

## A G E N D A



## Recommendation for Council Action

Austin City Council

Item ID

22499

Agenda Number

69.

Meeting Date:

3/21/2013

Department:

Planning and Development Review

## Subject

Conduct a public hearing and consider an appeal by Sarah Crocker of the Zoning and Platting Commission's decision to deny a request for the one-year extension of a site plan for Wells Branch Commercial [SP-2007-0688C(XT)], located at 1205 W. Wells Branch Parkway.

## Amount and Source of Funding

## Fiscal Note

Purchasing  
Language:Prior Council  
Action:For More  
Information:

George Zapalac, 974-2725; Lynda Courtney, 974-2810.

Boards and  
Commission  
Action:

MBE / WBE:

Related Items:

## Additional Backup Information

The applicant is appealing the February 5, 2013 Zoning and Platting Commission's decision to deny the appeal of an administrative denial of a site plan extension request for the site plan Wells Branch Commercial, located at 1205 W. Wells Branch Parkway.

The site plan for the construction of two 12,000 square foot commercial buildings was originally approved in 2009, and the site plan expiration was three years later, on March 25, 2012. Prior to the expiration, the applicant submitted a request for a one-year site plan extension, which would have extended the site plan until March 25, 2013. The review for the site plan extension was not approved due to insufficient engineering response to staff comments, and the application for the extension expired December 28, 2012, constituting a denial of the application.

The existing off-site drainage sedimentation and filtration ponds that would serve this and other sites has been inundated by a wetland area resultant of significant beaver activity consisting of multiple dams and ponds. The

applicant's engineer is unable to supply calculations for the analysis of the drainage of the site due to the beaver activity. Staff comments were not addressed and the site plan extension request was not approved before the application expired.

The appeal of the denial was heard by Zoning and Platting Commission on February 5, 2013 and was denied by a vote of 4-1. The Zoning and Platting Commission's decision is now appealed to City Council. Upholding the Zoning and Platting Commission's decision (denying the appeal) will disallow the site plan extension and the site plan would be expired. Overturning the Zoning and Platting Commission's decision (approving the appeal) would effectively approve the site plan extension request, and extend the life of the site plan until March 25, 2013.

Staff recommends denial of the appeal.