

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: South Congress Combined (East Congress)

CASE#: NPA-2022-0020.01

DATE FILED: February 22, 2022

PROJECT NAME: Industrial Blvd and Terry O Ln

PC DATES:

March 12, 2024

February 13, 2024

August 8, 2023

June 13, 2023

April 25, 2023

December 13, 2022 (meeting cancelled)

November 8, 2022

September 27, 2022

August 9, 2022

ADDRESS/ES: 439-511& 515 Industrial Blvd (odd #s only) & 4208 Terry O Lane

DISTRICT AREA: 3

SITE AREA: 5.79 acres

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

AGENT: Civilitude (Nhat Ho)
[Previous agent was Drenner Group, PC (Leah M. Bojo)]

CASE MANAGER: Maureen Meredith **PHONE:** (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Industry

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2022-0062

From: LI-NP

To: LI-PDA-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 18, 2005

CITY COUNCIL DATE: TBD

ACTION:

PLANNING COMMISSION RECOMMENDATION:

March 26, 2024 – (action pending)

February 13, 2024 – Postponed to March 26, 2024 at the request of staff on the consent agenda. [A. Woods – 1st; F. Maxwell – 2nd] Vote: 11-0 [C. Hempel and J. Mushtaler absent. G. Anderson recused from Item #8).

August 8, 2023 – Approved the applicant’s request for an indefinite postponement on the consent agenda. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 10-0 [T. Shaw and J. Mushtaler absent. One vacancy on the dais].

June 13, 2023 – Postponed to August 8, 2023 on the consent agenda at the request of staff. Vote: 11-0 [A. Woods – 1st; A. Azhar – 2nd] Vote: 11-0 [C. Hempel absent. One vacancy on the dais].

April 25, 2023 – Postponed to June 13, 2023 on the consent agenda at the request of staff. [N. Barrera-Ramirez 1st; F. Maxwell – 2nd] Vote: 8-0 [A. Azhar, J. P. Connolly, Y. Flores, A. Haynes, and F. Woods absent].

December 13, 2022 - (meeting cancelled)

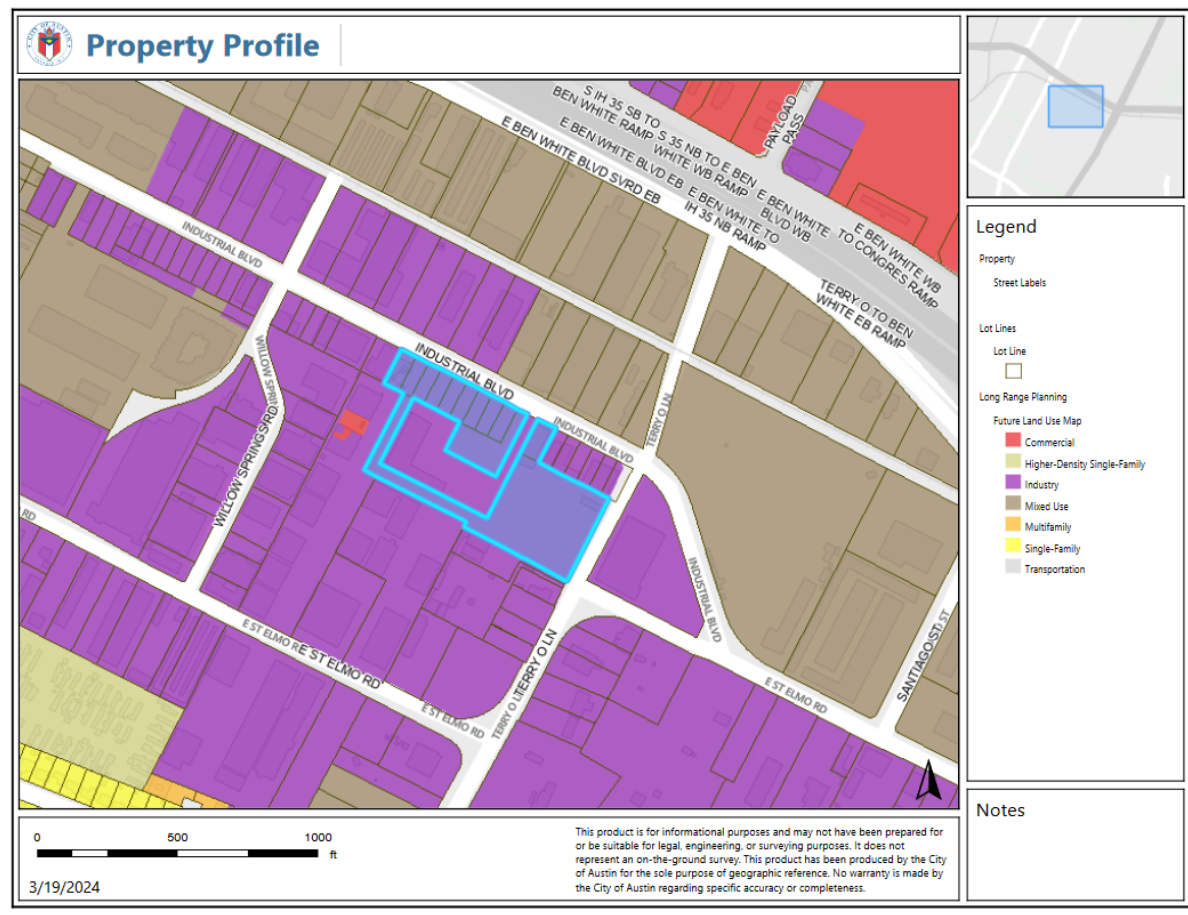
November 8, 2022 – Postponed to December 13, 2022 on the consent agenda at the request of staff. [C. Hempel – 1st; J. Shieh – 2nd] Vote: 11-0 [R. Schneider absent. One vacancy on the dais].

September 27, 2022 – Postponed to November 8, 2022 on the consent agenda at the request of staff. [C. Hempel – 1st; G. Cox – 2nd] Vote: 9-0 [J. Mushtaler, J. Thompson, R. Schneider absent. One vacancy on the dais].

August 9, 2022 – Postponed to September 27, 2022 on the consent agenda at the request of staff. [A. Azhar – 1st; C. Hempel -2nd] Vote: 9-0 [G. Anderson off the dais. J. Mushtaler, S. R. Praxis and R. Schneider absent].

STAFF RECOMMENDATION: To grant the applicant's request for Mixed Use land use.

BASIS FOR STAFF'S RECOMMENDATION: The applicant proposes a mixed-use development with commercial, clean industrial and residential uses. Staff supports the applicant's request for Mixed Use land use because the area has been transitioning from industry to mixed use for several years. The property is not within an Imagine Austin Jobs Center where industrial uses are desired to be preserved. There is Mixed Use land use to the north, east, and west of the property.



Below are sections from the South Congress Neighborhood Plan staff believes supports the applicant's request:

GOAL TWO

South Congress Avenue should become a more vibrant, accessible mixed-use corridor and a destination for nearby residents and the citizens of Austin.

GOAL THREE

Focus mixed-use development and commercial uses along major commercial corridors and in specialized districts.

