### **ZONING CHANGE REVIEW SHEET**

<u>CASE</u>: C14-2023-0013 <u>DISTRICT</u>: 3

<u>ADDRESS</u>: 501 Pedernales St; 2503 E.6th St; 2505 E. 6th St; 2507 E. 6th St and 2511 E. 6th St

ZONING FROM: CS-MU-CO-NP TO: CS-MU-V-CO-NP

SITE AREA: acres (sq. ft.) approximately 1.79 acres (77,972 sqft)

PROPERTY OWNER: Pedernales Property Holdings LLC

AGENT: Michele Haussmann, Land Use Solutions, LLC

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

## STAFF RECOMMEDATION:

The Staff recommendation is to grant the applicant's request to change the zoning from CS-MU-CO-NP to CS-MU-V-CO-NP zoning. The conditional overlay would be retained to **prohibit** the following uses: Adult Oriented Business, Campground, Convenience Storage, Exterminating Services, Kennels, and Pawn Shop Services.

The Conditional Overlay established Automotive Washing (of any type) and Commercial Off-Street Parking as **conditional uses.** For a summary of the basis of Staff's recommendation, see pages 2-3.

# PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

June 13, 2023: Request for Staff Postponement to July 25, 2023

July 25, 2023: Applicant Postponement to September 12, 2023

September 12, 2023: Case approved on consent motion by Vice Chair Hempel, seconded by Commissioner Azhar, unanimous.

## CITY COUNCIL ACTION:

October 19, 2023: Case is scheduled to be heard by City Council

## **ORDINANCE NUMBER:**

N/A

**ISSUES:** None

### CASE MANAGER COMMENTS:

The subject lot is currently zoned CS-MU-CO-NP and contains approximately 70,000 sqft of gross building area. The Pedernales Station Event Venue, and various workspaces, originally built in 1951, and renovated in 2008. To the north is MF-2-NP including multi-family and single-family residences, mostly newer structures with at least two units per lot. To the south are three different zoning categories across the railroad tracks CS-CO-MU-NP, CS-MU-V-CO-NP, and GR-CO-MU-NP. There is a coffee shop, telecommunications yard (being redeveloped), income tax services and some single-family residences. To the east is CS-MU-V-CO-NP, the East Poultry Company warehouse built 1950 (approximately 19,000 sqft) and 1974 (approximately 29,000 sqft) -recently rezoned. To the west is CS-CO-MU-NP (across Pedernales St.) this includes The Pedernales Lofts (3-story condominium with street level retail on E. 6<sup>th</sup> St.)

### BASIS OF RECOMMENDATION:

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

This district is in a highly walkable and bikeable location, with grocery stores, restaurants, parks and educational facilities all within a short walk. A wide variety of daily needs can be reached within a 15-minute walk. The area is also rich in public transit assets which will be upgraded in the near future through Project Connect which anticipates the addition of Metro Rapid high frequency bus line along Pleasant Valley Road, and a Green Line rail stop at Pleasant Valley. It is important to permit a variety of uses compatible with the context of this location and allow intermediate densities as a transition from the commercial corridors, such as North Pleasant Valley Rd. and the Capital Metro Red line, to surrounding neighborhoods. Site development regulations are intended to permit combinations of office, retail, commercial, and residential uses within a single development.

Vertical Mixed-Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed-use building.

### 2. The proposed zoning should promote consistency and orderly planning.

The proposed CS-MU-V-CO-NP zoning would be consistent with the CS-MU-V-CO-NP zoning recently granted immediately to the southeast through case C14-2020-0145 on 2700, 2716, 2726 E 5th St. and to the east through case C14-2022-0112 on 2615-2617 E. 6<sup>th</sup> St. *See the Area Case Histories section for more information on these cases.* 

## 3. The proposed zoning should allow for a reasonable use of the property.

That Conditional Overlay is recommended for this property due to the proximity of SF-3-NP across the street to the north. It is important to note that the property immediately to the south of the railroad tracks. 2700, 2716, 2726 E. 5th Street, case C14-2020-0145 obtained CS-MU-V-CO-NP, on consent and is retaining its conditional overlay in addition to obtaining a V for vertical mixed use.

