

ZONING CHANGE REVIEW SHEET

CASE: C14-2026-0029 (9807 Middle Fiskville Road) DISTRICT: 4

ADDRESS: 9807 Middle Fiskville Road

ZONING FROM: W/LO-CO-NP and CS-NP TO: LI-CO-NP

SITE AREA: approximately 1.061 acres (approximately 46,211 square feet)

PROPERTY OWNER: RLF III Central, LLC

AGENT: DPR Construction (Stephen Rye)

CASE MANAGER: Jonathan Tomko, AICP (512) 974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMENDATION:

Staff recommends granting limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning.

The Conditional Overlay would prohibit the following 15 uses:

- | | |
|--------------------------|--|
| - Bail Bond Services | - Liquor Sales |
| - Service Station | - Drop-Off Recycling Collection Facility |
| - Outdoor Entertainment | - Basic Industry |
| - Exterminating Services | - Outdoor Sports & Recreation |
| - Recycling Center | - Indoor Sports and Recreation |
| - Performance Venue | - Resource Extraction |
| - Kennels | - Scrap and Salvage |
| - Club or Lodge | |

The staff's recommendation would maintain the elements of the conditional overlay from Ordinance 010614-29 and 010830-42 which include a 35-foot wide vegetative buffer north and east of the property lines, and prohibit vehicular access from the property to Northcape Drive. This recommendation does not include any vehicle trip count limitations.

For a summary of the basis of Staff's recommendation, please see the basis of recommendation section below.

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 28, 2026: To grant staff's recommendation of LI-CO-NP on the consent agenda. Motion by Commissioner Bretton, seconded by Commissioner Maxwell, unanimous.

CITY COUNCIL ACTION:

August 27, 2026: Case is scheduled to be heard by City Council.

ORDINANCE NUMBER:

TBD

ISSUES: In certain cases, limited industrial services (LI) zoning may be used within the mixed-use future land use category, provided the most intense industrial uses are limited through a Conditional Overlay. Therefore, Staff has determined that a plan amendment application is not required for this case.

CASE MANAGER COMMENTS:

The property in question is currently a former Frito Lay Distribution center of approximately 50,000 square feet that was constructed in approximately 1981 and approximately 150,000 square feet of paved parking. The previous conditional overlay from 2001 included a 35-foot vegetative buffer to the north and the east of the property to buffer the single-family neighborhood to the north and the east. It also included prohibiting vehicular traffic to Northcape Drive to the south of the property.

While limited industrial services zoning is close to an existing single-family neighborhood, this appears to be a reuse of an existing building that has been there since 1981. The site is 1/3 mile north of East Rundberg Lane and approximately 500 feet east of North Interstate Highway 35 Northbound.

BASIS OF RECOMMENDATION:

Zoning should allow for reasonable use of the property.

There appears to be several distribution center/warehouses within the immediate area. This one while close to a single-family neighborhood to the north and east, was constructed in approximately 1981 and does include a conditional overlay requiring that a vegetative buffer of 35 feet be maintained to the north and east.

Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.

The building appears to currently be vacant, and this would be a reuse of an existing building providing workforce jobs to this area. Also, the proposed use of testing energy storage units supports the City's sustainability goals by promoting green infrastructure.

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

Limited Industrial service (LI) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site. This request is for the existing building, approximately 1 acre, and for the least intensive industrial uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	W/LO-CO-NP and CS-NP	A former Frito Lawy Distribution center of approximately 50,000 square feet that was constructed in approximately 1981 and approximately 150,000 square feet of paved parking.
<i>North</i>	P-NP and W/LO-CO-NP	The Fiskville Austin Energy Substation, and a transit warehouse of approximately 10,000 square feet that was constructed in approximately 1968 and approximately 120,000 square feet of paved parking.
<i>South</i>	W/LO-CO-NP and CS-NP	Undeveloped land

<i>East</i>	W/LO-CO-NP and SF-3-NP	Undeveloped land and three single family homes that were constructed in approximately 1970.
<i>West</i>	CS-NP	A convenience store/market constructed in approximately 2014 and a warehouse of approximately 8,000 square feet constructed in approximately 1969.

