



Recommendation for Action

File #: 23-2685, **Agenda Item #:** 95.

8/31/2023

Posting Language

Set a public hearing to consider an appeal by Milena Boytchef and Peter Simon Eastwood regarding the Planning Commission's decision to approve a three-year site plan extension for Green Pastures, located at 811 W Live Oak Street (SP-2015-0543C(XT2)). (Suggested date: September 14, 2023, at Austin City Hall, 301 W. Second St., Austin, TX)

Lead Department

Development Services.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

For More Information:

Christine Barton-Holmes, Land Use Review Program Manager, 512-974-2788; Jennifer Bennett, Senior Planner, 512-974-9002.

Council Committee, Boards and Commission Action:

July 25, 2023 - Considered and approved by Planning Commission.

Additional Backup Information:

On July 25, 2023, the Planning Commission unanimously approved the request of a three-year extension to a previously approved site plan, from December 31, 2022 to December 31, 2025, based on the criteria from LDC Section 25-5-62(C). The proposed development includes an existing restaurant/event center and historic structure, along with the construction of two hotel buildings consisting of approximately 100 hotel rooms, a support building, and associated parking and improvements on a 5.67-acre tract in the Bouldin Creek neighborhood. The existing historic structure will be relocated onsite.

Per LDC Section 25-5-63(C) - *Extension of Released Site Plan by the Land Use Commission* - "the Land Use Commission may extend the expiration date of a released site plan beyond the date established by this chapter if the Land Use Commission determines that the request complies with the requirements for extension by the director under 25-5-62 (*Extension of Released Site Plan by Director*)."

Per 25-5-62 - *Extension of Released Site Plan by Director* - The director may extend the expiration date of a released administrative site plan one time for a period of one year if the director determines that there is good cause for the requested extension; and

- (1) the director determines that:
 - (a) the site plan substantially complies with the requirements that apply to a new application for site plan approval;
 - (b) the applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed;
 - (c) the applicant constructed at least one structure shown on the original site plan that is suitable for

- permanent occupancy; or
- (d) the applicant has constructed a significant portion of the infrastructure required for development of the original site plan; and
- (2) the director determines that:
 - (a) if a traffic impact analysis was submitted with the application for site plan approval:
 - (i) the assumptions and conclusions of the traffic impact analysis are valid; or
 - (ii) if the assumptions and conclusions are not valid, the applicant has submitted an addendum to the traffic impact analysis that demonstrates that traffic impacts will be adequately mitigated; or
 - (b) if a traffic impact analysis was not submitted with the application for site plan approval, the applicant demonstrates that traffic impacts will be adequately mitigated.