### **EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
Site	CS-MU-CO-NP	Approximately 70,000 sqft of gross building area.
		Pedernales Station Event Venue, and various workspaces,
		built 1951, renovated 2008.
North	MF-2-NP	Multi-Family and Single-Family residences, mostly newer
		structures with at least two units per lot.
South	CS-CO-MU-NP CS-	Coffee Shop, telecommunications yard (being
	MU-V-CO-NP, and GR-	redeveloped), income tax services and some single-family
	CO-MU-NP (across	residences
	railroad tracks)	
East	CS-MU-V-CO-NP	East Poultry Company warehouse built 1950
		(approximately 19,000 sqft) and 1974 (approximately
		29,000 sqft) -recently rezoned
West	CS-CO-MU-NP (across	The Pedernales Lofts built in 2005, (3-story condominium
	Pedernales St.)	with street level retail on E. 6 <sup>th</sup> St.)

## NEIGHBORHOOD PLANNING AREA: Holly

<u>TIA</u>: A traffic impact analysis is **not** required see *Exhibit D*.

WATERSHED: Lady Bird Lake Watershed

**SCHOOLS**: A.I.S.D.

Elementary: Govalle Middle: Martin High: Eastside Memorial

## **NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Barrio Unido Neighborhood Assn., Capital Metro, Del Valle Community Coalition, East Austin Conservancy, El Concilio Mexican-American Neighborhoods, Friends of Austin Neighborhoods, Greater East Austin Neighborhood Association, Guadalupe Neighborhood Development Corporation, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group, Tejano Town

## **AREA CASE HISTORIES**:

Number	Request	Commission	City Council
C14-2022-0112	LI-CO-NP to CS- MU-V-CO-NP	3/14/2022: approved CS-MU-V-CO-NP as staff recommended on	5/18/2022: To grant CS-MU-V-CO-NP
		consent.	

C14-2021-0179	GR-NP to CS-1-NP	To grant CS-1-NP	6/9/2022: To grant
Govalle Twin	OK THE TO CO T THE	with the added	CS-1-CO-NP
Liquors		condition that	
Elquois		Cocktail Lounge	
		land use be	
		prohibited	
C14-2021-0011 712	SF-3-NP to CS-MU-	To grant GR-MU-	7/29/2021: To grant
& 714 Pedernales St.	NP	CO-NP with the	GR-MU-CO-NP
and 2409 Coronado		following	
St.		conditions: 1. The	
		property will be	
		limited to LR land	
		uses. The following	
		land uses shall be	
		prohibited: Short-	
		term rental,	
		Automotive repair	
		services,	
		Automotive rentals,	
		Automotive sales,	
		Automotive washing	
		(of any kind), Bail	
		bond services,	
		Business or trade	
		school, Business	
		support services,	
		Commercial off-	
		street parking, Drop	
		off recycling center,	
		Exterminating	
		services, Food	
		preparation, Funeral	
		services, Outdoor	
		entertainment,	
		Outdoor sports and	
		recreation,	
		Pawnshop services,	
		Research services,	
		Theater, and	
		Hospital services (general). 2. The	
		following land uses	
		shall be conditional:	
		Alternative financial	
		services, Medical	
		offices (exceeding	
		offices (exceeding	

		[ - 000 a)	<del> </del>
		5,000 s.f.),	
		Restaurant	
		(General),	
		Restaurant (limited),	
		Community	
		recreation (private),	
		Community	
		recreation (public),	
		Congregate living,	
		Group home-Class	
		II, Hospital services	
		(limited), and	
		Residential	
		treatment.	
C14-2020-0145	CS-MU-CO-NP to	To grant CS-MU-V-	06/10/21: to grant
2700, 2716, 2726 E	CS-MU-V-CO-NP	CO-NP with the	
5th St		following	
		conditions: 1. The	
		following uses are	
		prohibited uses of	
		the Property:	
		Campground,	
		Convenience	
		storage,	
		Exterminating	
		services, Kennels,	
		Pawn shop services	
		and Adult oriented	
		businesses. 2. The	
		following uses are	
		conditional uses of	
		the Property:	
		Automotive washing	
		(of any type) and	
		Commercial of-	
		street parking.	

# RELATED CASES:

None

# **EXISTING STREET CHARACTERISTICS:**

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within 1/4 mile)
East 5 <sup>th</sup> Street	Level 2	84'	57'	35'	Yes	Yes	Yes

Pedernales	Level 2	84'	59'	29'	Yes	Yes	Yes
Street							
East 6 <sup>th</sup>	Level 1	58'	60'	29'	Yes	No	No
Street							

# OTHER STAFF COMMENTS:

# Comprehensive Planning

Project Name and Proposed Use: 501 PEDERNALES ST. and 2503, 2505, 2507, 2511 East 6th Street. C14-2023-0013. 1.79 acres from CS-MU-CO-NP to CS-MU-V-NP. FLUM: Mixed Use in Holly NP. Retail and Office to Mixed Use: 200 units of multifamily and 10,000 sq ft of specialty retail. July 18, 2023

