

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
SIGN VARIANCE

CASE # C16-2010-0006  
ROW-10490758  
TP-0262230309

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: PRINT OR TYPE; USE BLACK INK; AND COMPLETE ALL REQUESTED INFORMATION.**

STREET ADDRESS: 12901 N. I-35 Service Rd., Bldg 14, Austin, TX 78753

LEGAL DESCRIPTION: Subdivision – Parmer

Lot(s) 8 Block A Outlot \_\_\_\_\_ Division South Parmer

I/We Chandler Signs, L.P., L.L.P. on behalf of myself/ourselves as authorized agent for  
Chick-fil-A affirm that on 9-3-2010, hereby apply for a hearing before  
the Board of Adjustment for consideration:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

Modify the existing height of the free standing sign from 25' to 45'. Please reference  
attached design.

in a commercial zoning district.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. In order to grant your request for a variance, the Board must first make one or more of the findings described under 1, 2, and 3 below; the Board must then make the finding described in item 4 below. If the Board cannot make the required findings, it cannot approve a sign variance.

Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings:

1. The variance is necessary because strict enforcement of the Article prohibits any reasonable opportunity to provide adequate signs on the site, considering the unique features of a site such as its dimensions, landscaping, or topography, because: The sign set back from the frontage road  
and expressway inhibits the visibility of the sign at its present height. The setback is

considerably more than the other restaurants in the immediate area. Please reference exhibits A and B.

OR,

2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because: The other restaurants do not have the setback issues as illustrated by our exhibits. Planks restaurant remedied their visual issues with a taller pylon sign as shown in the provided survey.

OR,

3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because: Increasing the overall height of the existing sign will put this particular restaurant on more of an even visual standing with the competition due to the hardship created by the interstate and the frontage road layout which was designed and built by others.

AND,

4. Granting a variance would not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated, because: As shown on both exhibits, Chick-fil-A is at a disadvantage due to the set back that does not affect the other restaurants in close proximity.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Lesli C. Townsend Mail Address Chandler Signs, 12106 Valliant Dr.

City, State & Zip San Antonio, Texas 78216

Printed Lesli C. Townsend Phone 210-349-3804 Date 9-3-10

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Erika Wilson Mail Address Chick-fil-A, Inc. 5200 Buffington Rd.