The industrial district centered on St. Elmo Road between South Congress Avenue and Interstate Highway 35 is steadily evolving. It has become a central location for home improvement and contractor-oriented businesses, while a host of other eclectic businesses have also settled in, including a music recording studio and an industrial bakery. Recently, the major streets in the district were re-graded and resurfaced. This upgrade, along with several newly constructed warehouses, lend the impression of the area as a healthy economic hub.

The St. Elmo Industrial District

The St. Elmo Industrial District is becoming eclectic and more diverse. The wide variety of home improvement and music industry-oriented businesses makes it a vibrant district. Within a half-mile, there are twenty-two construction supply houses of various types and five plumbing supply houses. This area is also home to a several light manufacturing concerns. Throughout the planning process, it was noted that this area is an asset and is one of the few districts of its kind functioning well in the City. Although traffic is a concern, this area should continue to be utilized as a commercial and industrial district.

Objective 3.12

The St. Elmo Industrial District should be preserved and enhanced where appropriate.

The industrial nature of the St. Elmo district has been evolving over a number of years to a mixed use area that includes residential uses.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Industry - Areas reserved for manufacturing and related uses that provide employment but are generally not compatible with other areas with lower intensity use. Industry includes general warehousing, manufacturing, research and development, and storage of hazardous materials.

Purpose

1. To confine potentially hazardous or nuisance-creating activities to defined districts;
2. To preserve areas within the city to increase employment opportunities and increased tax base;
3. To protect the City's strategic advantage as a high tech job center; and
4. To promote manufacturing and distribution activities in areas with access to major transportation systems.

Application

1. Make non-industrial properties in areas with a dominant industrial character compatible with the prevailing land use scheme;
2. Where needed, require a buffer area for industrial property that abuts residentially used land;
3. Industry should be applied to areas that are not appropriate for residential or mixed use development, such as land within the Airport Overlay; 4. In general, mixed use and permanent residential activities are not appropriate in industrial areas. An exception may be the edge of an industrial area along the interface with an area in which residential activities are appropriate. Such exceptions should be considered case by case, with careful attention to both land use compatibility and design;
5. Industry should not be either adjacent to or across the road from single family residential or schools;
6. Use roadways and/or commercial or office uses as a buffer between residential and industry; and
7. Smaller scale "local manufacturing" districts may be appropriate in some locations to preserve employment opportunities and cottage industries of local artisans. In these areas, hazardous industrial uses (i.e. basic industry, recycling centers, and scrap yards) should be prohibited.

