



## Recommendation for Action

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**File #: 23-2777, Agenda Item #: 102.**

**9/14/2023**

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### **Posting Language**

Conduct 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)).

### **Lead Department**

Development Services.

### **Fiscal Note**

This item has no fiscal impact.

### **For More Information:**

Christine Barton-Holmes, Land Use Review Program Manager, 512-974-2788; Jennifer Bennett, Senior Planner, 512-974-9002; Keith Mars, Assistant Director, 512-466-4598.

### **Council Committee, Boards and Commission Action:**

July 25, 2023 - Planning Commission considered and approved the site plan extension with a unanimous vote.

### **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 Land Development Code (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*)."

Interested parties, Milena Boytchef and Simon Eastwood, are appealing the Planning Commission's decision to approve the three-year extension, due to the reasons contained in their appeal submission.

Staff recommends denial of the appeal. Pursuant to LDC Section 25-5-62, Staff finds that there is good cause for the requested extension and "the applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed."