

THIRD READINGS SUMMARY SHEET

CASE: C14-2022-0062 – Industrial Blvd & Terry O Lane

DISTRICT: 3

ADDRESS: 439, 505, 509, 511 and 515 Industrial Boulevard and 4208 Terry O Lane

PROPERTY OWNER: Basalt Cannon LLC, Delwau LLC, Jasdayal LLC, Lunar Y LLC, Ungar Holdings LLC

AGENT: Glen Coleman

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

REQUEST:

Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 439, 505, 509, 511 and 515 Industrial Boulevard and 4208 Terry O Lane (Williamson Creek and Blunn Creek Watersheds). Applicant's Request: To rezone from limited industrial service – neighborhood plan (LI-NP) combining district zoning to limited industrial service – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning.

CITY COUNCIL ACTION:

December 12, 2024:

November 21, 2024: *APPROVED A POSTPONEMENT REQUEST BY COUNCIL MEMBER VELÁSQUEZ TO DECEMBER 12, 2024.*

VOTE: 11-0.

November 7, 2024: *APPROVED A POSTPONEMENT REQUEST BY COUNCIL MEMBER VELÁSQUEZ TO NOVEMBER 21, 2024.*

VOTE: 10-0. Mayor Pro Tem Pool was absent.

October 10, 2024: *SECOND READING APPROVED.*

VOTE: 9-0. Council Member R. Alter was off the dais. Council Member Harper-Madison was absent.

September 26, 2024: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO OCTOBER 10, 2024.*

VOTE: 10-0. Council Member A. Alter was off the dais.

September 12, 2024: *FIRST READING APPROVED AS PLANNING COMMISSION RECOMMENDED.*

VOTE: 11-0.

August 29, 2024: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBRHOOD TO SEPTEMBER 12, 2024.*

VOTE: 9-0. Council Member A. Alter was off the dais. Council Member Harper-Madison was absent.

July 18, 2024: *APPROVED A POSTPONEMENT REQUEST BY APPLICANT TO AUGUST 29, 2024.*

VOTE: 11-0.

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0062 – Industrial Blvd & Terry O Lane DISTRICT: 3

ADDRESS: 439, 505, 509, 511 and 515 Industrial Boulevard and 4208 Terry O Lane

ZONING FROM: LI-NP TO: LI-PDA-NP

SITE AREA: 5.791 acres

PROPERTY OWNER: Basalt Cannon LLC, Delwau LLC, Jasdayal LLC, Lunar Y LLC,
Ungar Holdings LLC

AGENT: Glen Coleman

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning.

PLANNING COMMISSION ACTION / RECOMMENDATION:

May 14, 2024: APPROVED LI-PDA-NP COMBINING DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT

[A. AZHAR; C. HEMPEL – 2ND] (8-0), G. COX – ABSTAINED; P. HOWARD, R. JOHNSTON, J. MUSHTALER, A. WOODS – ABSENT

April 23, 2024: *Approved a POSTPONEMENT REQUEST by the APPLICANT to May 14, 2024*

*[G. ANDERSON; A. WOODS – 2ND] (10-0), A. PHILLIPS – OFF THE DIAS;
G. COX, J. MUSHTALER – ABSENT*

March 26, 2024: *Approved a POSTPONEMENT REQUEST by the APPLICANT to April 23, 2024*

*[A. AZHAR; F. MAXWELL – 2ND] (10-0), G. ANDERSON, P. HOWARD,
A. PHILLIPS – ABSENT*

March 12, 2024: *Approved a POSTPONEMENT REQUEST by staff to March 26, 2024*

[A. WOODS; F. MAXWELL – 2ND] (11-0), C. HEMPEL, J. MUSHTALER – ABSENT

February 13, 2024: *Approved a POSTPONEMENT REQUEST by staff to March 12, 2024*

[A. AZHAR; F. MAXWELL – 2ND] (12-0), ONE VACANCY ON THE DIAS

January 23, 2024: *Approved a POSTPONEMENT REQUEST by staff to February 13, 2024 [G. ANDERSON; F. MAXWELL – 2nd] (12-0), J. CONNOLLY – ABSENT*

August 8, 2023: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE APPLICANT.*

[A. AZHAR; F. MAXWELL – 2nd] (10-0), T. SHAW, J. MUSHTALER – ABSENT; ONE VACANCY ON THE DIAS

June 13, 2023: *Approved a POSTPONEMENT REQUEST by staff to August 8, 2023*

[A. WOODS; A. AZHAR – 2nd] (11-0), C. HEMPEL – ABSENT; ONE VACANCY ON THE DIAS

April 25, 2023: *Approved a POSTPONEMENT REQUEST by staff to June 13, 2023*

[N. BARRERA-RAMIREZ; F. MAXWELL – 2nd] (8-0), A. AZHAR, J. CONNOLLY, Y. FLORES, A. HAYNES, A. WOODS – ABSENT

CITY COUNCIL ACTION:

December 12, 2024:

November 21, 2024: *APPROVED A POSTPONEMENT REQUEST BY COUNCIL MEMBER VELÁSQUEZ TO DECEMBER 12, 2024.*

VOTE: 11-0.