PROPOSED LAND USE ON THE PROPERTY

Mixed Use - An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

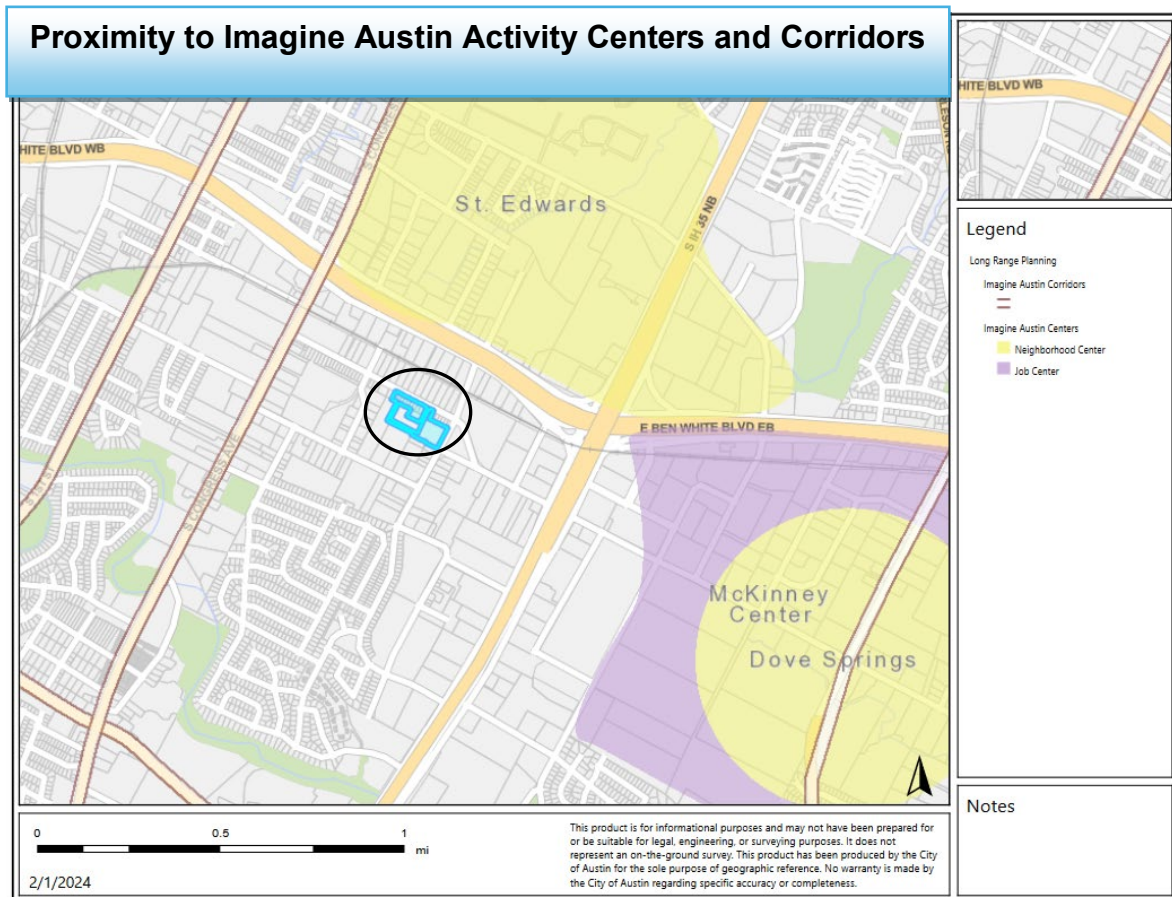
Application

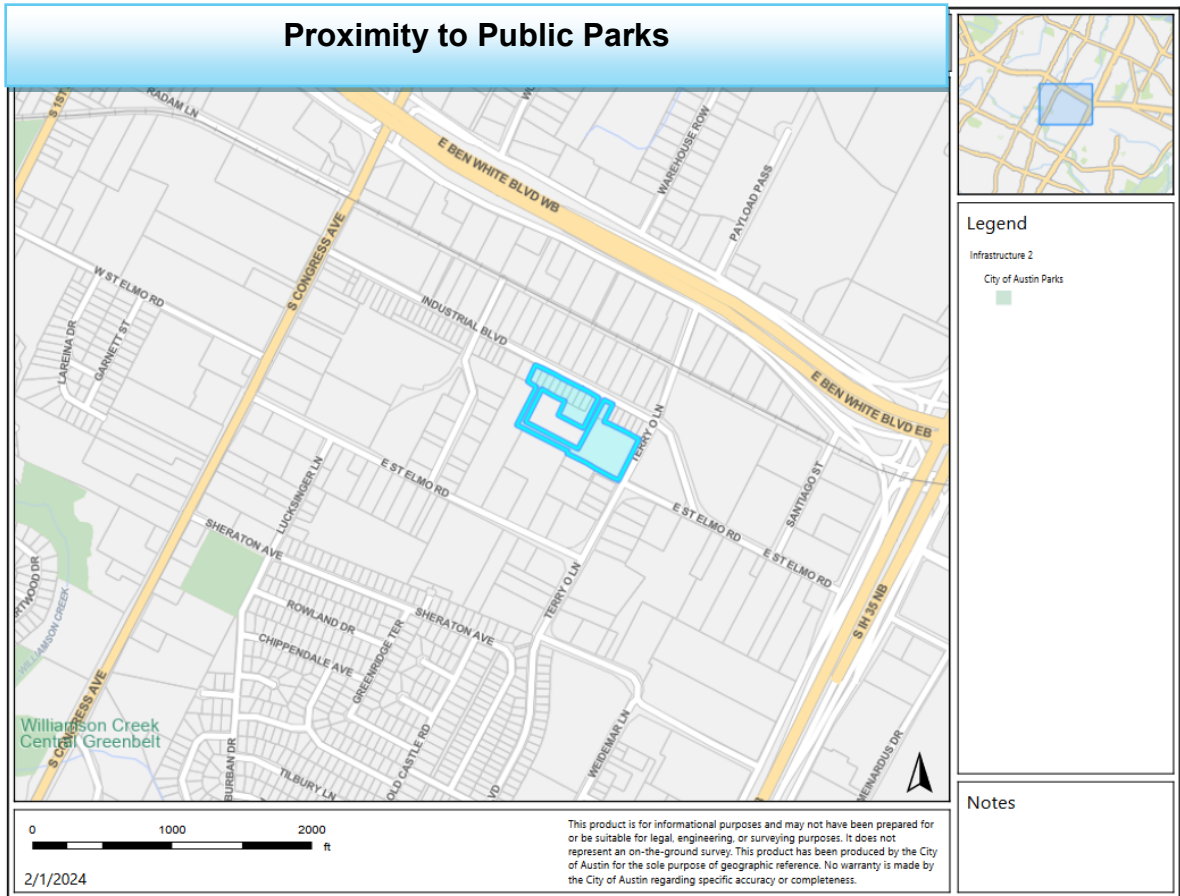
1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and

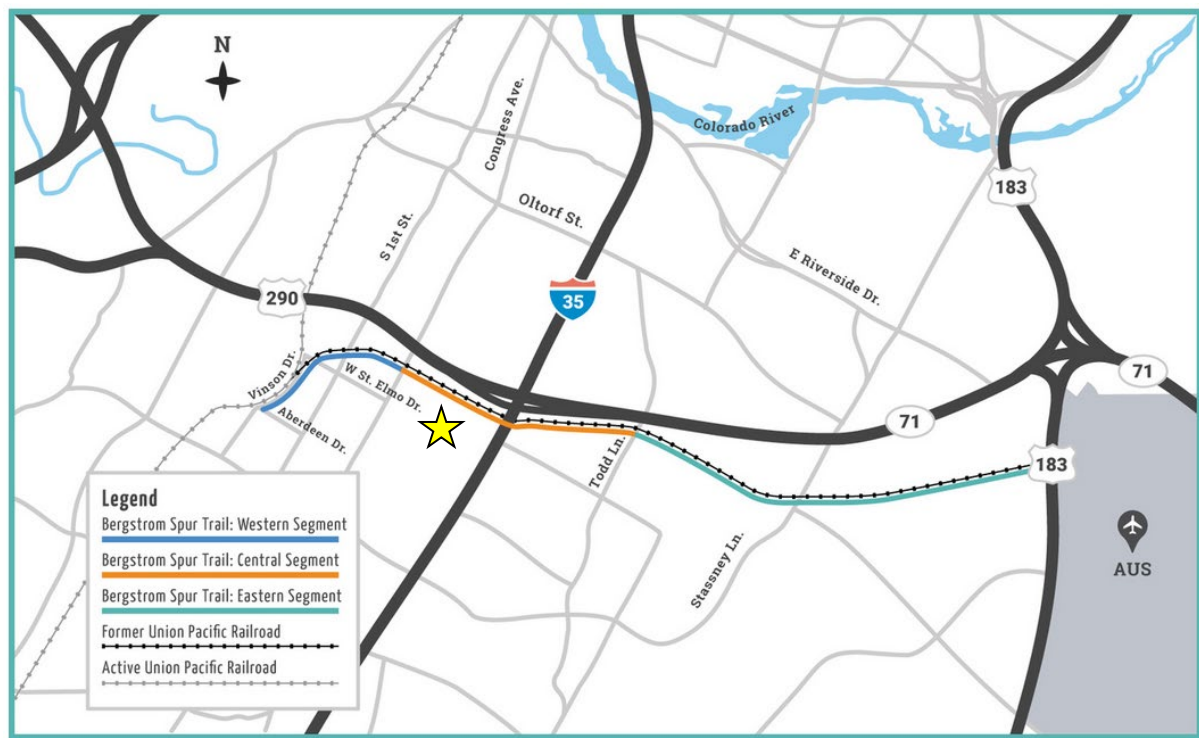
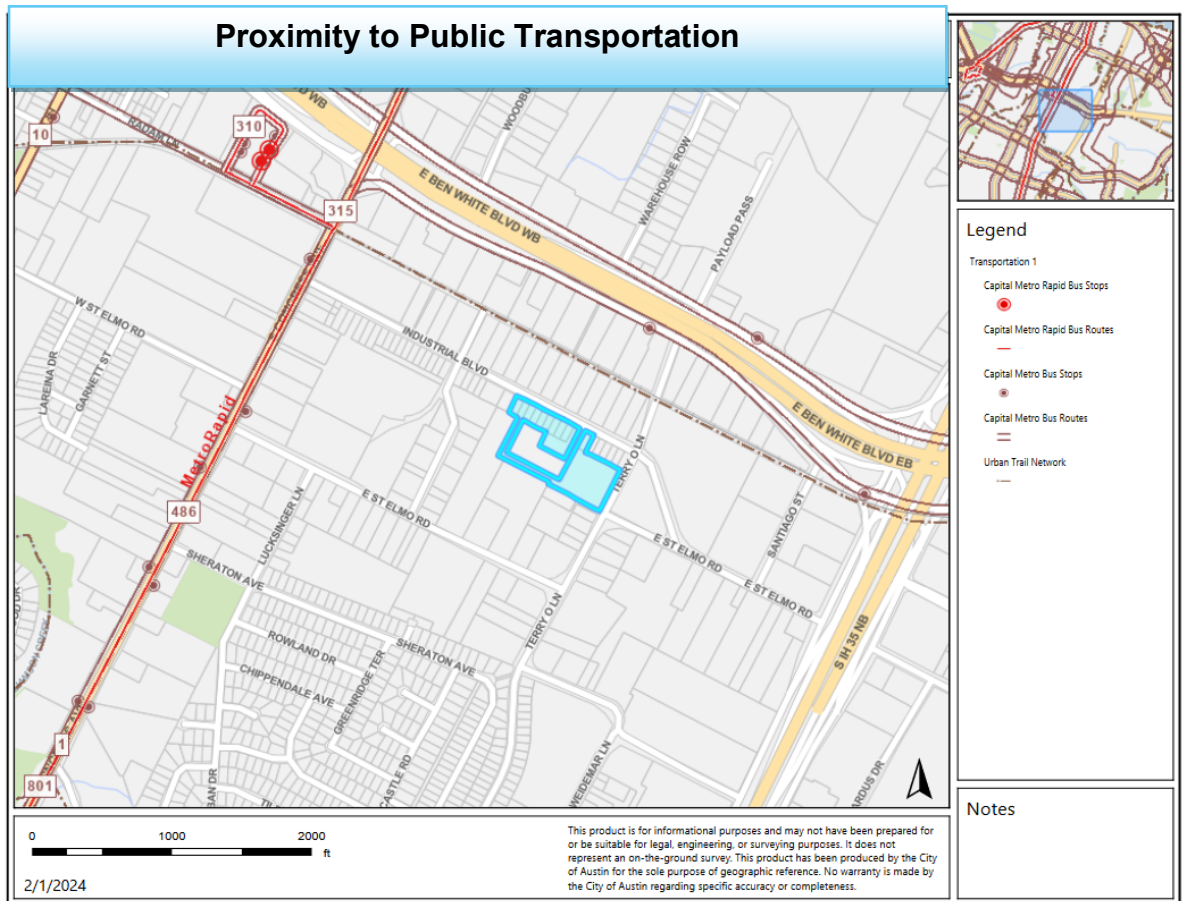
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Yes	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. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none"> Near South Congress Avenue, an activity corridor. South of St. Edwards Neighborhood Center
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
No	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
No	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
Yes	Connectivity and Education: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> St. Edwards University to the north St. Elmo Elementary School
Yes	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> Battlebend Springs Neighborhood Park South of the proposed Bergstrom Spur Trail Williamson Creek Central Greenbelt St. Elmo School Park
No	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.) <ul style="list-style-type: none"> 0.8 miles from St. David's South Austin Medical Center
No	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Yes	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. <ul style="list-style-type: none"> Applicant proposes approximately 400 residential uses.
Yes	Mixed use: Provides a mix of residential and non-industrial uses. <ul style="list-style-type: none"> Applicant proposes ~400 residential uses, ~735,000 sq. ft. of commercial uses and ~40,000 sq. ft. of clean industrial uses.
No	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
No	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
No	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
Not known	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
No	Industrial Land: Preserves or enhances industrial land.
7	Number of "Yes's"