NEIGHBORHOOD PLANNING AREA: Heritage Hills/Windsor Hills (Windsor Hills)
Combined Neighborhood Plan

WATERSHED: Little Walnut Creek Watershed

SCHOOLS: A.I.S.D.
Graham Elementary School
Dobie Middle School
Northeast High School

COMMUNITY REGISTRY LIST:

Austin Neighborhoods Council, Friends of Austin Neighborhoods, Go Austin Vamos Austin – North, Heritage Hills/Windsor Hills Neighborhood Plan Contact Team, Homeless Neighborhood Association, Overton Family Committee, Windsor Hills Neighborhood Association

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2240 (Frito-Lay, Inc.)	Rezone from MF-2 to W/LO-CO and LO-CO	05.08.2001: To grant W/LO for Tract 1, LO for Tract 2 and include the CO provisions for the 35-foot vegetative buffer and the access prohibited to Northcape. [B.H, S.L 2^3 Vote: 6-3 L.O, R.C, J.R- NAY	05.24.2001: Approve W/LO-CO, Warehouse Limited Office Conditional Overlay Combining district zoning with conditions on Tract 1 and LO-CO, Limited Office-Conditional Overlay Combining district zoning with conditions on Tract 2. Consent Vote: 6-0, Griffith absent.
C14-04-0069 (Shurgard Storage)	To rezone approximately 7,129 square feet from SF-2 to CS	07.20.2004: Approved staff's recommendation of CS zoning by consent (8-0; J. Pinnelti); J. Martinez- 1st, J. Gohil-2 nd	08.26.2004: Approved CS (7-0) on all 3 readings.

C14-2008-0104 (Schiffgens Tract)	To rezone approximately 0.936 acres from SF-2 to CS	05.27.2008: Approve Staff recommendation of CS-CO by consent (8-0) with Commissioner Kirk absent.	Approved CS-CO (5-0) on all 3 readings.
C14-2010-0187 (UPS Middle Fiskville)	The applicant is proposing to rezone property from SF-2 to CS-MU-V-CO-NP. – Withdrawn by the applicant	N/A	N/A

RELATED CASES:

NPA-2026-0028.01 – Case withdrawn as staff determined a neighborhood plan amendment was not needed with this rezoning request.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

In certain cases, LI zoning may be used within the Mixed Use land use category, provided the most intense industrial uses are limited through a Conditional Overlay.

Therefore, Staff has determined that a plan amendment application is not needed.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
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. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

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.

Fire

No comments on rezoning.

PARD – Planning & Design Review

PR1: Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2024, new commercial, non-residential uses are not subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan

- SP 1 FYI: All comments regarding the effects of the proposed rezoning on subsequent Site Plan Review applications are intended to assist in identifying potential development constraints but do not include all regulations which may affect a specific proposal. Changes to property boundaries and requests for development cannot include all regulatory limitations which may apply to a specific subject to modification or reconsideration if affected by a change in property boundaries or if development is proposed on only a portion of the land proposed for rezoning. These comments are intended to assist in identifying potential development constraints, but do not address the actual restrictions which will apply to a specific development proposal. Austin Development Services offers a variety of pre-application review options to assist in evaluating specific development proposals prior to Site Plan Application.
- SP 2 Site plans will be required for any new development except for residential only projects with up to 4 units.
- SP 3 Any new development is subject to Subchapter E Commercial Design Standards. Additional comments will be made when the site plan is submitted.