November 7, 2024: *APPROVED A POSTPONEMENT REQUEST BY COUNCIL MEMBER VELÁSQUEZ TO NOVEMBER 21, 2024.*

VOTE: 10-0. Mayor Pro Tem Pool was absent.

October 10, 2024: *SECOND READING APPROVED.*

VOTE: 9-0. Council Member R. Alter was off the dais. Council Member Harper-Madison was absent.

September 26, 2024: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO OCTOBER 10, 2024.*

VOTE: 10-0. Council Member A. Alter was off the dais.

September 12, 2024: *FIRST READING APPROVED AS PLANNING COMMISSION RECOMMENDED.*

VOTE: 11-0.

August 29, 2024: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBRHOOD TO SEPTEMBER 12, 2024.*

VOTE: 9-0. Council Member A. Alter was off the dais. Council Member Harper-Madison was absent.

July 18, 2024: *APPROVED A POSTPONEMENT REQUEST BY APPLICANT TO AUGUST 29, 2024.*

VOTE: 11-0.

ORDINANCE NUMBER:

ISSUES:

On September 7, 2022, City of Austin staff sponsored a virtual community meeting to provide an opportunity for the neighborhood plan contact team, nearby residents, property owners, and any other interested parties to discuss the proposed development and the neighborhood plan amendment request.

When the virtual community meeting was held, the Drenner Group, PC was the agent of record. However, in March of 2023, staff was informed that the Drenner Group, PC was no longer representing the property owners. Nhat Ho with Civiltude was designated as the new agent on record.

CASE MANAGER COMMENTS:

The subject rezoning area is approximately 5.79 acres and is situated at the southwest corner of Industrial Boulevard and Terry O Lane. It is located near the intersection of South IH 35 and East Ben White Boulevard. South Congress Avenue, a core transit corridor, is less than one half mile to the west. The site is developed with some industrial service businesses and large unpaved surface parking lots. Development on Industrial Boulevard and Terry O Lane is generally characterized by warehouses containing distribution and supply companies, fabrication companies, construction sales and service businesses, and outside storage uses (LI-NP; LI-CO-NP; LI-PDA-NP). *Please refer to Exhibits A (Zoning Map), A-1 (Aerial View).*

The Applicant proposes to rezone the property to the limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) district for a mixed use development that will include a multifamily residential building with first floor pedestrian-oriented commercial uses.

As set forth in Land Development Code Section 25-2-441, the regulations of a planned development area (PDA) may modify: 1) permitted or conditional uses authorized by the base zoning district, 2) site development regulations except for compatibility standards, and 3) off-street parking or loading regulations, sign regulations or screening regulations applicable in the base district.

The Applicant's proposed PDA consists of the following elements:

- 1) Establishes the following additional permitted residential uses:

condominium residential

multifamily residential

- 2) Establishes the following additional commercial use:

research testing services

- 3) Prohibits the following commercial, civic, and industrial uses:

adult oriented businesses	agricultural sales and services
automotive rentals	automotive repair services
automotive sales	automotive washing (of any type)
bail bond sales	basic industry
building maintenance services	campground
construction sales and services	equipment repair services
equipment sales	exterminating services
kennels	laundry services
maintenance and service facilities	monument retail sales
recycling center	resource extraction
scrap and salvage	vehicle storage

- 4) Establishes that LI site development standards apply to the property, with the following modifications:
- A maximum height of 125'
 - A maximum of 95% impervious cover and 80% building coverage
 - A minimum 0' front yard setback, a 0' street side yard setback, a 10-foot interior side yard setback and a 10' rear yard setback
 - A maximum floor-area-ratio (FAR) of 6:1

NOTE: All other land use classification in the LI zoning district are permitted and conditional uses except as identified above.

BASIS OF RECOMMENDATION:

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

The limited industrial services (LI) district designation is for a commercial service use or limited manufacturing use generally located on a medium or large sized site. The planned development area (PDA) combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

- Zoning changes should promote an orderly relationship among land uses.*

Staff recommends the Applicant's request as described above for (LI-PDA-NP) district zoning for the subject property based on the following considerations:

- 1) The proposal is in alignment with surrounding LI-PDA-NP zoning entitlements and is similar to proposed developments for adjacent properties on the north side of Industrial Boulevard,
- 2) recognizing the property’s proximity to the interchange of two freeways,
- 3) the area is experiencing a degree of transition from stand-alone manufacturing uses to a mix of uses that include manufacturing, commercial and office uses, as well as planned residential development,
- 4) there are numerous multifamily mixed use projects located all along South Congress Avenue to the west of the site as well as proposed mixed use multifamily developments on the north side of Industrial Boulevard,
- 5) its proximity to South Congress Avenue, which is a Core Transit Corridor, and being near the South Congress Transit Center. It is within half of a mile of Capital Metro bus routes, including a Metro Rapid Bus Route.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-NP	Industrial warehouses and services
<i>North</i>	LI-PDA-NP	Industrial warehouses, suppliers, & sales
<i>South</i>	LI-NP; LI-CO-NP;	Industrial warehouses and services; Commercial services; Auto services
<i>East</i>	LI-PDA-NP	Industrial supplier & sales; Recycling center
<i>West</i>	LI-NP; LI-CO-NP	Industrial warehouses and services; Industrial supply; Breweries & distilleries; Cocktail lounge; Food sales

