

City of Austin Planning and Development Review Department 505 Barton Springs Road • P.O. Box 1088 • Austin, Texas 78767-8835

MEMORANDUM

TO: Zoning and Platting Commission

FROM: Sarah Graham, Case Manager

Planning and Development Review Department

DATE: November 16, 2010

SUBJECT: Addendum for Item C-5

PROJECT: Four Points Centre - Lot 5, Block A

SP-06-0217C(XT2)

Staff recommends approval of this three-year extension request. Staff would like to clarify some incorrect information in the back-up material concerning Subchapter E: Design Standards' applicability to a new site plan application. The site's PUD Land Use Plan contains a note that reads: "Any site development standards not specifically established in this PUD Land Use Plan will be based on the Land Development Code Site Development Standards for the MF-2, GO and GR zoning base districts for the multifamily, office and retail/hotel tracts, respectively, as such standards existed on December 5, 1995." (Four Points Centre PUD - C814-95-0002.05)

Therefore, if the applicant were to turn in a new site plan application, Subchapter E: Design Standards would not apply to the proposed project. Therefore, staff has found the site plan meets both Sections (1)(a) and (1)(b) of 25-5-63 below.

REVIEW AND EVALUATION CRITERIA

Per § 25-5-63, the Land Use Commission may extend the expiration date of this site plan if it finds that the site plan satisfies the criteria set forth in subsection (c) of Section 25-5-62. The Director shall make any one of the following findings:

- (a) the site plan substantially complies with the requirements that apply to a new application for site plan approval [STAFF RESPONSE: Staff has found that the site meets this criteria. The PUD Land Use Plan states development standards apply as they existed on December 5, 1995.];
 - (b) the applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed [STAFF RESPONSE: This site plan meets this criteria.];
 - (c) the applicant constructed at least one structure shown on the original site plan that is suitable for permanent occupancy; [STAFF RESPONSE: Staff has found that the site plan does not meet this criteria. Although the attached document from the applicant states that the site plan meets this criteria, the applicant is in fact referring to an associated structure, permitted through a separate site plan, located on a different lot.]; or

(d)	the applicant has constructed a significant portion of the infrastructure required for
devel	opment of the original site plan [STAFF RESPONSE: Staff has found that the site
plan c	does not meet this criteria. No infrastructure has been completed].

Sincerely,

Sarah Graham



