ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 Congress Avenue, Suite 1300 Austin, Texas 78701-2744 512-435-2300

FACSIMILE 512-435-2360

July 12, 2022

City of Austin Development Services Department 6310 Wilhelmina Delco Dr. Austin, TX 78752

Re: Site Plan Extension for SPC-2014-0442C (the "Site Plan")

To Whom It May Concern:

On behalf of Los Indios Ventures, Inc. (the "Owner"), I am requesting a three-year extension for the Site Plan.

The Owner previously requested a four-year extension for the Site Plan, based on the fact that construction had not yet begun, the Owner was in the process of finding a buyer to develop the site, and a proposed traffic signal at the intersection of Amarra Drive and Southwest Parkway. Ultimately, the Planning Commission approved a three-year extension.

However, the Owner initially requested this site plan extension prior to the local onset of the COVID-19 pandemic (November 2019) and the Planning Commission approved the shortened extension during the early months of the pandemic (May 2020).

We believe this extension is warranted, for four key reasons:

- **COVID-Related Project Delays**. As noted, the Owner initially requested the current site plan extension prior to the local onset of the COVID-19 pandemic. Since then, COVID-19 has meaningfully extended the initial expectations for the project timeline, causing a number of logistical difficulties and delays over 2020 and 2021 that have pushed back project completion.
- **Proposed Signalization Review and Progress**. Since the prior extension was approved, the Owner has worked to move forward on the proposed signalization at Amarra Drive and Southwest Parkway. The Owner has completed project documentation for this signalization, which is currently under active review at the City. This signal is critical for site access and is supported by City staff. A site plan extension will allow this review to proceed.
- Site Plan Extension Will <u>Not</u> Affect Project Regulations. State law establishes that City reviews proceed under the rules and regulations in effect at the time of the first of a series of permits. As a result, a site plan extension will have no impact on the rules and regulations under which the project proceeds. A re-submittal for the project would proceed under the same rules and regulations as an extension of the existing approved Site Plan. As a result, the only practical effect of requiring a resubmittal for the project would be to require City staff to re-perform the same review that they have already completed.

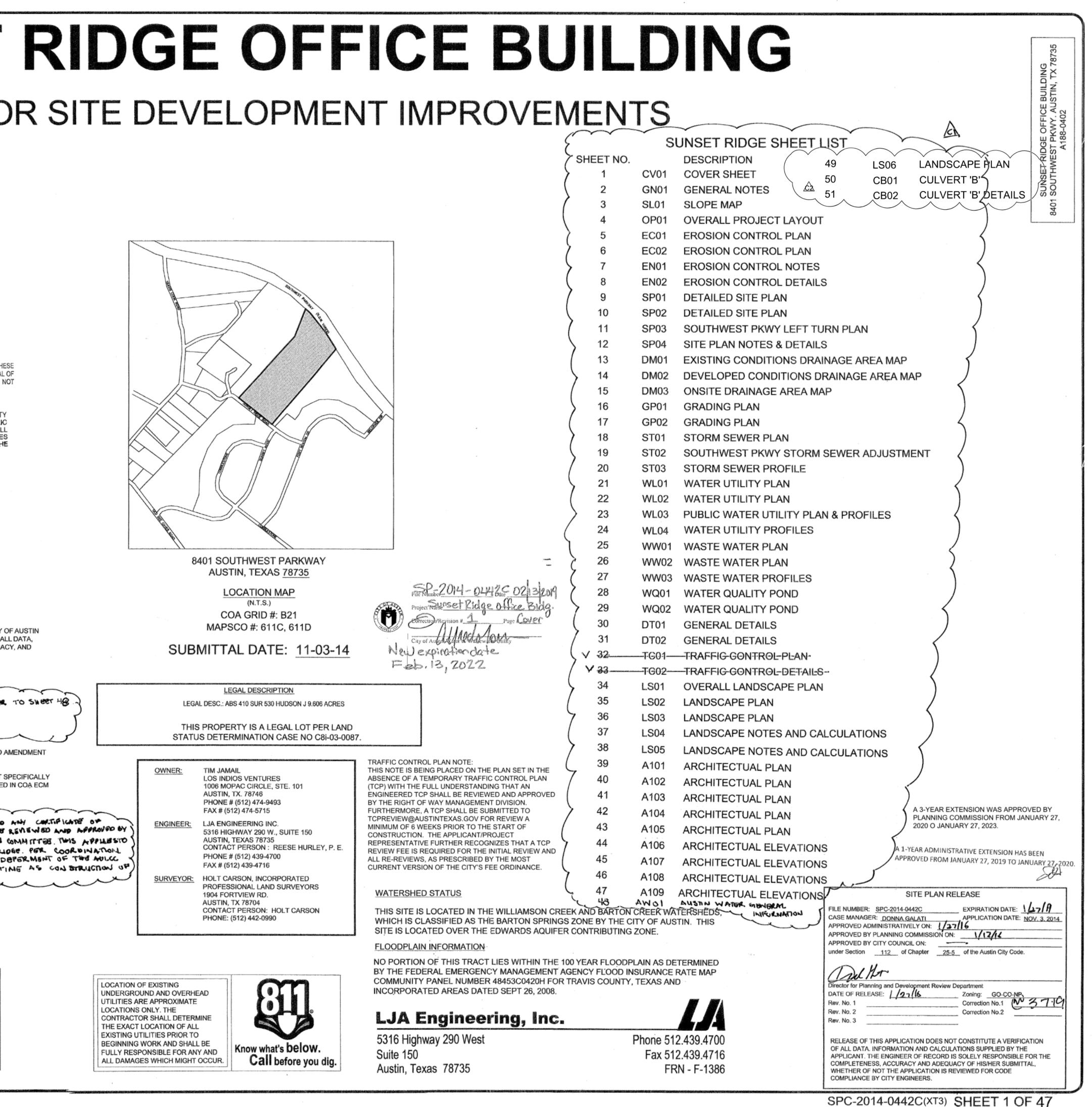
 Reducing City Workload. Finally, we believe that extending the approved Site Plan would reduce the current strain on the City's development review staffing and resources. The City currently faces a meaningful backlog on review cases. As noted, a re-submittal for this project would effectively require City staff to re-perform a review that they have already completed, under the same rules and regulations – an exercise with limited practical benefit. Approving an extension will allow staff to prioritize reviewing projects that have not yet received staff approval.

