

BRAUN & GRESHAM
ATTORNEYS AT LAW

June 14, 2024

***Via Email: Christopher.Johnson@austintexas.gov; Chris.Sapuppo@austintexas.gov;
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City of Austin
6310 Wilhelmina Delco Dr
Austin, TX 78752

RE: Appeal of Vested Rights Determination, Case No. VR-2024-0028000

Good afternoon:

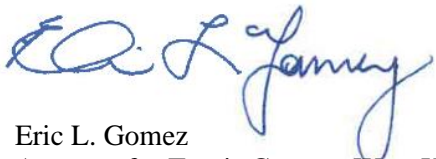
My firm represents Barton Creek Southwest POA and Travis Country West HOA, who make up roughly 500 households in Southwest Austin, and who are interested parties with respect to the “Sunset Ridge Apartments” Project at 8413 Southwest Parkway (the “Project”). The purpose of this letter is to request an appeal of the vested rights determination, in part, which was issued on May 10, 2024, and is enclosed with this letter for your reference.

We recently discovered that a vested rights determination (the “Determination”) was issued in Case No. VR-2024-0028000, which found that the Project is an “Ongoing Project” since 11/1/2023, “except as modified by Council-approved Restrictive Covenant adopted in conjunction with file C14-85-288.166, Ord 860731-C, as amended multiple times, most recently through file C14-85-288.166(RCA2).” Notice of this Determination was not provided to my clients either directly or by publication in the City’s public permitting database. As a result, the Determination documentation had to be specifically requested from the Case Manager within the past week once the vested rights findings were disclosed.

Please let us know the process for appealing this Determination. At this time, appeal is made to reconsider the Determination as it relates to the application of the restrictive covenant to vested rights for the project. As soon as we hear back from you, we will promptly provide the proper documentation and requirements for the appeal.

Thank you for your time and assistance.

Sincerely,



Eric L. Gomez
Attorney for Travis Country West HOA and
Barton Creek Southwest POA

Enclosures

cc. Robert Levinski
Susan Scallon