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center,
	Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names
	of Activity Centers/Activity Corridors/Job Centers: Plaza Saltillo Neighborhood Center
Y	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and
	services, and/or employment center.
Y	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education: Located within 0.50 miles from a public school or university.
Y	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or
	walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care,
	doctor's office, drugstore clinic, and/or specialized outpatient care.)
Y	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes,
	incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units,
	cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
Y	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or
	fee in lieu for affordable housing.
Y	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library,
	theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent
	jobs, especially in industries that are currently not represented in a particular area or that promotes a new
	technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
10	Total Number of "Yes's"

### Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Lady Bird Lake 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. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
- 5. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 6. 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.
- 7. 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.
- 8. 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.

## Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily and retail with CS-MU-V-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, 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).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

## Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the North property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO. A landscape area at least 25 feet in with is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH. Additional design regulations will be enforced at the time a site plan is submitted

#### **ATD Engineering Review**

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for East 5th Street. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for East 5th Street 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 84 feet of right-of-way for Pedernales Street. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for Pedernales Street according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

There are two proposed Urban Trails adjacent to this site (East Link Trail along Pedernales Street and Mokan Corridor Trail along East 5th Street), along the southern and western

property boundaries. The easement required is a minimum of 20 ft as this allows for a 12 ft trail (minimum trail width per the urban trails plan) and room for maintenance activity.

A Neighborhood Traffic Analysis is not required.

## **Austin Water Utility**

No comment on zoning change.

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.

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.