Compatibility Standards

- SP 4 The site is subject to compatibility standards due to the adjacency of the SF-3-NP zoning and use to the Eastern property line (i.e, the triggering property)
Reference 25-2-1051, 25-2-1053
- SP 5 Any structure that is located:
- a. At least 50 feet but less than 75 feet from any part of a triggering property may not exceed 60 feet
 - b. Less than 50 feet from any part of a triggering property may not exceed 40 feet
- Reference 25-2-1061*

- SP 6 An on-site amenity, including a swimming pool, tennis court, ball court, or playground, may not be constructed 25 feet or less from the triggering property.
Reference 25-2-1062

Transportation and Public Works (TPW) Department – Engineering Review

- TPW 1. TPW-TDS does not support maintaining the conditional overlay items from Ordinance No. 010614-29 Part 2. 1 and 2. Access to adjacent roadways and trip generation will be assessed with the street impact fee and in accordance with the Transportation Criteria Manual at the time of site plan review.
- TPW 2. Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. **Transportation assessment/traffic impact analysis and transportation demand management plan shall** be required at the time of site plan if triggered per **LDC 25-6 and TCM 10.2.1**.
- TPW 3. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Middle Fiskville Rd. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Middle Fiskville Rd according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
- TPW 4. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Northcape Dr. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Northcape Dr according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Middle Fiskville Rd	Level 1	58 feet	Approx 70 feet	Approx 25 feet	No	No	Yes
Northcape Dr	Level 1	58 feet	Approx 58 feet	Approx 38 feet	Yes	No	Yes

TIA: A traffic impact analysis is NOT required. Traffic generated by the proposal does not exceed thresholds established in the City of Austin Land Development Code (LDC). Mitigation per LDC 25-6-101 may still apply.

Austin Water Utility

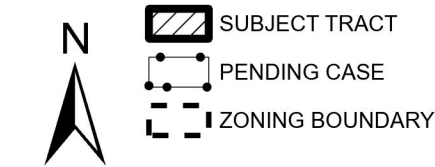
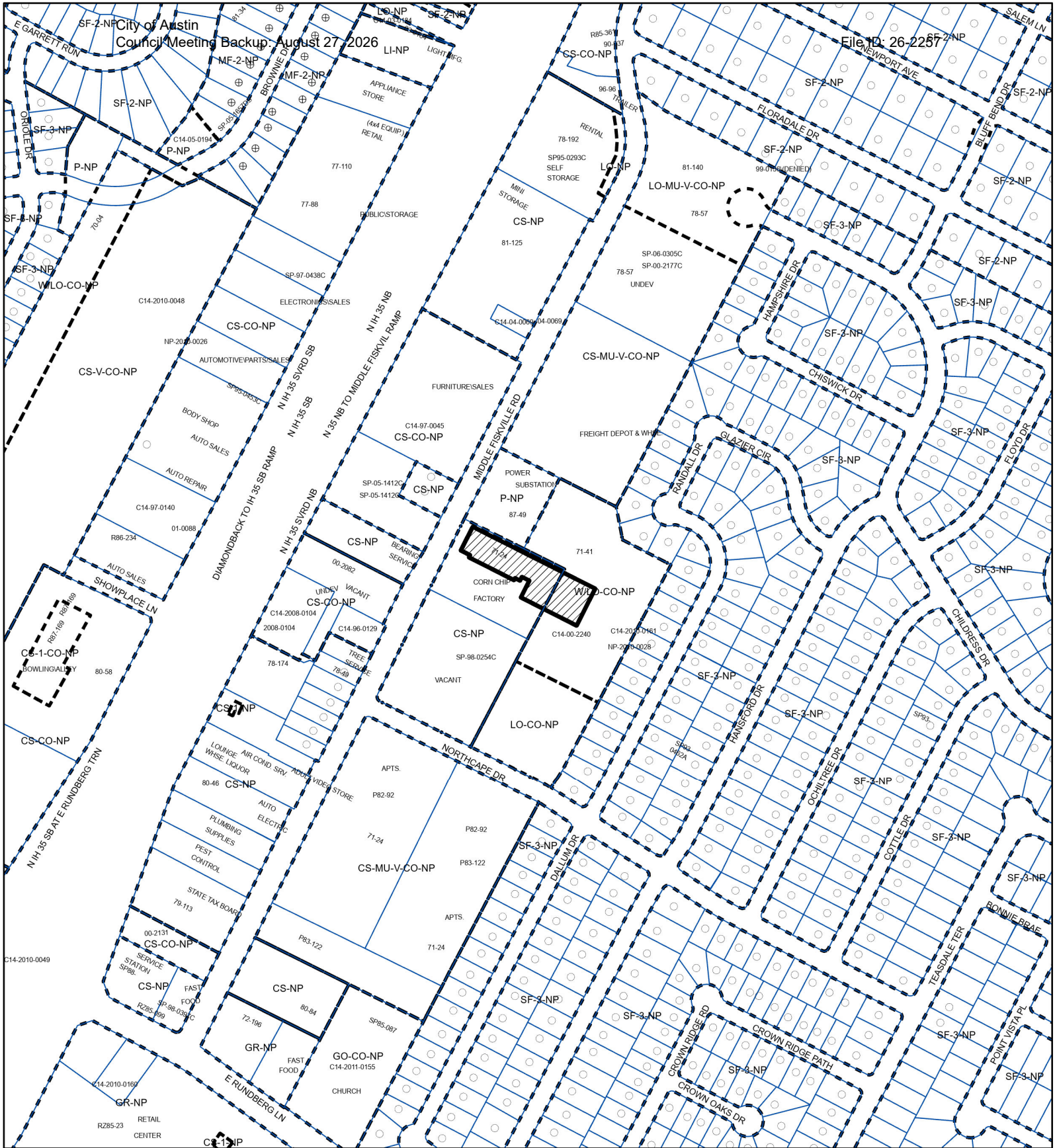
AW1. No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Correspondence from Interested Parties