NEIGHBORHOOD PLANNING AREA: South Congress Combined (East Congress)

WATERSHED: Williamson Creek – Suburban; Blunn Creek – Urban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Galindo Elementary School

Bedichek Middle School

Travis High School

COMMUNITY REGISTRY LIST:

Austin Neighborhoods Council

Austin Independent School District

Friends of Austin Neighborhoods

South Austin Neighborhood Alliance (SANA)

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Sierra Club, Austin Regional Group

South Congress Combined Neighborhood Plan Contact Team

Austin Lost and Found Pets

Onion Creek HOA

Preservation Austin

SELTexas

Go Austin Vamos Austin 78745

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2023-0109 – 4323 South Congress Avenue	LI-PDA-NP to LI-PDA-NP, to change conditions of zoning	Pending	Pending
C14-2023-0044 – 300-440 Industrial Boulevard	LI-NP to LI-PDA-NP	To Grant (11/28/2023) LI-PDA-NP	Pending
C14-2023-0046 – 506 & 600 Industrial Boulevard	LI-PDA-NP to LI-PDA-NP, to change conditions of zoning	To Grant (11/28/2023) LI-PDA-NP, with maximum height of 125’ and maximum of 600 dwelling units	Pending
C14-2023-0043 – 4201 South Congress Avenue	LI-NP; LI-CO-NP to CS-MU-V-NP	To Grant (12/12/2023) CS-MU-V-CO-NP	Pending
C14-2019-0082 – 600 Industrial Boulevard	LI-CO-NP to LI-PDA-NP	To Grant (10/8/2019) LI-PDA-NP, with conditions of the TIA.	Apvd LI-PDA-NP as Commission recommended (2/6/2020)
C14-2020-0093 – 4329 South Congress Avenue	CS-MU-NP to CS-MU-V-NP	To Grant (10/27/2020) CS-MU-V-CO-NP	Apvd CS-MU-V-CO-NP as Commission recommended (10/10/2022)
C14-2020-0008 – 4302 South Congress Avenue	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V- NP and conditions of R-O-W dedication on S Congress Ave.	Apvd CS-MU-V-NP as Commission recommended (5-7-2020).
C14-2017-0132 – 4515 South Congress Avenue; 134 Sheraton Ave	CS-MU-NP; CS-MU-CO-NP to CS-MU-V-NP	To Grant CS-MU-V- CO-NP w/CO for list of prohibited uses and 2,000 trips/day.	Apvd CS-MU-V-CO- NP Commission rec. but remove the –CO for the 2,000 trips/day limit (6-14-2018).
C14-2017-0133 – 4401 S Congress Rezoning	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V- CO-NP w/CO prohibiting access to S Congress Ave and conditions of R-O-W dedication on South Congress Avenue	Apvd CS-MU-V-CO- NP as PC rec (3-8- 2018). Note: Staff deferred R-O-W dedication to site plan.

<p>C14-2016-0024 – 440 E. St. Elmo Road, Bldg F</p>	<p>LI-NP to CS-1- CO-NP</p>	<p>To Grant CS-1-CO-NP w/CO prohibits adult- oriented businesses and limits the size of a cocktail lounge to 2,049 sf. Restrictive Covenant 1) limits the cocktail lounge use to a tasting room associated w/the distillery, and 2) permits wholesale and retail sale of alcoholic beverages, limited to that manufactured or produced by or for the distillery.</p>	<p>Apvd as Commission recommended (6-16-2016).</p>
<p>C14-2016-0106 – 4411 South Congress Avenue and 4510 Lucksinger Lane</p>	<p>CS-MU-NP to CS-MU-V-NP</p>	<p>To Grant CS-MU-V- NP w/addl conditions to provide 10% rental units at 60% MFI w/a unit mix reflecting the makeup of the units as the rest of the development.</p>	<p>Apvd CS-MU-V-CO- NP w/CO for 60’ height limit (4-13-2017).</p>
<p>C14-2014-0034 – St. Elmo's Market and Lofts – 113 Industrial Blvd; 4323 S Congress Ave; 4300 Blk of Willow Springs Rd</p>	<p>CS-MU-NP; LI- NP; LI-CO-NP to LI-PDA-NP</p>	<p>To Grant LI-PDA-NP w/conditions for a Traffic Impact Analysis, and add’l conditions</p>	<p>Apvd LI-PDA-NP w/ PDA for dev’t stds, permitted, cond’l, prohibited uses, and max. of 400 residential units, and RC for the TIA and require a shared walkway/bike path from S Congress Ave to the food sales use (11-20-2014).</p>
<p>C14-05-0107 – East Congress Neighborhood Plan Area Rezoning</p>	<p>Proposed – Addition of -NP Combining District and change Base District Zoning on 36 tracts.</p>	<p>To Grant</p>	<p>Apvd to Add -NP Combining District (8/18/2005)</p>

RELATED CASES:

The subject property is within the boundaries of the South Congress Combined (East Congress) Neighborhood Planning Area. The –NP combining district was added to the existing LI base district on August 18, 2005 (C14-05-0107).