Thank you for your consideration. Please do not hesitate to reach out with any questions related to this request.

Respectfully,

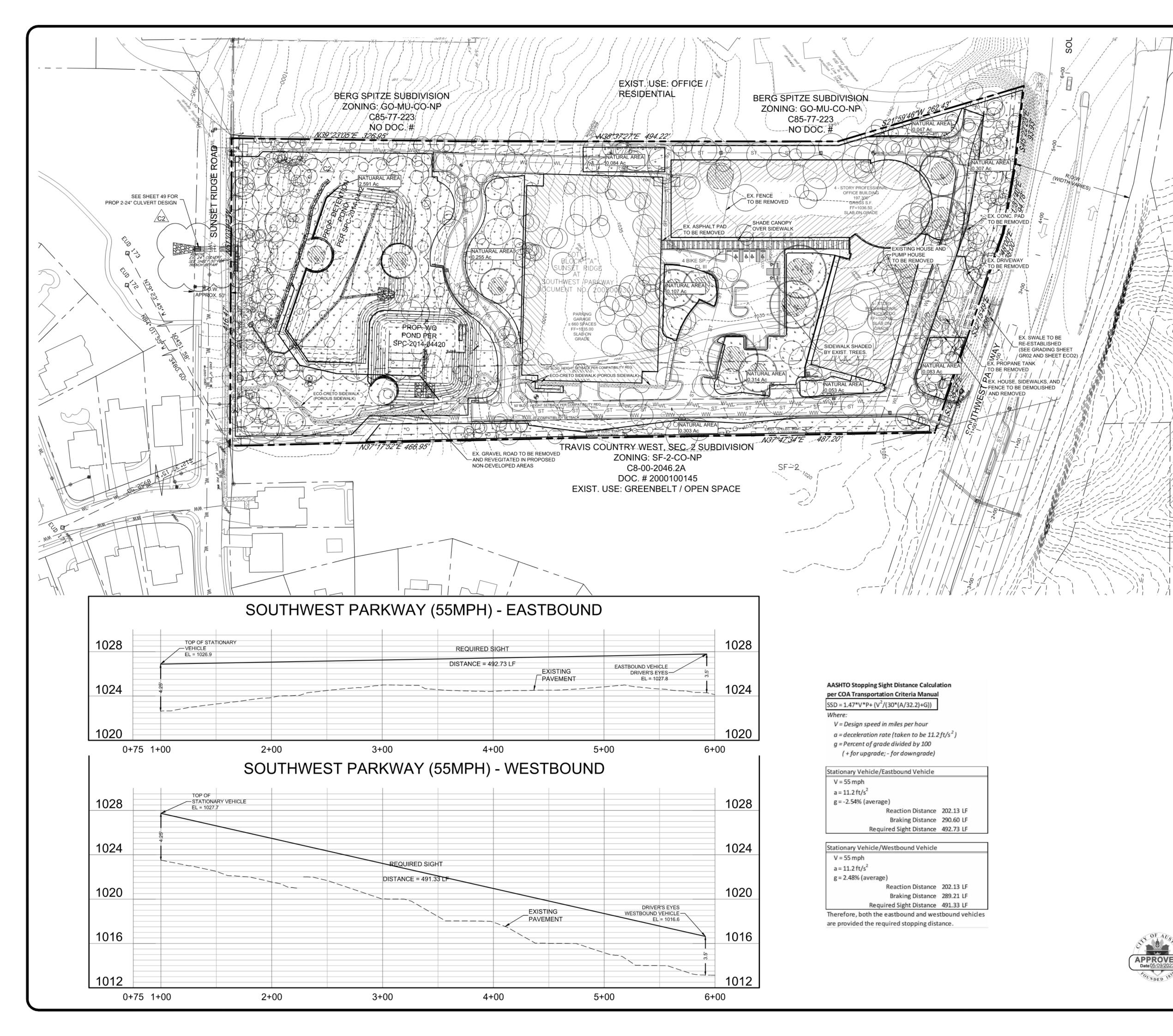