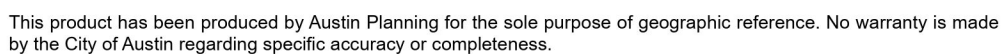
ZONING

ZONING CASE#: C14-2026-0029

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





April 23, 2026

Ms. Lauren Middleton-Pratt
Director, Planning Department
City of Austin
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Re: Zoning application 9807 Middle Fiskville Road, Austin, Travis County, Texas

Dear Ms. Middleton-Pratt,

On behalf of RLF III Central, LLC and Exowatt, Inc., please accept the enclosed zoning application package for the property located at 9807 Middle Fiskville Road. The proposed project consists of 11.3 acres with frontage along Middle Fiskville Road and Northcape Drive, although the zoning request will be limited to the approximately 44,000 square feet of the existing building on the property. No building expansion is proposed. The property is within the boundaries of the Windsor Hills Neighborhood Planning Area and is designated as a mixed-use future designation on the Windsor Hills Future Land Use Map. A future land use map amendment application has been submitted to accompany this zoning application. A traffic impact analysis waiver dated March 22, 2026 is included with this application.

The application requests a rezoning from the existing General Commercial Services – Neighborhood Plan (CS-NP), and Warehouse/Limited Office – Conditional Overlay - Neighborhood Plan (W/LO-CO-NP) within the building footprint to a footprint of Limited Industrial Services for the existing building. The existing zoning districts and associated conditional overlays on the balance of the property are proposed to remain the same and are not included in this application, including a 35-foot wide vegetative buffer provided and maintained along the north and east property lines and a prohibition on vehicular access to the property from Northcape Drive.

The property is currently developed with an industrial warehouse distribution building. The owner of the property intends to reuse the existing facilities for a light manufacturing facility for modular solar-thermal energy systems. No hazardous materials will be produced as part of the proposed process, and the use of the building will include precision machining and laminating of optical components, and subsequent assembly and testing of energy storage units.

310 Comal St. | Bldg. A | Suite 300
Austin, TX 78702
www.dpr.com
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Upon your review, please let me know if you would like any additional information on this project or if you or your team have any questions on the application.

Thank you,

A handwritten signature in blue ink, appearing to read "Stephen Rye".

Stephen Rye
DPR Construction
stephenr@dpr.com



Public Comment / Questions — Rezoning Case C14-2026-0029, 9807 Middle Fiskville Road

From [REDACTED]
Date Wed 5/20/2026 5:09 PM
To Tomko, Jonathan <[REDACTED]>; Wayne Johnson <[REDACTED]>;
Wayne Johnson <[REDACTED]>

You don't often get email from [REDACTED]. [Learn why this is important](#)

External Email - Exercise Caution

Hi Jonathan,

Wayne and I live directly next to the property at **9807 Middle Fiskville Road**, and our backyard is connected to the warehouse/property involved in rezoning case **C14-2026-0029**.