Imagine Austin Priority Program PUD Specific Bonus Features	
n/a	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
n/a	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
n/a	Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
n/a	Water/Wastewater Infrastructure: Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
PUD zoning is not proposed	Total Number of "Yes's"







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The plan amendment application was filed on February 28, 2022.

At the time of filing and when the virtual community meeting was held, Leah Bojo from Drenner Group, PC was the agent hired by the property owners. On or about March 29, 2023 staff was informed that Drenner Group, PC was no longer representing the property owners and that Nhat Ho, from Civilitude would be the new agent.

The applicant proposes to change the future land use map from Industry to Mixed Use.

The applicant proposes to change the zoning on the property from LI-NP (Limited Industrial Services district – Neighborhood Plan) to LI-PDA-CO-NP (Limited Industrial Services district – Planned Development Area – Conditional Overlay combining district – Neighborhood Plan) to build a mixed use development to include ~400 residential units, ~735,000 sq. ft. of commercial uses, and ~40,000 sq. ft. of clean industrial uses. For more information on the proposed rezoning, see case report C14-2022-0062.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on September 7, 2022. Approximately 142 community meeting notices were mailed to utility account holders and property owners who live within 500 feet of the property, in addition to neighborhood and environmental groups who requested notification for the area in the community registry. Two staff members attended the meeting, Maureen Meredith and Mark Walters from the Planning Department. Also in attendance was Leah Bojo and Drew Raffaele from Drenner Group, who were the applicant's agents at the time of the meeting. (The new agent as of March 2023 is Nhat Ho from Civilitude.) One person from the neighborhood attended.

Below are highlights from Leah Bojo's presentation:

- The property is currently vacant.
- There is good public transportation near the property and the property is near the proposed Bergstrom Spur Trail.
- The property is currently zoned LI-NP and we are proposing LI-PDA-NP
- The proposed uses are approximately 400 residential uses, approximately 765,000 sf of commercial uses and approximately 40,000 sf of clean industrial uses.
- The proposed prohibited uses are Basic Industry, General Warehousing and Distribution, Resource Extraction, Recycling Center and Scrap and Salvage.
- With a Planned Development Area we are able to request modifications of the site development standards, so we are requesting the following:

Height:	150 feet
FAR:	6:1
Impervious Cover:	95%
Building Coverage:	80%
Min. Setbacks	
• Front Yard:	0 feet
• Street Side Yard:	0 feet
• Interior Side Yard:	10 feet
• Rear Yard:	10 feet
Parking Reduction:	
• 50% of Appendix A, or	
• > 50% with approved Transportation Demand Management plan.	

Q: Why did you chose 150 feet for the building height when that is much higher than what is allowed on the surrounding properties? I have concerns about the height, but at 150 feet you will be looking down on the homes in Battlebend Neighborhood. This doesn't do the neighborhood any good.

A: We looked at the square footage we wanted to achieve and then backed into the 150 foot height. We are in the early stages to have information on the design, this will come later where the height might be on the site, but we are asking for 150 feet on the entire site.

Comment:

- I have concerns about the traffic and cut-through traffic once you add so many more people to the area with unimproved roads. I'm also concerned about how to get people to mass transit.

Updated Applicant Summary Letter from Application

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 Aera – 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

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;