Michael J. Whellan

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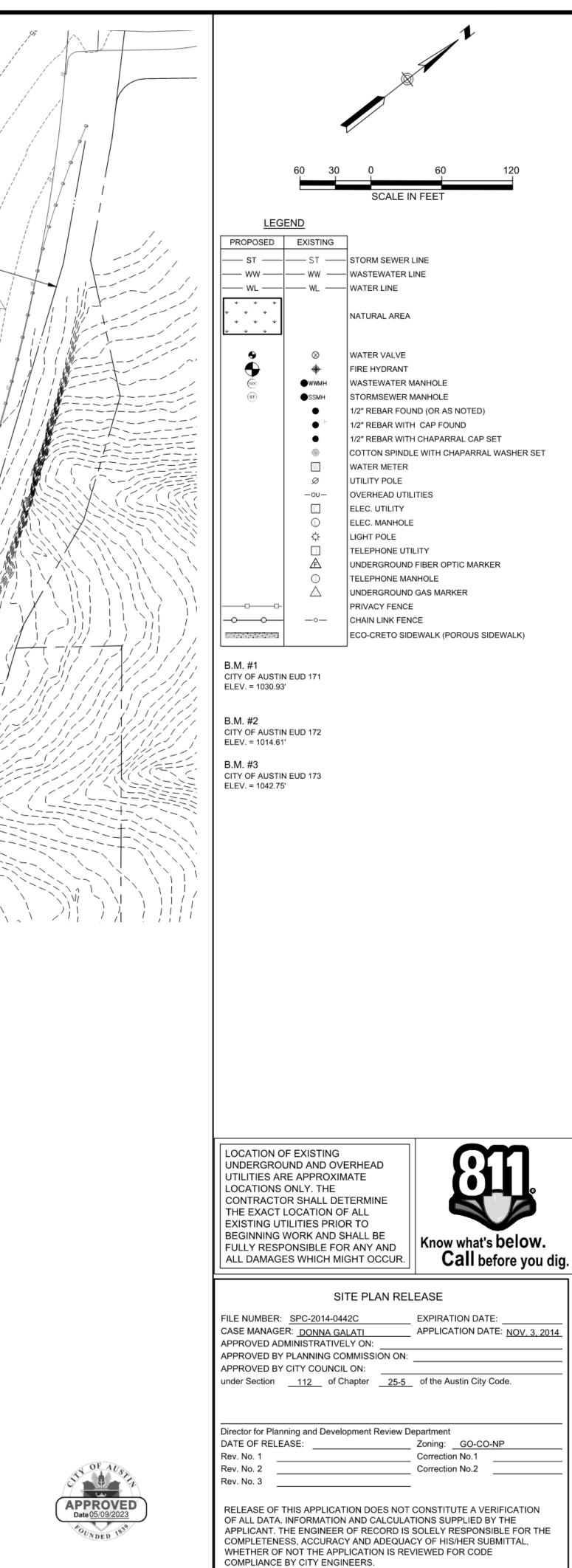
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