Please add my comments and questions to the public record for this case. I would also appreciate it if you could let me know the date, time, and location of the public hearing, and confirm who else should receive written public comments.

Because my home and backyard are directly adjacent to this property, I am especially concerned about how this rezoning could affect my daily life, peace, safety, property use, and home value.

I understand this rezoning may involve the former Frito-Lay property and a proposed limited industrial use connected to Exowatt. I am not opposed to clean energy or responsible development, but I need clear information and protections before industrial zoning is approved directly beside residential homes.

Before this rezoning is approved, I would like clarification on the exact operations planned for the site, including:

Will this location be used only for office and warehouse purposes, or will there be manufacturing, assembly, testing, or energy-system production onsite?

Will there be any battery storage, solar thermal systems, generators, transformers, substations, cooling equipment, or other power-related infrastructure?

Will any chemicals, hazardous materials, flammable materials, or large-scale energy storage systems be stored or used at this property?

What are the expected hours of operation? Will there be any 24-hour activity?

What level of truck traffic is expected, and what truck routes will be used to avoid impacts on nearby residential streets?

What noise levels are expected at the property line, especially since my backyard directly borders this site?

Will there be outdoor lighting, and will it be shielded so it does not shine into nearby homes or backyards?

Will there be outdoor storage, loading docks, or regular loading/unloading activity near the side of the property that borders residential backyards?

What screening, fencing, landscaping, sound buffering, and setback protections will be required between this industrial use and adjacent homes?

What stormwater, drainage, erosion, and runoff protections will be required so nearby yards and homes are not affected?

What conditions or restrictions will be placed on the zoning approval to protect residents whose homes directly border the property?

I respectfully request that any zoning approval include strong, enforceable conditions related to noise, operating hours, truck traffic, lighting, outdoor storage, safety, environmental protections, stormwater management, setbacks, and buffering from adjacent residential properties.

Again, I am not against clean energy or responsible development. However, because my backyard directly connects to this property, I am asking the City to ensure that nearby residents are fully informed and protected before any industrial zoning is approved.

Thank you for your time and assistance. Please confirm that this email has been added to the public record for case **C14-2026-0029**.

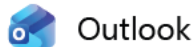
Sincerely,
Arza Demi

9810 Dallum Dr.
Austin, TX. 78753

Sent from my iPhone

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "[REDACTED]".



Outlook

Case Number: C14-2026-0029

From Zafer Hamza [REDACTED] >

Date Fri 5/22/2026 5:20 PM

To Tomko, Jonathan <[REDACTED]>

Hi Mr. Tomko,

I'm reaching out about the notice of filing for rezoning. This is in reference to a property at 9807 Middle Fiskville.

I received a notice today about a virtual meeting on June 3rd, but will be traveling during that time. I'm not sure I will be able to attend.

However, this property is very close to my house. I am strongly against allowing this property to be zoned as Industrial. This is a residential neighborhood!

The property in question is directly across from an apartment complex and my house is 2 blocks away.

I can't fathom why the city would allow industrial zoning smack in the middle of a neighborhood. It smacks of not caring about folks on the east side, and specifically Rundberg, where historically the city has done little to prevent vagrants, prostitutes and drug dealers.

The neighborhood has seen some improvement in the last 10 years but it's still a bit rough.

However, I can't imagine most people who live here are ok with the idea of some business coming in and doing industrial activities that may involve chemicals and airborne particles.

If there is an official way for me to file a "I am very much against this" other than attending the meeting, please let me know.

This has huge potential to have a negative impact on quality of life in the neighborhood. It may create significant noise and airborne pollution.

Can you, for a microsecond, imagine the city allowing an industrial development in Terrytown?

Please advise how I can enter official comment or fight this by any means, as I am appalled this is being considered.

Kind Regards,
Zafer Hamza
Windsor Hills resident.