the facilities constructed thereon will be operated and maintained by the Austin Water Utility. Obviously, the proposed use of the site is consistent with the purposes of the public zoning district.

EXISTING CONDITIONS & REVIEW COMMENTS

Site Characteristics

This is an undeveloped tract in the middle of an industrially-zoned district. The site is heavily treed; however, a preliminary engineering report determined that these are mostly cedars, and there are no heritage or protected trees on the site. The site is relatively flat; sloping from north to south, the change in elevation is approximately 20 feet over a 400 feet long run. There are no known topographic or environmental constraints to development of the site. Similarly, the location is beyond the limits of the Scenic Roadway Corridor Overlay, associated with Ben White Boulevard frontage, and is beyond the limits of the Airport Overlay Zone.

Environmental Review

November 14, 2013 (MM)

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

| <i>Development Classification</i> | <i>% of Gross Site Area</i> | <i>% of Gross Site Area with Transfers</i> |
|--|-----------------------------|--|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multifamily | 60% | 70% |
| Commercial | 80% | 90% |

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

PDR Site Plan Review

November 20, 2013(CBH)

SITE PLAN REVIEW OF ZONING CASES

SP 1 When a site plan is filed, because this site is zoned P (Public), and is greater than one acre in size, a Conditional Use Permit required, according to the Land Development Code (Section 25-2-625).

SP 2 This site is located in the Montopolis Neighborhood Plan. Please see the City's website <http://www.austintexas.gov/departments/neighborhood-planning> for a copy of the recommended design guidelines.

PDR Transportation Review

December 4, 2013 (IN)

ZONING COMMENTS

TR1: No additional right-of-way is needed at this time.

TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

TR3. Montopolis Drive is classified in the Bicycle Plan as Bike Route No. 65.

TR4. Capital Metro bus service (Bus Route No. 331) is available along Montopolis Drive.

TR5. There are existing sidewalks along Montopolis Drive.

TR6. Eric Dusza in the Neighborhood Connectivity Division may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

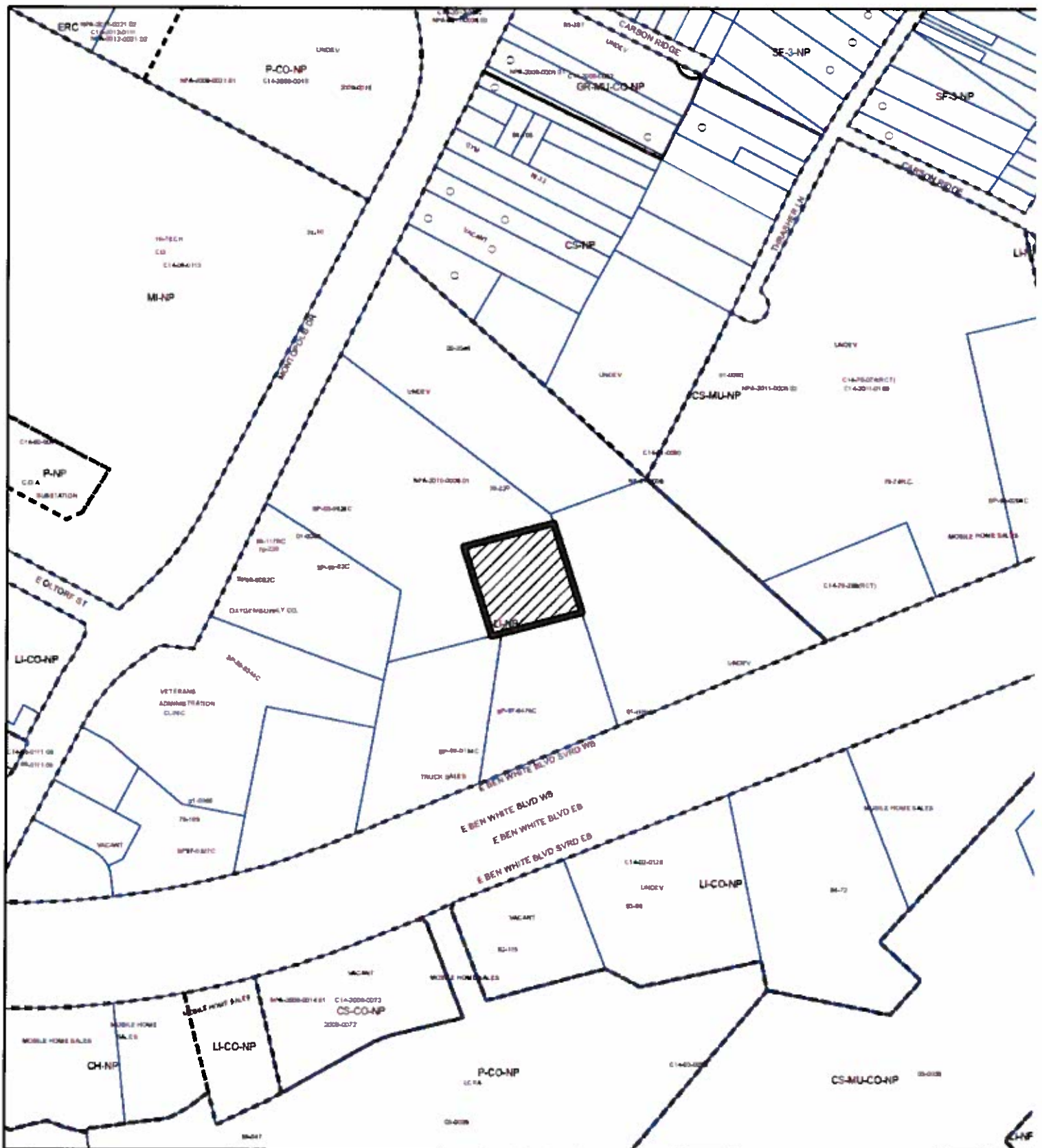
TR7. Existing Street Characteristics:

| Name | ROW | Pavement | Classification | ADT |
|------------------|------------|-----------------|-----------------------|------------|
| Montopolis Drive | Varies | MAD-4 | Arterial | 15,030 |

Austin Water Utility Review

October 31, 2013 (BB)

WW1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



ZONING

ZONING CASE#: C14-2013-0141



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

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

Exhibit A



C14-2013-0141 / Montopolis Reclaimed Water Tank



Imagery: 2012-01

Exhibit A - 1
Aerial & Zoning

0 200 400 800 Feet
1 inch = 400 feet

C14-2013-0141 / Montopolis Reclaimed Water Tank



Imagery: 01-2012
Contours: 2003

Exhibit A-2
Contours