NPA-2022-0020.01 – corresponding neighborhood plan amendment to change the Future Land Use Designation from Industry to Mixed Use

ADDITIONAL STAFF COMMENTS:

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City’s Land Development Code and Drainage Criteria Manual requires that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Blunn Creek and Williamson Creek Watersheds of the Colorado River Basin, which are classified as Urban and Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

Under current watershed regulations, development or redevelopment on this site in the Suburban Watershed classification 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%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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.

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. (Urban Watershed)

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site. (Suburban Watershed)

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.

PARD – Planning & Design Review

Parkland dedication will be required at the time of subdivision or site plan application for new proposed uses by this rezoning, multifamily and mixed-use with LI-PDA-NP, per City Code § 25-1-601, as amended. The intensity of the proposed development creates a need for over six acres of additional parkland, per requirements described in § 25-1-602; when over six acres, parkland must be dedicated – see § 25-1-605 (A)(2)(a). As such, land dedication may be required, unless the land available for dedication does not comply with the standards for dedication. Any remaining fees in-lieu after dedication shall also be required.

If the land available for dedication complies with the parks standards, the Parks and Recreation Department (PAR) would consider a small park toward satisfying the requirement at time of permitting (whether subdivision or site plan). The surrounding neighborhood areas are currently park deficient, defined as being outside walking distance to existing parks. The dedication would satisfy the need for additional parks in park deficient areas of Central South Austin, a specific recommendation in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

Site Plan

A site plan will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards in Subchapter E of the Land Development Code.

Any new development will be subject to the site development standards established by the proposed PDA.

Unless a resubdivision will be proposed, a Unified Development Agreement may need to be recorded that clearly ties all lots together for the construction, use and maintenance of shared infrastructure/development.

This site is located in the South Congress Combined Neighborhood Plan. Please see the City’s [Neighborhood Plans and Resources webpage](#) for a copy of the recommended design guidelines.

Demolition

In the event that demolition or relocation of existing buildings is proposed, the applicant will be responsible for requesting demolition or relocation permits. The City Historic Preservation Officer will review all proposed building demolitions and relocations. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Austin Fire Department

AFD has received an engineering technical report which addresses the concerns in the AFD Zoning Report and accepts the findings in the report.

Austin Transportation Department – Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Industrial Boulevard. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for Industrial Boulevard according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for Terry O Lane. It is recommended that 36 feet of right-of-way from the existing centerline should be dedicated for Terry O Lane according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

A zoning transportation analysis is required. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the ZTA. [LDC 25-6-142]. Comments will be provided in a separate memo.

The adjacent street characteristics table is provided below:

NAME	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Industrial Boulevard	Level 2 – Local Mobility	84’	78’	34’	No	Wide Curb Lane	Yes

Terry O Lane	Level 2 – Collector	72'	65'	21'	No	Shared Lane	Yes
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A Traffic Impact Analysis (TIA) has been waived at this time since a Zoning Transportation Analysis (ZTA) is required. ***Please refer to Attachment A.***

Austin Water Utility

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 Austin Water for compliance with City criteria and suitability for operation and maintenance.

Service Extension Requests 5412 (W) and 5413 (WW) are currently in review and must be approved prior to formal development plan submittal.

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.

