

DATE: December 11, 2023

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Planning & Zoning Departments

CC: Jose.Velasquez@austintexas.gov

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

Re: Case Number: NPA-2023-0020.01 - C14-2023-0043 - 4201 South Congress Ave.

Dear Planning & Zoning Departments,

We, the SCCNPCT, were informed that this case - NPA-2023-0020.01 - C14-2023-0043 - 4201 South Congress - is scheduled to be heard at the December 12, 2023 Planning Commission meeting.

After investing significant time and effort in negotiations, and based on the terms that the applicant, Redcar, is proposing, the SCCNPCT is unable to support an agreement prior to this item appearing again on Planning Commission's agenda this week.

After several attempts and finally nailing down the applicant to have conversations, we felt there'd been progress. Then the developer's plans took a sudden u-turn to instead propose an all retail vs. residential/mixed use project, derailing all of our work - and - which does not require a zoning change in order to move forward. Initially, the applicant stated they were going to build 400 rental units.

In addition, as is common practice in all other cases, the SCCNPCT has come to all prior agreements in the form of a Restrictive Covenant (RC), whereas this applicant has offered their current proposal in a "Letter of Agreement (LOA)" which would hold no validity should they decide to change their minds, again.

Overall, we have serious concerns in trusting and making sure what they say they're going to do vs. what they'll actually do, & when they might decide to make a decision and stick to it.

The SCCNPCT understands that now, the applicant only plans for retail, commercial, and restaurant zoning, for which the property is already zoned. Therefore, there is no reason for a zoning change. The property is already able to have retail, commercial, and restaurant as it currently stands.

Thus far, our time has been exhausted.

So with too much uncertainty of applicant's plans, the SCCNPCT currently has no choice but to NOT SUPPORT.

Please contact us if there are any questions.

Thank you,
Mario Cantu, Chair
SCCNPCT