City, State & Zip Atlanta, Georgia 30349

Printed ERIKA WILSON Phone 404-765-8000 Date 9-3-10



## BOARD OF ADJUSTMENTS

CASE#: C16-2010-0006  
 LOCATION: 12901 N IH 35 SVRD NB  
 GRID: M34, M35  
 MANAGER: SUSAN WALKER



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

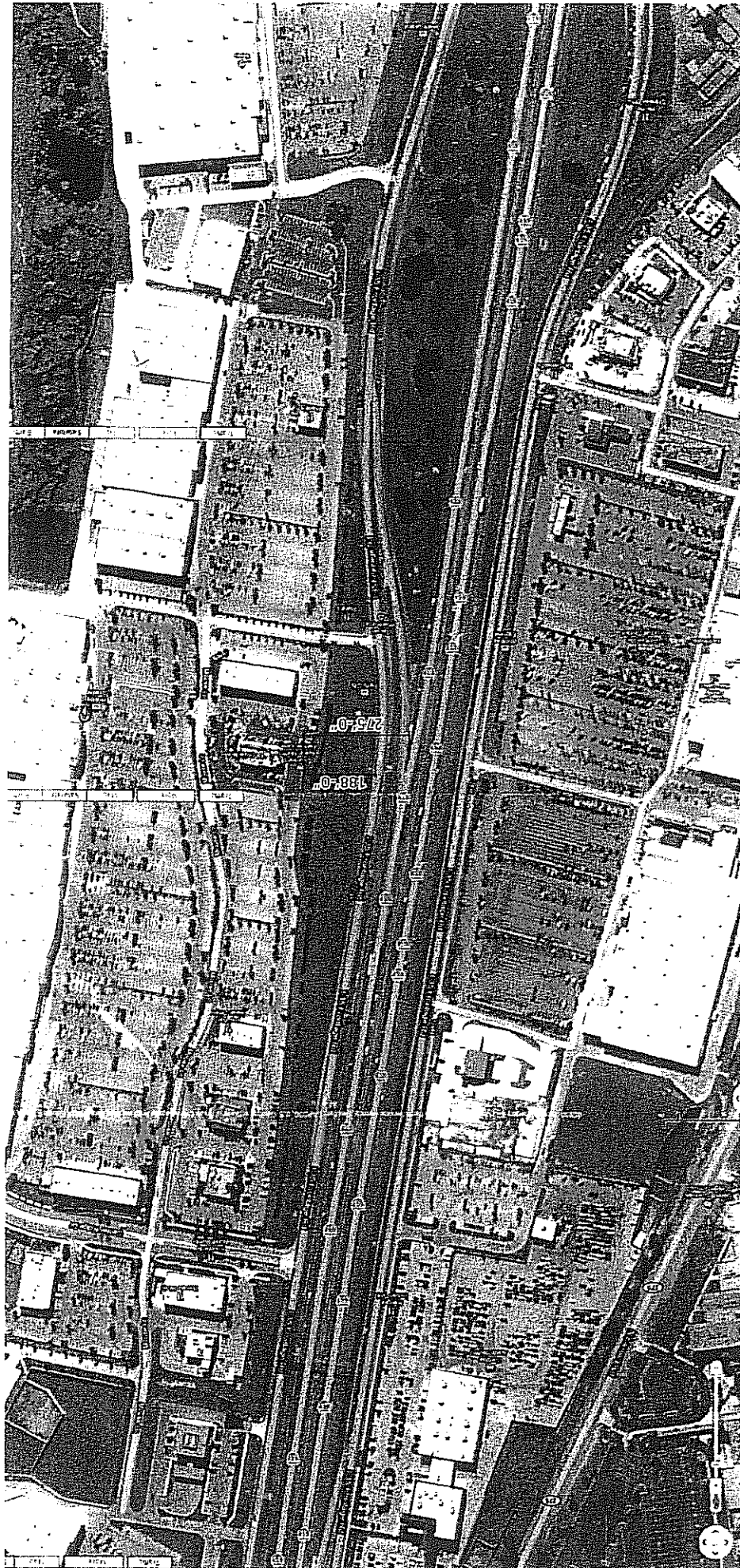


Exhibit A

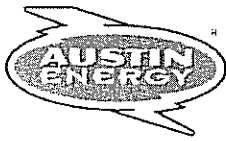
## **Exhibit B**

*Reference with Variance Request for Chick-fil-A at I-35 and Parmer Ln.*

| Restaurant    | Sign Setback From<br>Frontage Rd | Sign Setback From               |                              |
|---------------|----------------------------------|---------------------------------|------------------------------|
|               |                                  | 1st Lane of North<br>Bound I-35 | Distance from<br>Chick-fil-A |
| Carino's      | 127'                             | 132'                            | .19 miles                    |
| Chilli's      | 123'                             | 174'                            | .23 miles                    |
| Arby's        | 74'                              | 128'                            | .47 miles                    |
| McDonald's    | 73'                              | 137'                            | .58 miles                    |
| Baby Acapulco | 84'                              | 138'                            | .64 miles                    |
| Plank's       | 79'                              | 344'                            | .18 miles                    |
| Chick-fil-A   | 188'                             | 275'                            | 0 miles                      |







## City of Austin

*Austin's Community-Owned Electric Utility*

[www.austinenergy.com](http://www.austinenergy.com)

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

September 8, 2010

Abel Obregon  
Austin, Texas  
[aobregon@chandler signs.com](mailto:aobregon@chandler signs.com)

Re: 12901 N. IH35  
Lt 8, Blk A, Parmer Center South Subdivision

Dear Mr. Obregon,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to increase the height of an existing sign to a maximum height of 45 feet. Austin Energy has no conflicts with this application as requested and shown on the attached red-stamped sketch provided owner/applicant meets AE clearance criteria requirements as well as be in compliance with the National Electric Safety Code and OSHA.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6522.

Sincerely,

A handwritten signature in cursive script that reads "Robert K. Long, Jr.".

