

AGENDA



Thursday, August 28, 2008

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 111**

Subject: Conduct a public hearing and consider an appeal by Frank Bomar of the Director's denial of a request for variances from right-of-way dedication requirements for an administrative site plan permit (Washington Mutual, SP-2008-1075C) for a financial services building located at 5615 Burnet Road.

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

For More Information: Bobby Ray, 974-3056; George Zapalac, 974-2725; Chris Yanez, 974-1810

The applicant has submitted a site plan for construction of a bank with a drive-through at 5615 Burnet Road. The Director of the Watershed Protection and Development Review Department has requested dedication of additional right-of-way for Burnet Road in accordance with the Austin Metropolitan Area Transportation Plan (AMATP). The plan calls for widening of the road from the existing four-lane undivided section to a four-lane divided section with bike lanes. An additional 20 feet of right-of-way from the subject property is required to accommodate this design. Due to the small size of the property, the applicant requested a variance from the requirement. The Director denied the variance. The applicant appealed the denial to the Council under Sec. 25-6-86. Council may deny the appeal or may grant the appeal if it determines that the additional right-of-way would place an undue hardship on the owner or render the property unsuitable for an economically viable use.

Staff does not recommend the variance because it has concluded that the site can be redesigned to accommodate the additional right-of-way dedication.