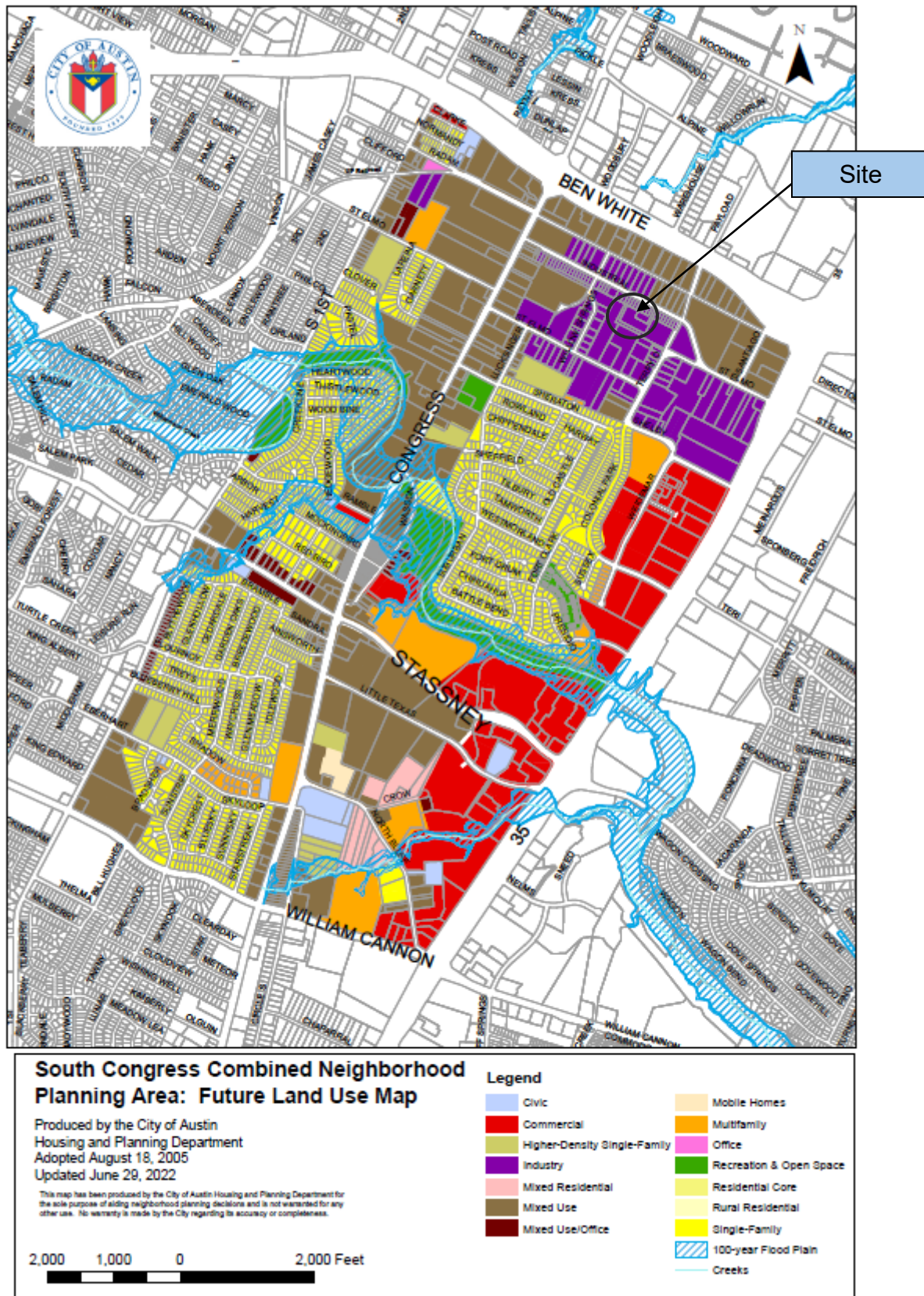
Scott Ungar

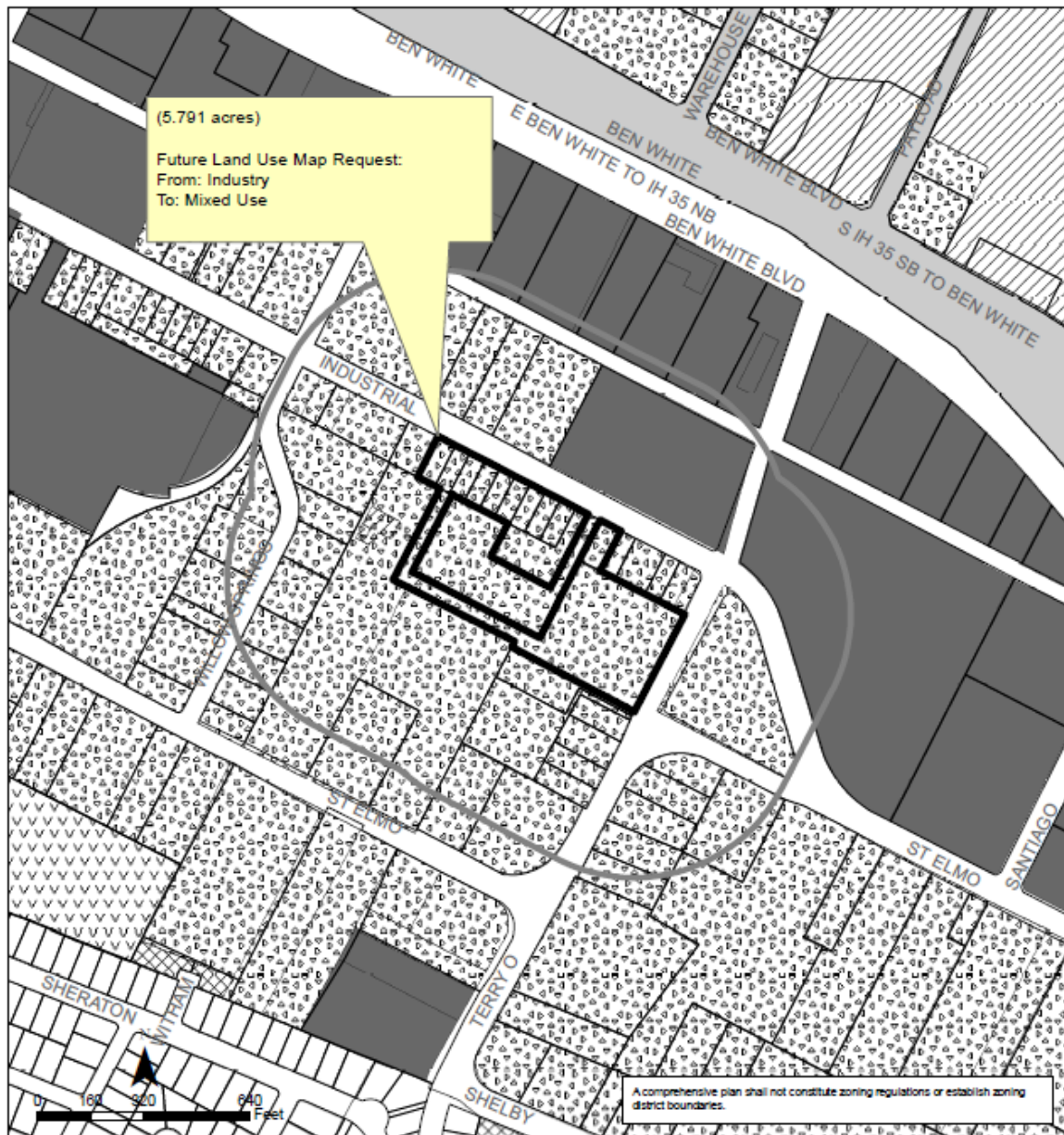
Scott Ungar, Manager

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

**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

(No letter as of March 20, 2024)





South Congress Combined (East Congress) Neighborhood Planning Area NPA-2022-0020.01