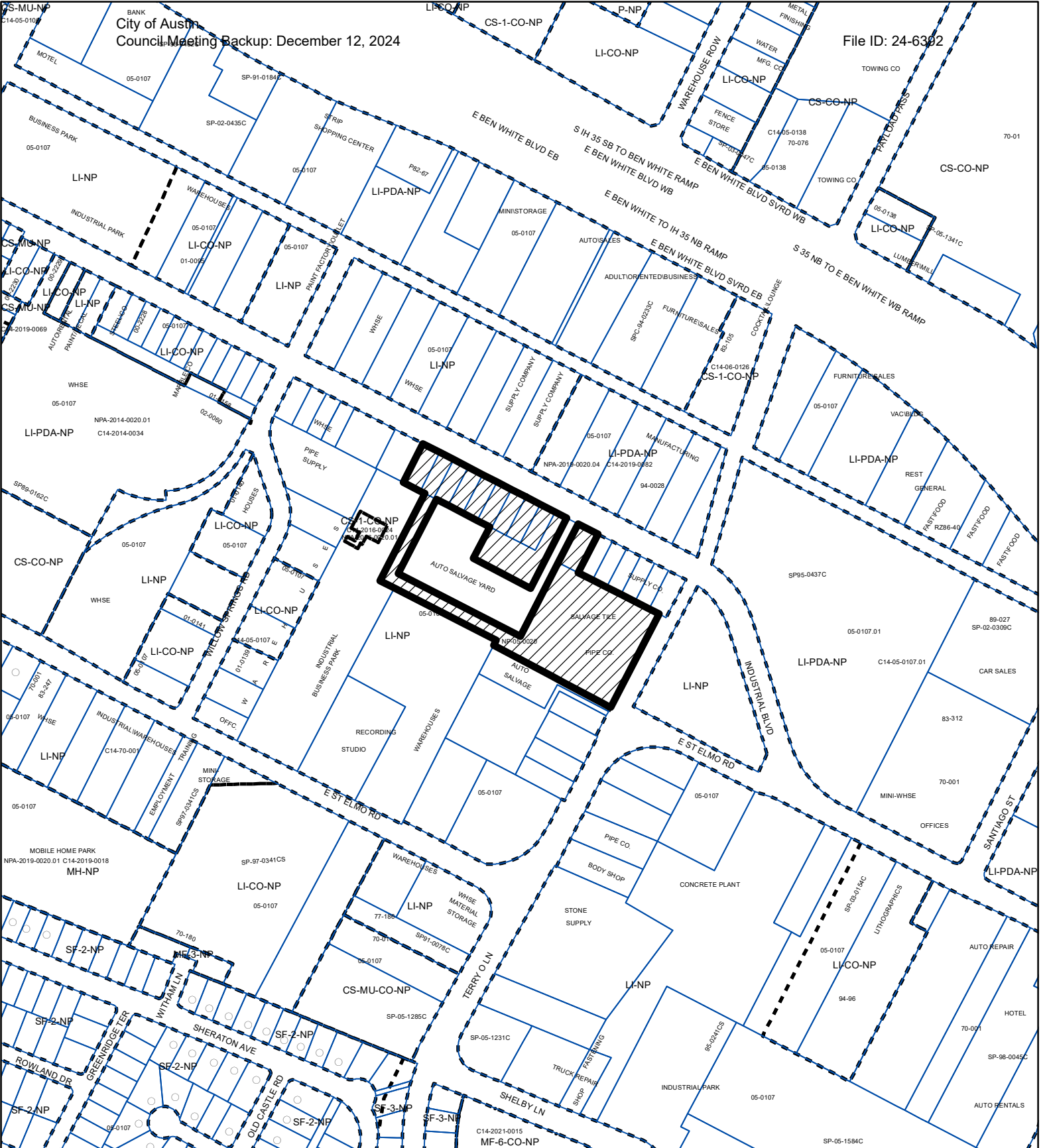
INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map
Exhibit A-1: Aerial Map

Applicant’s Summary Letter

Attachment A: Zoning Transportation Analysis (ZTA)