## INDEX OF EXHIBITS TO FOLLOW

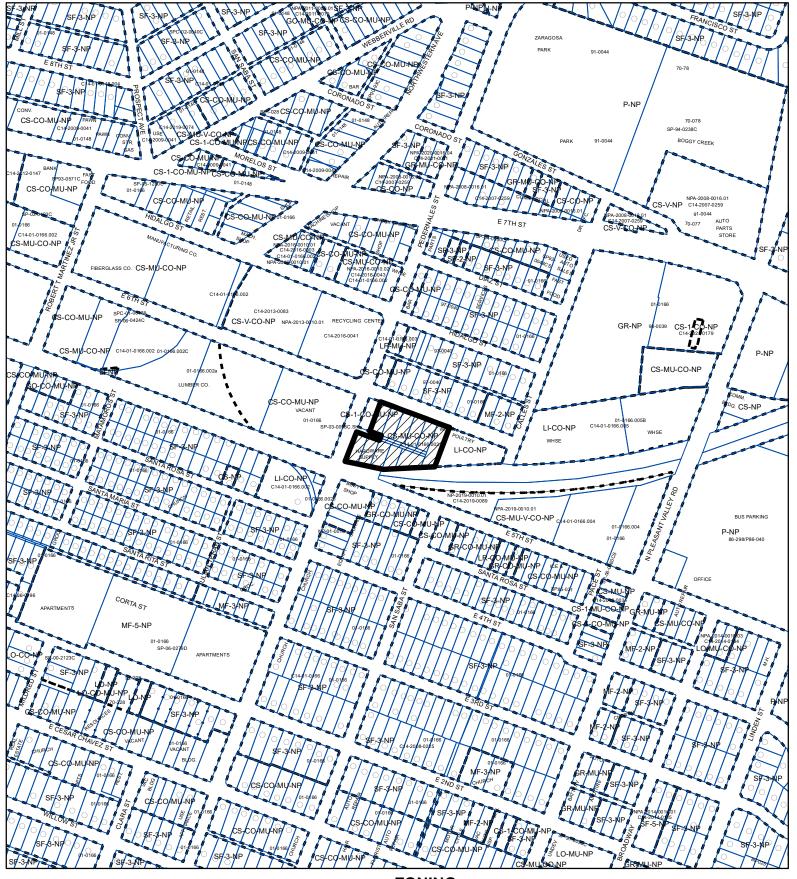
A: Zoning Map

B. Aerial Map

C. Applicant's Request Letter

D. Public Comments Received on the Case

E. TIA Determination Worksheet indicating TIA is not required





## ZONING

ZONING CASE#: C14-2023-0013

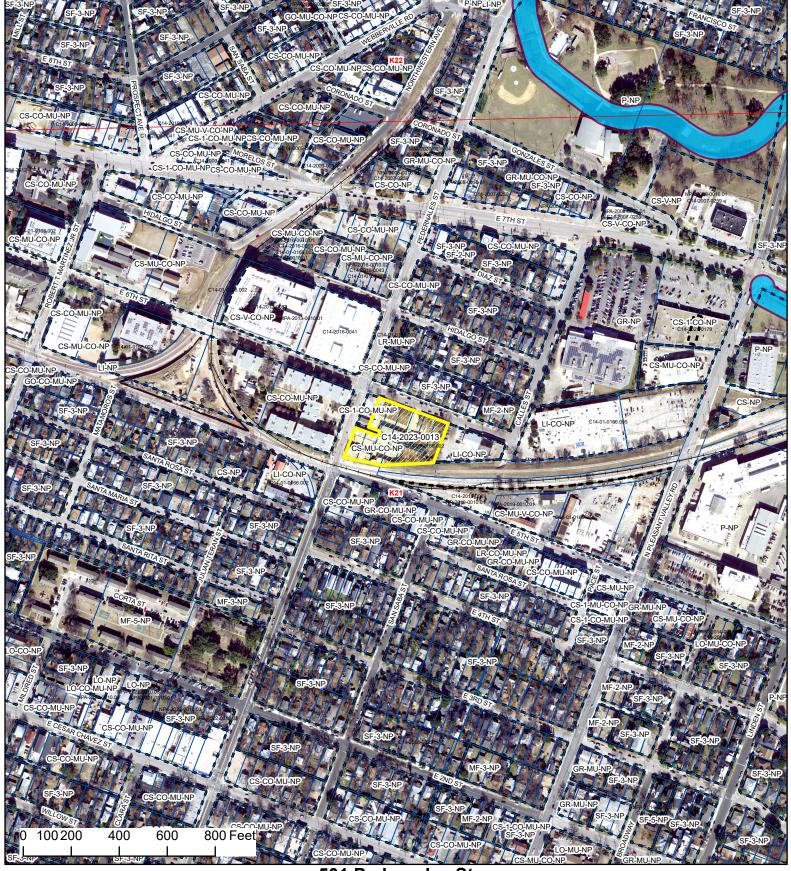
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

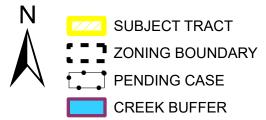
1 " = 400 '

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Created: 2/10/2023





# **501 Pedernales St**

ZONING CASE#: C14-2023-0013

LOCATION: 501 Pedernales St; 2503, 2505,

2507, 2511 East 6th St

SUBJECT AREA: 1.79 Acres

GRID: K21

MANAGER: Jonathan Tomko





Michele Haussmann
PRINCIPAL
Michele@LandUseSolutionsTX.com

January 26, 2023

Ms. Joi Harden, Division Manager Housing and Planning Department City of Austin VIA Electronic Mail Joi.Harden@AustinTexas.gov

Re: Zoning Application for Project known as 501 Pedernales Street, approximately 1.79 acres located at 501 Pedernales Street and 2503, 2505, 2507, 2511 East 6th Street, in the City of Austin, Travis County, Texas ("Property")

Dear Ms. Harden:

As representatives of the owner of the above stated Property, Jesus Turullols ("Applicant"), we respectfully submit the enclosed zoning application and submittal package. The Property consists of approximately 1.79 acres and is in the Holly Neighborhood Plan area. The Applicant is requesting a rezoning of the Property to allow for the development of mixed use project including multifamily units and commercial uses ("Project"). The Project is known as 501 Pedernales Street. The request is to rezone the Property to CS-MU-V-NP. Please see the enclosed aerials, zoning, neighborhood plan, and other exhibits for your review.

The following are the details of the request:

Acreage: 1.79 acres

Proposed Use: Mixed Use (Multifamily and Retail)

Existing Zoning: CS-MU-CO-NP Proposed Zoning: CS-MU-V-NP

The Property was rezoned in 2003 from LI to CS-MU-CO-NP as part of the Holly Neighborhood Plan process, Ordinance 030612-Z-13. The Conditional Overlay prohibited the following uses: Adult Oriented Business, Campground, Convenience Storage, Exterminating Services, Kennels, Pawn Shop Services. The Conditional Overlay established Automotive Washing (of any type) and Commercial Off-Street Parking as conditional uses. The Applicant is agreeable to a Conditional Overlay prohibiting these uses.

The Property is perfectly located to support individuals and families as it is within walking distance of a bus stop and Parque Zaragoza neighborhood park and is near Parque Zaragoza Recreation Center and Zavala elementary school.

**AUSTIN OFFICE** 5612 Parade Ridge | Austin, TX 78731 | 512.212.4114



The Property is surrounded by compatible land use designations including Mixed Use to the north, south, and west. The Property is surrounded by compatible zoning districts including CS-V-CO-NP to the north, CS-MU-V-CO-NP to the south, and CS-MU-CO-NP to the west. The requested Vertical Mixed Use combining district is consistent and compatible with the surrounding zoning and land uses.