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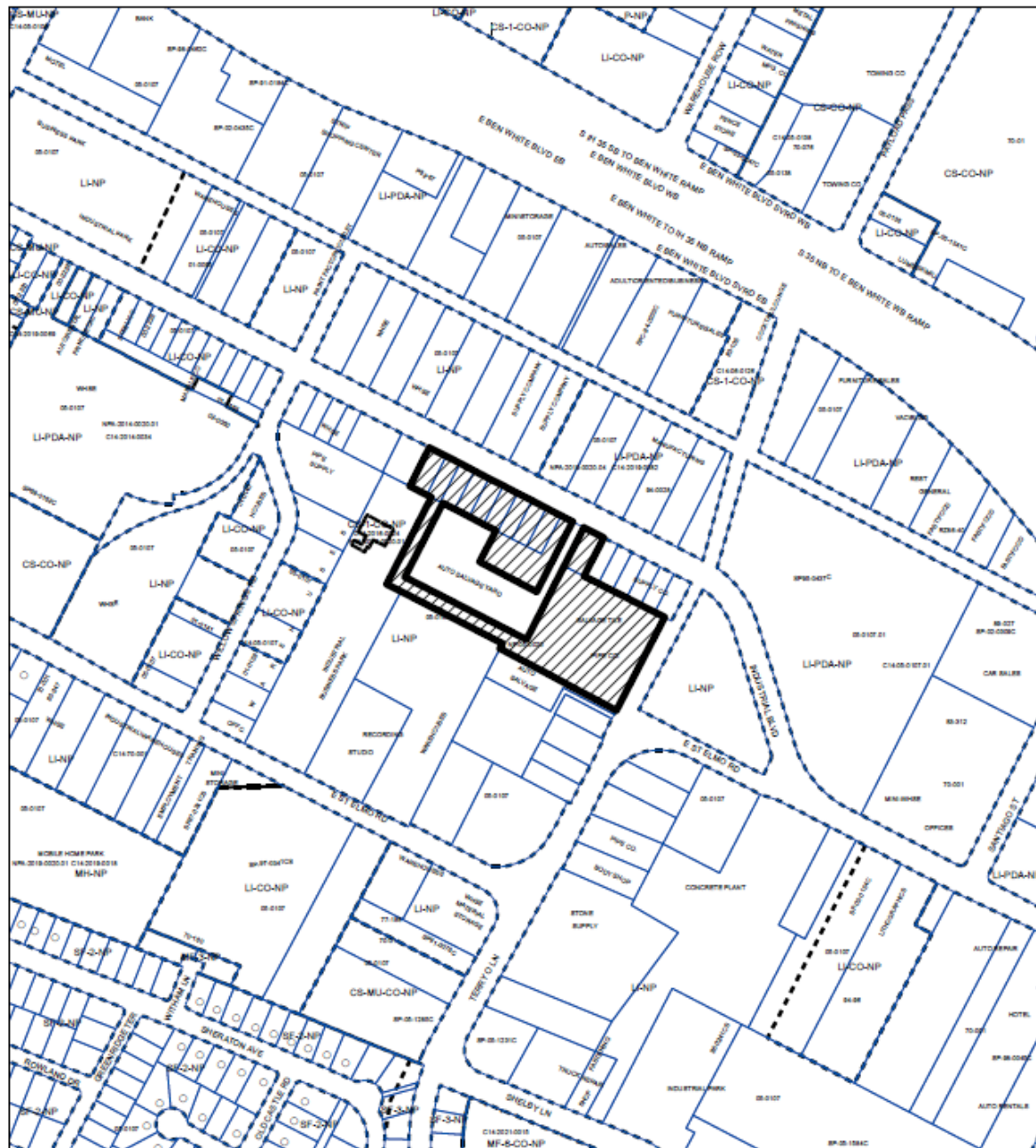
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City of Austin
Housing and Planning Department
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Future Land Use

	Subject Tract		Mixed Use
	500 ft. notifi. boundary		Multi-Family
	Commercial		Single-Family
	Higher-Density Single-Family		Transportation
	Industry		