Correspondence





ZONING


ZONING CASE#: C14-2022-0062

EXHIBIT A



 SUBJECT TRACT

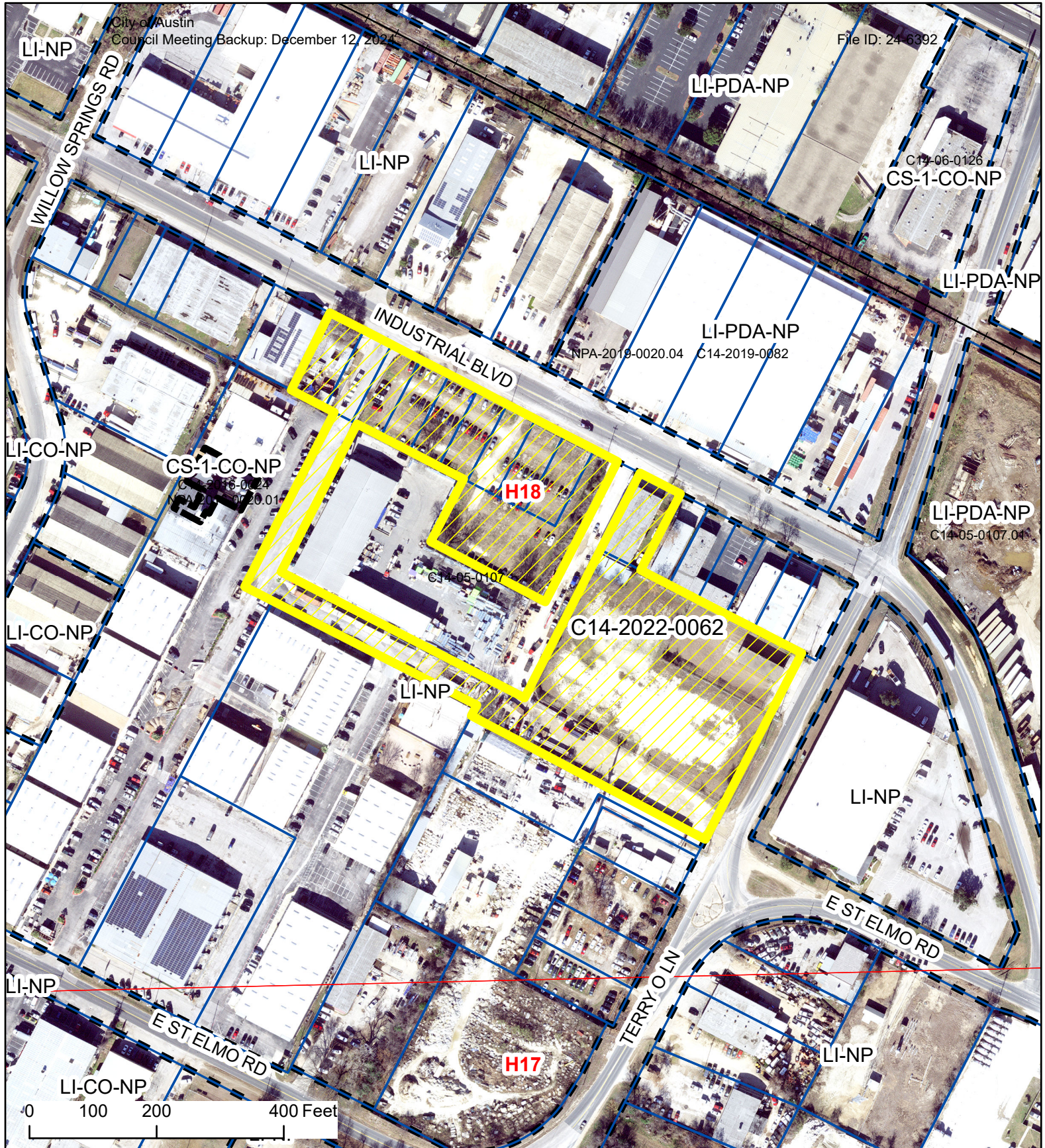
 PENDING CASE

 ZONING BOUNDARY



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



Industrial Blvd and Terry O Ln

EXHIBIT A-1



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2022-0062
 LOCATION: 439-511, 515 Industrial Blvd
 (odd only) and 4208 Terry O Ln
 SUBJECT AREA: 5.791 Acres
 GRID: H18
 MANAGER: Nancy Estrada



February 12, 2024

Nancy Estrada
Maureen Meredith
City of Austin Housing and Planning
1000 E 11th Street
Austin, TX 78702

Re: NPA 2022.01 & Zoning Case C14-2022-0062
439-511 Industrial Boulevard and 4208 Terry O Lane, Austin, Texas
Site comprised of Lot 3, OK Addition; Lots 43-50, St. Elmo
Heights Sec. 1; and Lots 2 and 4, Duplex Addition

Greetings Nancy and Maureen;

The owners of the above property respectfully submit the following NPA and Zoning Case for your consideration. The project is titled Industrial Blvd and Terry O Ln and is approximately 5.567 acres of land. The Property is in the Full Purpose Jurisdiction of the City of Austin. Please accept our request to transition the above to residential use, and, please note a change of team member on our application.

The Property is located in the East Congress Neighborhood Planning Area (NPA), part of the South Congress Combined NPA, and has a Future Land Use Map (FLUM) designation of Industrial. This is an application to amend the FLUM from Industrial to Mixed Use. The current zoning on the Property is LI-NP, Limited Industrial Services – Neighborhood Plan. The proposed zoning will be LI-PDA-NP, Limited Industrial Services – Planned Development Area – Neighborhood Plan, and the proposed uses will include a mix of mostly residential, with limited commercial, and clean industrial. We are proposing to prohibit intensive industrial uses that are currently permitted, including Resource Extraction, Recycling, and Scrap and Salvage.

The proposed NPA aligns with the South Congress Combined NPA's stated goal of focusing mixed-use development and commercial uses along major commercial corridors and in specialized districts.

A team member, Glen Coleman, will be managing the zoning change process and serving as our contact staffer. 512 407-9357 glen.colemantx@gmail.com

The South Congress Combined Neighborhood Planning Team has asked that the eventual product provide some portion of retail use on its ground floor. We have agreed to honor this request.

Please reach out to Mr. Coleman if we can provide you with any further information.

With every appreciation;

Scott Ungar

Scott Ungar, Manager

Basalt Cannon LLC, Delwau LLC, Jasdayal LLC, Lunar Y LLC, Ungar Holdings LLC
1601 E. 5th Street
Suite 108
Austin, Texas 78702



MEMORANDUM

From: Nathan Aubert, P.E.
To: Aditya Jatar, P.E.
Date: December 8, 2022
Subject: 4208 Terry O – Zoning Transportation Analysis (C14-2022-0062)

The Transportation Development Services (TDS) division has reviewed the Zoning Transportation Analysis (ZTA) prepared by BOE Consulting Services, LLC. The proposal is for 40,000 square feet of warehousing, 765,000 square feet of general office, and 400 mid-rise multi-family dwelling units. The development is located southwest of the intersection of Industrial Blvd and Terry O Lane in Austin, TX (Figure 1). Site access will consist of two driveways: one along Industrial Blvd and one along Terry O Lane. The development is anticipated to be constructed in 2025.

Fig 1. Site Location Map



Roadways

The site proposes access to Industrial Blvd and Terry O Lane.

Industrial Blvd

Industrial Blvd is currently a Level 2 road in the ASMP, which will provide one full access driveway into/out of the site. The roadway has approximately 27 feet of pavement width, and the right-of-way varies between 72 to 80 feet. It currently has two travel lanes with missing curbs, gutters, and sidewalks on both sides of the road. The average daily traffic on Industrial Blvd is approximately 1,972 vehicles per day, based on TxDOT’s Traffic Count Database System (TCDS) 2020 data set.

