

## AGENDA



Thursday, November 8, 2007

**Public Hearings and Possible Actions  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 124**

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**Subject:** Conduct a public hearing and consider an appeal by The Creek at Riverbend Homeowners' Association, of the Zoning and Platting Commission's decision to approve a Site Plan Extension for SPC-99-0227A and SP-03-0031B, located at 4339 Westlake Drive, Austin, TX.

**Fiscal Note:** There is no anticipated fiscal impact. A fiscal note is not required.

**For More Information:** George Zapalac, 974-2725; Lynda Courtney, 974-2810

**Boards and Commission Action:** The Zoning and Platting Commission approved staff recommendation to extend the life of the site plans three years on July 17, 2007. The site plans had already received a three year commission-approved site plan extension.

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The request is to appeal the Zoning and Platting Commission's decision to approve a three (3) year extension of the life of the site plans. The site plans had already received a three (3) year commission-approved site plan extension. No other modifications to the site are proposed.

The project complies with all site plan requirements. On July 17, 2007, the Zoning and Platting Commission concurred with staff, approving the extension of the site plans for three (3) years, to May 9, 2010. These site plans represent the Part A, Land Use and the Part B, Construction Plans, for a site that is a portion of the Davenport West Planned Unit Development. The site plans comply with all limitations and requirements of the P.U.D.

Chris Marich, President of the Creek at Riverbend Homeowner's Association, is appealing the Zoning and Platting Commission's decision to approve the extensions, on the basis that residents of the area wished to amend the restrictive covenant between the owner of the project and the homeowners' association. Staff recommends denial of the appeal because the application complies with all site development regulations.