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

ZONING

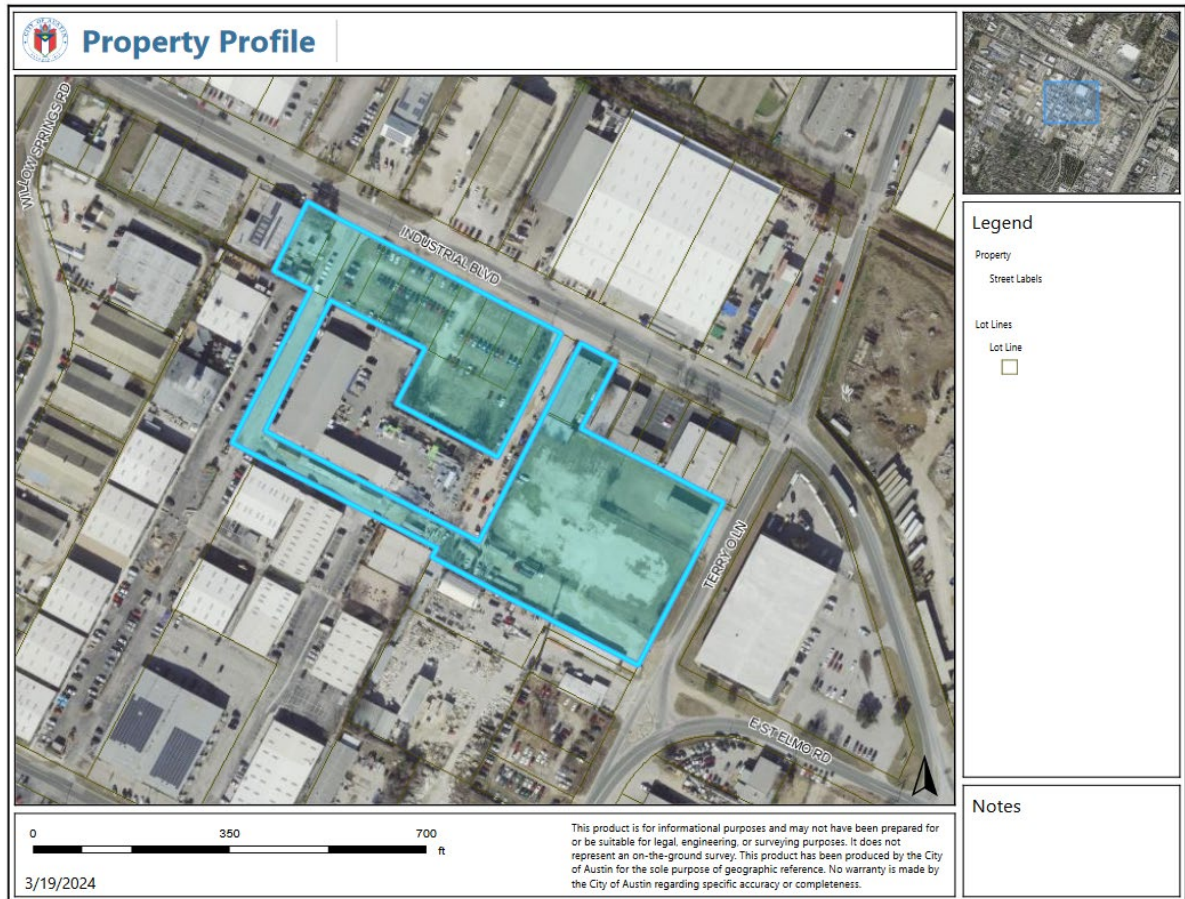
ZONING CASE#: C14-2022-0062

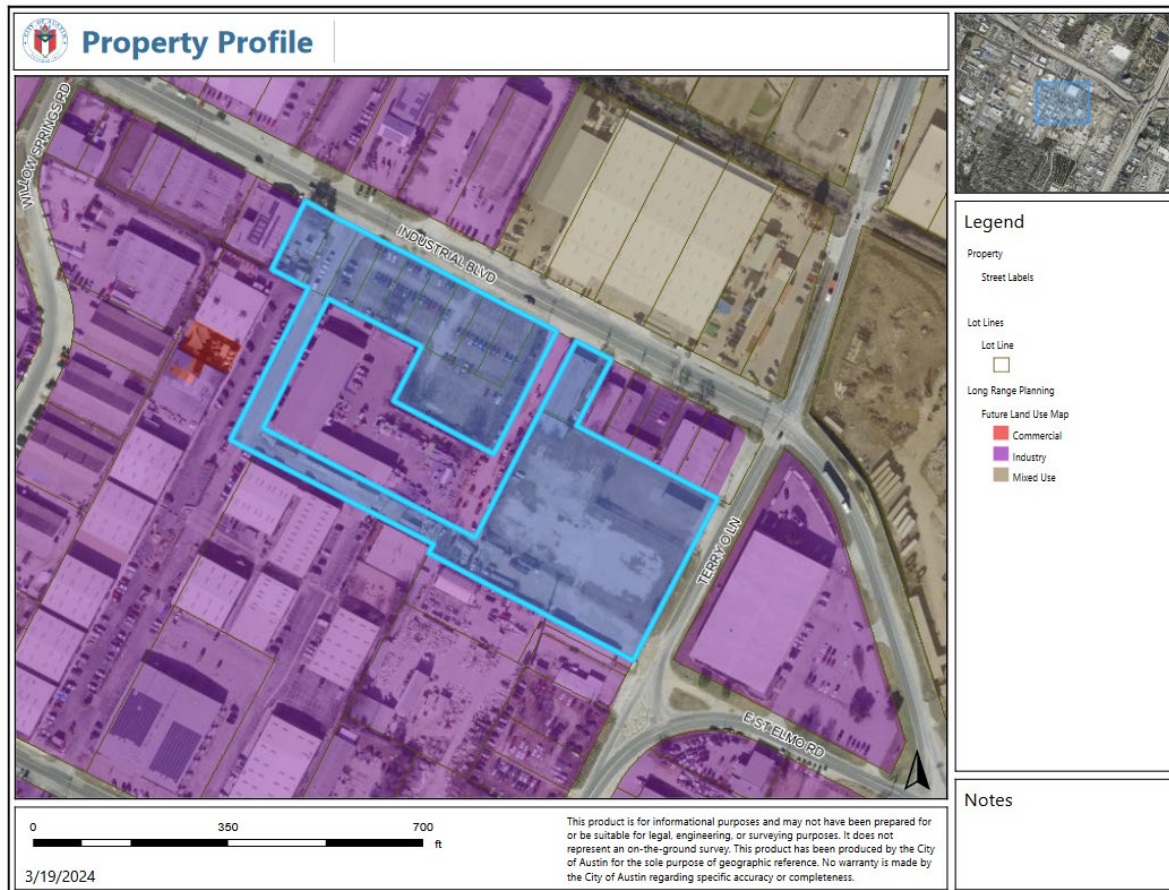
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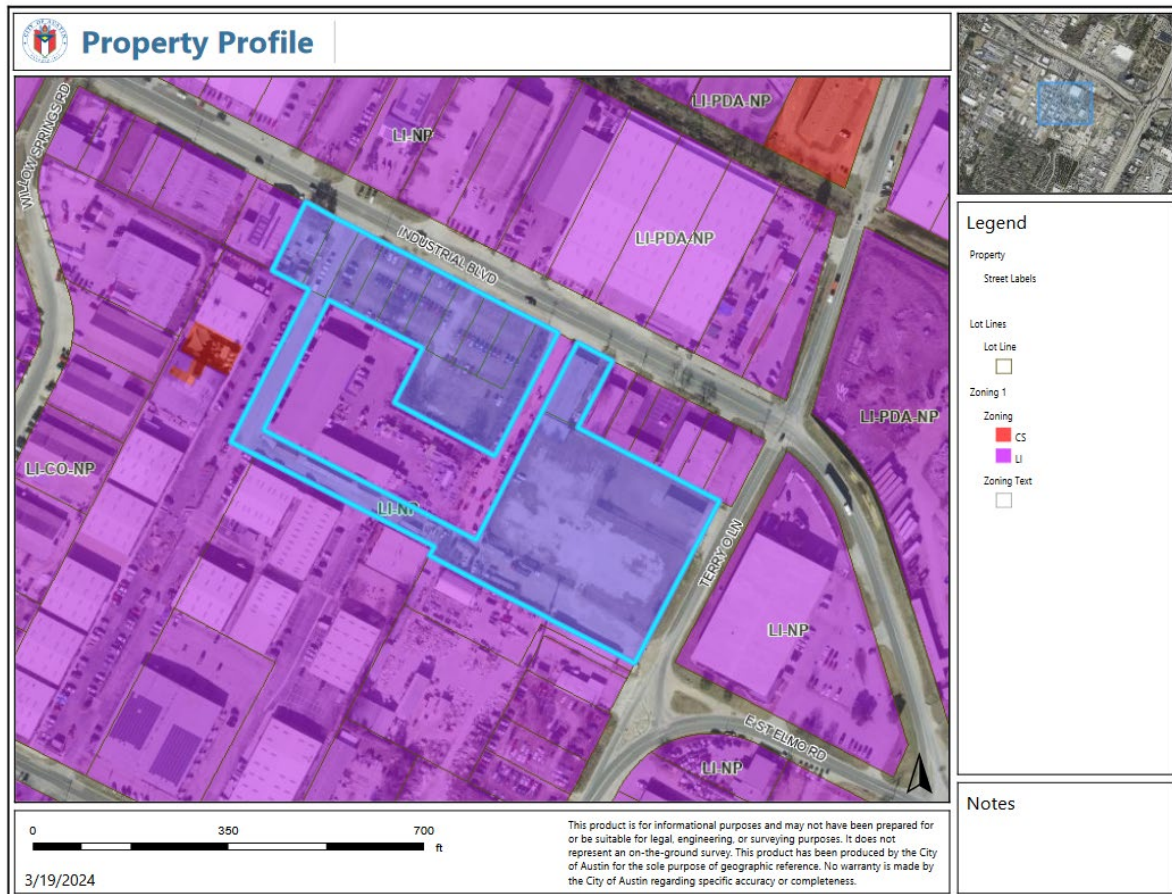
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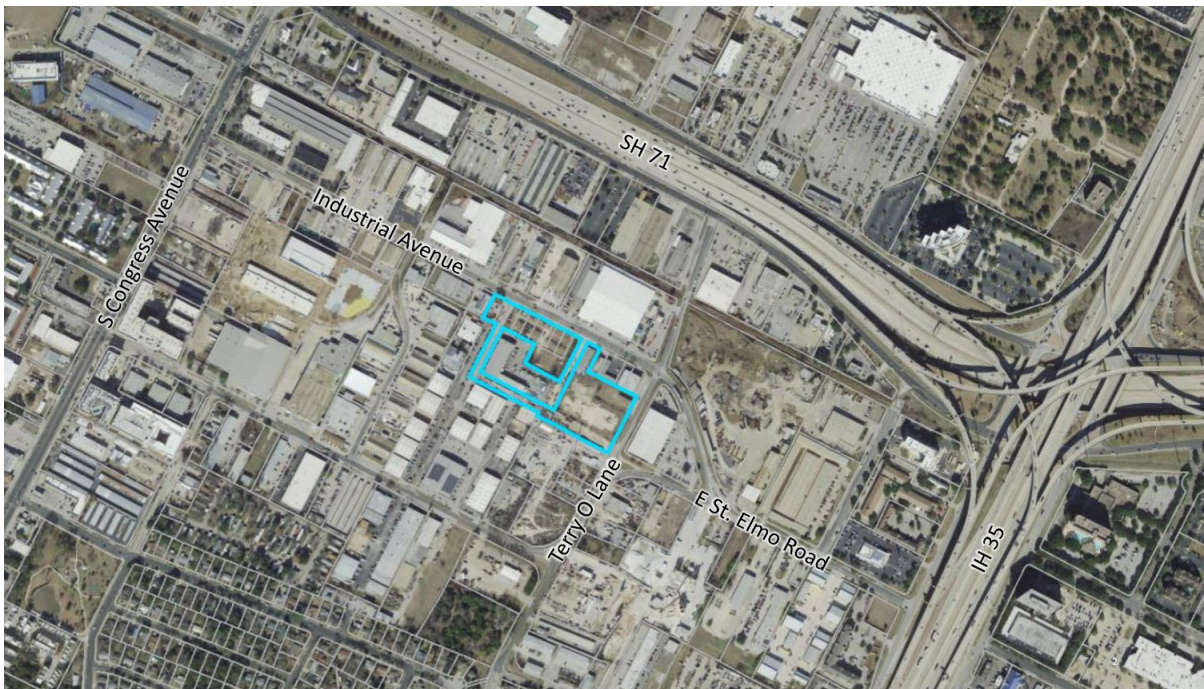
Leah Bojo's Presentation at the Sept. 7, 2022 Virtual Community Meeting.