Terry O Ln

Terry O Ln is currently a Level 2 road and would provide one full access driveway into/out of the site. The roadway currently has about 24 feet of pavement width and the right-of-way varies between 69 and 86 feet. It has two travel lanes with missing curbs, gutter, and sidewalks on both sides of the road. The average daily traffic on Terry O Ln is about 3,215 vehicles per day, based on TxDOT’s 2020 TCDS data set.

Trip Generation and Traffic Analysis

The project assumes 40,000 square feet of warehousing (ITE Code 150), 765,000 square feet of general office (ITE Code 710), and 400 mid-rise multi-family dwelling units (ITE Code 221). Based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition, the proposed development will generate 8,777 vehicle trips per day. See **Table 1** for a detailed breakdown of the trip generation in vehicles per day (vpd).

Table 1. Trip Generation

Land Use	Size	Unadjusted Trip Generation (vpd)
Warehousing	40,000 SF	101
Multi-family Housing (Mid-Rise)	400 Dwelling Units	1,862
General Office	765,000 SF	6,814
TOTAL (vpd)		8,777

The existing trips were obtained from collected 24-hour tube counts, then a school adjustment factor of 1.45 was applied to the 24-hour tube counts to account for traffic countings being collected when schools were out of session. The site trips (distributed traffic percentage applied to the total site ADT) were added to the adjusted existing traffic to determine the overall traffic volumes. **Table 2** shows both the existing traffic volumes as well as projected volumes on each road in the vicinity of the site.

Table 2. Added Traffic

Street	Existing Traffic (Adjusted)[vpd]	Proposed New Site Traffic to each Roadway	Overall Traffic (Existing + Site) [vpd]	Percentage Increase in Traffic
Industrial Blvd	5,389	6,144	11,533	114%
E St Elmo Rd	7,849	0	7,849	0%

Recommendations/Conclusions

As a condition for approval for the above-referenced zoning review case, the applicant shall adhere to the following requirements:

1. Provide no more than a single driveway along Industrial Blvd (designated Driveway A), proposed to be located along Industrial Blvd where the existing driveway is currently. This driveway is proposed to operate as full purpose.
2. Provide no more than a single driveway along Terry O Lane (designated Driveway B), proposed to be located where the existing driveway is currently. This driveway is proposed to operate as full purpose.
3. Pedestrian Access and Connectivity, Bicycle Access and Connectivity, Reduced Parking Supply, and Unbundled Parking are TDM reductions intended to be captured with this site. The final determination of TDM measures proposed by this site will be provided during the Site Plan review process.
4. A ROW dedication of approximately 4 ft and approximately 2 ft may be required along Industrial Blvd and Terry O Lane, respectively, to meet ASMP cross-section requirements.
5. The City of Austin reserves the right to reevaluate any or all identified improvements associated with this case at the time of Site Plan review.
6. Street Impact Fee (SIF) Ordinances [20201220-061](#) and [20201210-062](#) have been adopted by City Council and are effective as of December 21, 2020. The City has started collecting street impact fees with all building permits issued on or after June 21, 2022. For more information, please visit the City's Street Impact Fee website [austintexas.gov/streetimpactfee]. A Street Impact Fee Formal calculation shall be performed at the time of the Site Plan submission to be collected at the time of building permit.
7. All construction items should be designed and incorporated into the site plan, and all street impact fees should be paid in full. No offsets to the proposed development's SIF will be issued until identified construction items are completed, unless those items are included in the proposed Site Plan application.

If you have any questions or require additional information, please contact me at (512) 974-7136.



Nathan Aubert, P.E.
Austin Transportation Department

From: Glen Coleman
Sent: Tuesday, September 10, 2024 8:16 PM
To: Mario Cantu
Cc: Velasquez, Jose <Jose.Velasquez@austintexas.gov>; Hall, Victoria <Victoria.Hall@austintexas.gov>; Howard Curtis; Gene S Adams; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Subject: Re: SCCNPCT Requesting Indefinite Postponement (125 feet) Case #: 111 & 112 @ 12-SEP-2024 COA Case Number: NPA-2022-0020.01-C14-2022-0062, located at 39, 505, 509, 511, 515 Industrial Blvd, 4208 Terry O Ln.

External Email - Exercise Caution

Thank you Mario & Team,

Let me start by thanking you for your time and attention on this item.
Your dedication to affordability in your area is commendable.

To that end, we have upped the affordability level to your recommended (most recently recommended) percentage of 12%.

I thank Gene in particular for his numbers-based approach.

In addition, as per our last conversation, we are adding a "mix of units" clause to ensure that the affordability is not concentrated in efficiencies.

No other changes will be made. There will be no other changes to a restrictive covenant to which you are not a signatory.

Paired with those two added items, you have the entire document in front of you.

And thus, we respectfully oppose any further delay of this item.

I am still available for discussion and always will be. The Yard is a dynamic and fascinating project, and my employer has always welcomed your involvement.

I look forward to continuing on this path with you and exploring what this area can become.