The Property is located on a Core Transit Corridor, which supports the proposed Vertical Mixed Use combining district. Access is proposed to East 6<sup>th</sup> Street and Pedernales Street.

The proposed rezoning will comply with applicable regulations and standards established by Title 25, the objectives of Chapter 25-2 and the purpose statements of the Vertical Mixed Use combining district.

Please contact me if you or your team members have any questions or need additional information. Thank you for your time and assistance with the requests.

Respectfully,

Michele Haussmann

Enclosures

CC: Heather Chaffin, Housing and Planning Department, via electronic mail

Jesus Turullols, via electronic mail Valerie Turullols, via electronic mail September 7, 2023

Mr. Jonathan Tomko
City of Austin
Planning Department
VIA Electronic Mail jonathan.tomko@austintexas.gov

Re: 501 Pedernales Zoning Application C14-2023-0013

Dear Mr. Tomko:

As the owner of RichesArt Gallery located on the 501 Pedernales property, I'm writing to you to express my support for the rezoning of the property to allow for the development of a mixed use project. The Austin Justice Coalition coordinated a meeting with the property owner and its representatives to discuss the rezoning and anticipated timeline of the proposed redevelopment of the property. The property owner has included a mix of creative spaces and small business in the development for many years and remains committed to the same in the new development. He informed the tenants in writing that the timeline to redevelop the property is more than a year from now, not in the next few months. I appreciate their continued support of the creative community.

Sincerely,

Richard Samuel

September 11th, 2023

Mr. Jonathan Tomko
City of Austin
Planning Department
VIA Electronic Mail jonathan.tomko@austintexas.gov

Re: 501 Pedernales

Zoning Application C14-2023-0013

Dear Mr. Tomko:

As long time supporters, neighbors, patrons and landlords of both small businesses and creative spaces, we are determined to develop an inclusive project that supports this type of commercial tenant. In direct response to concerns raised by tenants and the Austin Justice Coalition, we are willing to make the commitments outlined below.

We believe this proactive commitment will alleviate concerns about retaining creative space tenants in our project.

We hope that this step, above and beyond existing city requirements, will set an example for future developers in preserving the character and community of East Austin.

- 1) If any subsidies for affordable creative spaces are available and applicable, we would commit to exploring the feasibility of incorporating those options into the project. Current tenants who express interest would be informed of available spaces through any such program used. If allowed by a program's rules, current creative space tenants would have Right of First Offer on those spaces.
- If we do not utilize incentives for affordable creative spaces, tenants would have a Market Rate Right of First Offer, with the following considerations.
  - -Space offered would be in total: the lesser of 2000 sq ft, or 20% of commercial space newly developed.
  - -Available to creative space tenants based on seniority, up to the maximum allotted space defined above. It will be at the discretion of future owners to exceed this maximum.
  - -Tenants must meet financial qualifications as required by future property owner.
  - -Space will be available at market rate, market rate being defined by the future property owner based on market conditions.
  - -A reasonable timeline for exercising this option will be defined which does not place undue burden upon tenants or property owner.
  - -At the time of accepting an offer, the tenant must provide a non refundable deposit and first month's rent.

3) We can extend the current leases and upcoming renewals to the end of June 2025. Additionally, we commit to inform tenants by 6 months prior (12/31/2024) if an extension of lease is possible.

Sincerely,

Jesús Turullols

Owner

## **ZONING**

# CITY OF AUSTIN TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET

	WOST FILL IN W	ORKSHEET PRIO	R TO SUBMIT	TING FOR TIA DE	TERMINATION		
PROJECT NA	AME:						
LOCATION:							
APPLICANT:					TELEPHONE	E NO:	
APPLICATIO	N STATUS: DI	EVELOPMENT ASS	SESSMENT:	_ ZONING: _	SITE PLAN	N:	
EXISTING: TRACT	TRACT	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	R OFFICE USE O	NLY TRIPS PER
NUMBER	ACRES	BLDG SQ.F1.	ZOMING	LAND USE			DAY
					822	54.45	460
					710	FCE	305
PROPOSED						R OFFICE USE	
TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
					221	FCE	908
					822	54.45	545
						Net Trips:	688
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ABUTTING R	ROADWAYS					R OFFICE USE (	JI1E 1
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NOTE: A TIA determination must be made prior to submittal of any zoning or site plan application, therefore, this completed and reviewed form MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.

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