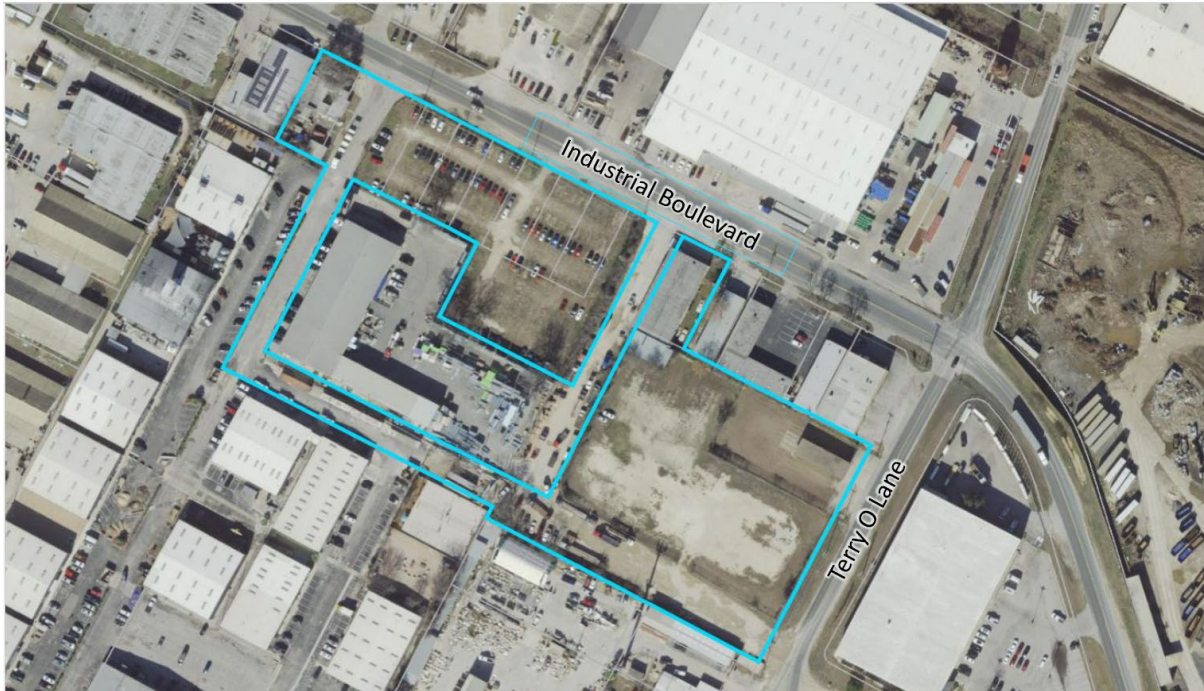
Industrial Blvd and Terry O Ln

September 7, 2022

City of Austin NPA Community Meeting

1





Property Details

Size:

- 5.791 acres

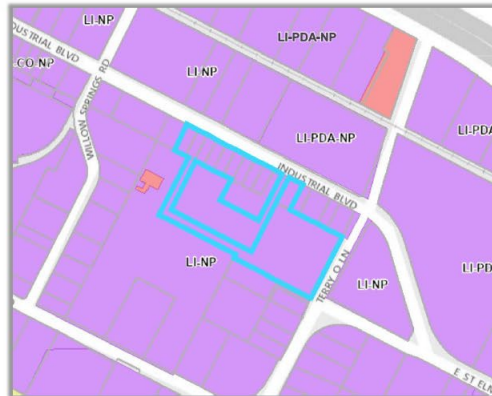
Current Use:

- Vacant – all lots

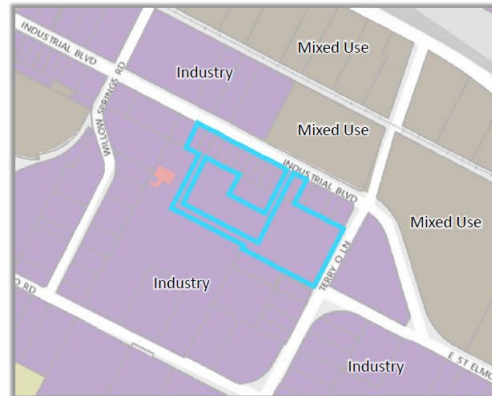
Transportation/Access:

- Industrial Blvd.
- Terry O Lane
- CapMetro Routes 801, 310, 1, 486
- Bergstrom Spur Trail (Planned)

Zoning and FLUM Maps



LI-NP
(Limited Industrial Services – Neighborhood Plan)
to
LI-PDA-NP
(Limited Industrial Services – Planned Development Area –
Neighborhood Plan)



Industry
to
Mixed Use

5

Proposed Project Uses

Planned:

- ~400 residential units
- ~765,000 SF commercial uses
- ~40,000 SF clean industrial uses

Prohibited:

- Basic Industry, General Warehousing and Distribution, Resource Extraction, Recycling Center, and Scrap and Salvage

6

Planned Development Area

Height: 150 feet

FAR: 6:1

Impervious Cover: 95%

Building Coverage: 80%

Min. Setbacks

- Front Yard: 0 feet
- Street Side Yard: 0 feet
- Interior Side Yard: 10 feet
- Rear Yard: 10 feet

Parking Reduction:

- 50% of Appendix A, or
- > 50% with approved Transportation Demand Management plan.

7

Nearby Residential PDAs



8

SCC Neighborhood Plan Goals

St. Elmo District: This is the most vibrant commercial district of the three...there is a good deal of activity in this district, the majority of the commercial uses are not conducive to creating and sustaining a pedestrian oriented environment...the St. Elmo District could be redeveloped into more urban and pedestrian-oriented sites.

Objective 4.3: Improve transit service and increase ridership in the area.

9

Imagine Austin Goals

LUT P6. Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.

LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

10

Contact Information

Project: Industrial Blvd and Terry O Ln
Agent: Leah Bojo
Email: lbojo@drennergroupp.com
Phone: 512-807-2918

Correspondence Received

No correspondence received.