Respectfully,

glen c

www.texascoloradoriver.com

DATE: September 10, 2024

TO: Jose.Velasquez@austintexas.gov, add Victoria

CC: Maureen.Meredith@austintexas.gov, nancy.estrada@austintexas.gov

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

Re: **Requesting Indefinite Postponement Case Numbers: 111 & 112 @ 12-SEP-2024 City Council**
Case Number: NPA-2022-0020.01-C14-2022-0062, located at 39, 505, 509, 511, 515 Industrial Boulevard, and 4208 Terry O Lane.

Dear Council Member, Velasquez

Scheduled to be heard at Austin City Council meeting this week, Thursday September 12, 2024, the SCCNPCT is requesting indefinite postponement to the above case, giving constituents allowable time to review the revised Restrictive Covenant that will allow, provide, and guarantee true affordable housing within the SCCNPCT area including our city. We have other cases that have and are working with the SCCNPCT that are/have provided true Restrictive Covenant(s) regarding requests.

While the applicant is working on a revised Restrictive Covenant, the SCCNPCT will need to have an opportunity for review, feedback, regarding the revised Restrictive Covenant for this property. We have made it very clear the revised Restrictive Covenant shall provide our wants and needs as well. **We do not agree nor support first reading on this case.**

We request your input, please, to push case 111 & 112 to an **Indefinite Postponement**.

Thank you,
Mario Cantu, Chair
SCCNPCT

DATE: August 27, 2024

TO: Jose.Velasquez@austintexas.gov, add Victoria

CC: Maureen.Meredith@austintexas.gov, nancy.estrada@austintexas.gov

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

Re: Postponement Request
Case Number: NPA-2022-0020.01-C14-2022-0062, located at 39, 505, 509, 511, 515 Industrial Boulevard, and 4208 Terry O Lane

Dear Council Member, Velasquez

Scheduled to be heard at Council Meeting this week, Thursday August 29, 2024, the SCCNPCT is requesting your postponement to the above case, giving constituents allowable time to review this applicant's Restrictive Covenant supposedly covering these tracts.

While we understand the applicant has reviewed a proposed Restrictive Covenant with you/your office, the SCCNPCT has not seen anything, therefore not having any opportunity for input, feedback, nor communication regarding the Restrictive Covenant for this property.

Rather than circumvent the process, we'd like your assistance please to kick this back to the applicant to follow standard protocols in involving community before skipping ahead to be placed on any agenda before council.

We request your input, please, to push this to the next meeting, scheduled September 26, 2024.

Thank you,
Mario Cantu, Chair
SCCNPCT

From: Glen Coleman

Sent: Monday, July 15, 2024 10:13 AM

To: Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Harden, Joi <Joi.Harden@austintexas.gov>

Cc: Hall, Victoria <Victoria.Hall@austintexas.gov>; Velasquez, Jose <Jose.Velasquez@austintexas.gov>

Subject: Pstpne by applicant: NPA-2022-0020.01 - Industrial Terry O

External Email - Exercise Caution

Hello Nancy & Team,

Applicant asks to postpone this item until the next scheduled Council meeting, please.

We are crafting an RC and I would like time to circulate it among all the parties before Thursday.

I will alert the SCCNPT of our request.

Thank You,

glen
512 407-9357

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For any additional questions or concerns, contact CSIRT at "cybersecurity@austintexas.gov".

From: Glen Coleman
Sent: Monday, April 22, 2024 12:28 PM
To: Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Subject: Ppmnt Request: Item 13: C14-2022-0062 Industrial / Terry O.

External Email - Exercise Caution

Good morning Nancy,

Applicant is requesting a postponement of this item, Item 13: C14-2022-0062 (Industrial / Terry O.), until your regularly scheduled meeting of May 14th, 2024.

We are currently exploring affordability options other than simply residential, and are requesting a bit more time to meet with community interest and some City departments. We are comfortable with the affordable housing percentages offered in the mirror case on Industrial before the Planning Commission last March: but is that **the best** outcome? Should the affordability be something such as....a subsidized daycare, for example, instead of a residential strategy?

The SCCNPT is being apprised of these discussions and we are soliciting their feedback.

Please reach out if you have any questions.

Nancy, we appreciate your patience and your hard work on this item.

Thank You!

Glen Coleman
Industrial Ten
512 407-9357

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For any additional questions or concerns, contact CSIRT
["cybersecurity@austintexas.gov."](mailto:cybersecurity@austintexas.gov)

From: Glen Coleman
Sent: Monday, March 25, 2024 10:05 AM
To: Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Cc: Mario Cantu; Hall, Victoria <Victoria.Hall@austintexas.gov>; Ramirez, Nadia - BC <BC-Nadia.Ramirez@austintexas.gov>; Velasquez, Jose <Jose.Velasquez@austintexas.gov>
Subject: Postponement Request: C14-2022-0062 Industrial / Terry O.

External Email - Exercise Caution

Good morning Nancy,

Applicant requests a postponement of the above item to the April 23rd Planning Commission Meeting.

To review, our original discussions with the Planning Team centered around an affordability strategy focused on ground-floor retail and support for community-based organizations in need of a location.

We are certainly open to affordable housing instead, but I would like a chance to discuss this with the D3 office before commitments are made.

We are all exchanging calendar dates this morning, but I think more time would be beneficial.

I appreciate your patience and hard work on this item.

Thank You,

glen c
512 407-935

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