Robert K. Long, Jr.  
Public Involvement/Real Estate Services

Austin Energy has reviewed this plan for \_\_\_\_\_  
and disapproves the variance requested on \_\_\_\_\_  
this plan must be approved by Austin Energy

12 90N-735

of Adjustment. Any changes to

~~AUSTIN ENERGY~~

AUSTIN ENERGY

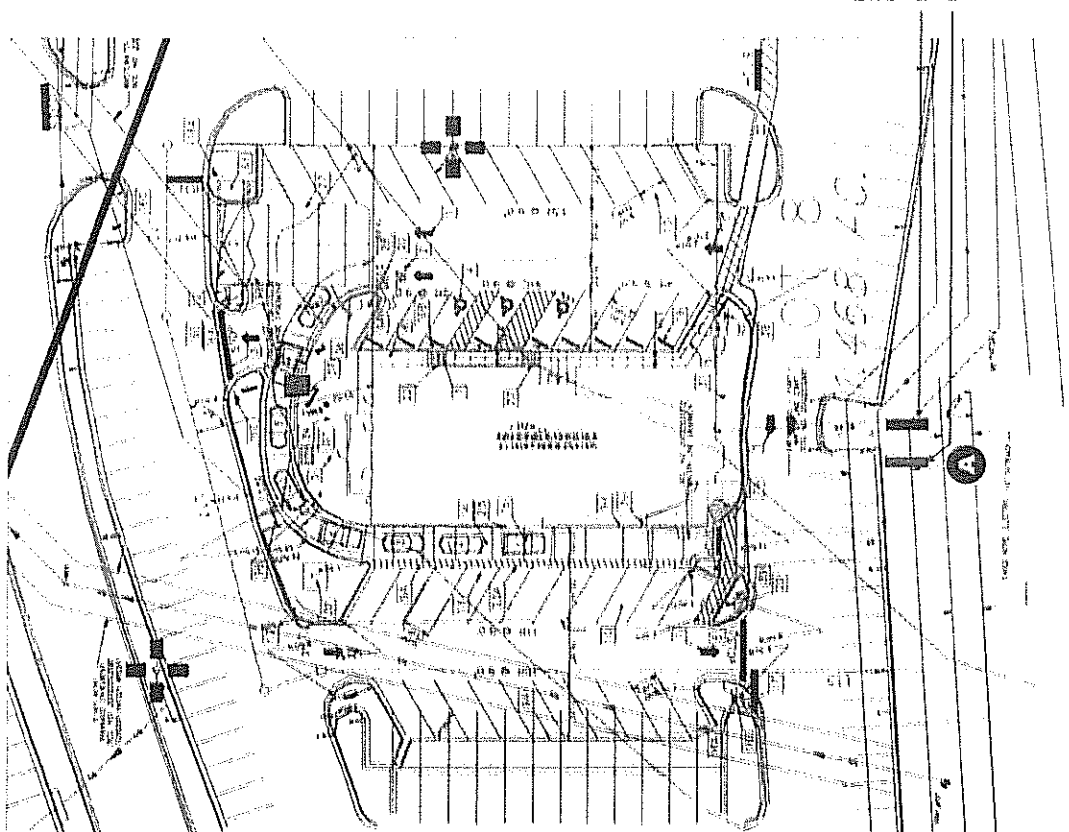
Date \_\_\_\_\_

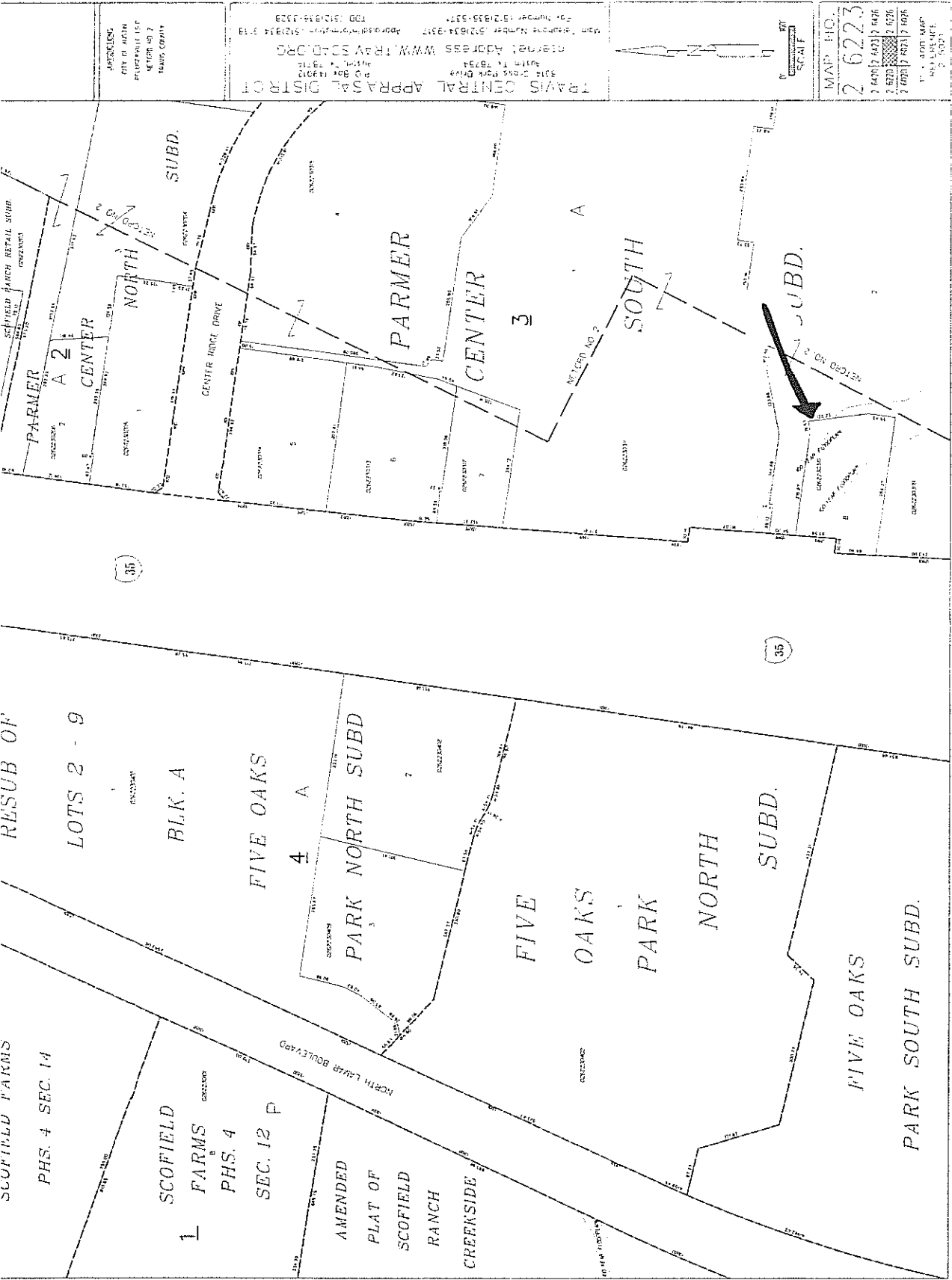
9/8/10

RE-INSTALL SIGN 7 FT APPROX. AWAY FROM CURRENT LOCATION, CLOSE TO EXISTING ELECTRICAL SOURCE. FIVE FEET FROM RIGHT OF WAY REQUIRED.

## EXTINGUISHING SIGN LOCATION

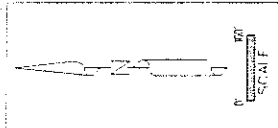
PROPOSED NEW LOCATION





APPROVED  
CITY OF AUSTIN  
PLAT NUMBER 157  
METRO NO. 2  
TRAVIS COUNTY

TRAVIS CENTRAL APPRAISAL DISTRICT  
3014 CROSS CREEK DRIVE  
AUSTIN, TX 78734  
PHONE: 787-312-1100  
FAX: 787-312-1101  
E-MAIL: traviscentral@traviscentral.org  
WWW: WWW.TRAVIS-CAD.ORG  
Main Appraisal Number: 5121834-2317  
Approved by: 5121834-2317  
For Number: 5121835-2317



MAP NO.  
2 6223  
1 4401 2 4403 3 4405  
2 5025 3 5027 4 5029  
5 5031 6 5033 7 5035  
8 5037 9 5039 10 5041  
11 5043 12 5045  
13 5047 14 5049 15 5051



## Pylon Sign Survey

Chick-fil-A at I-35 and Parmer, Austin, TX

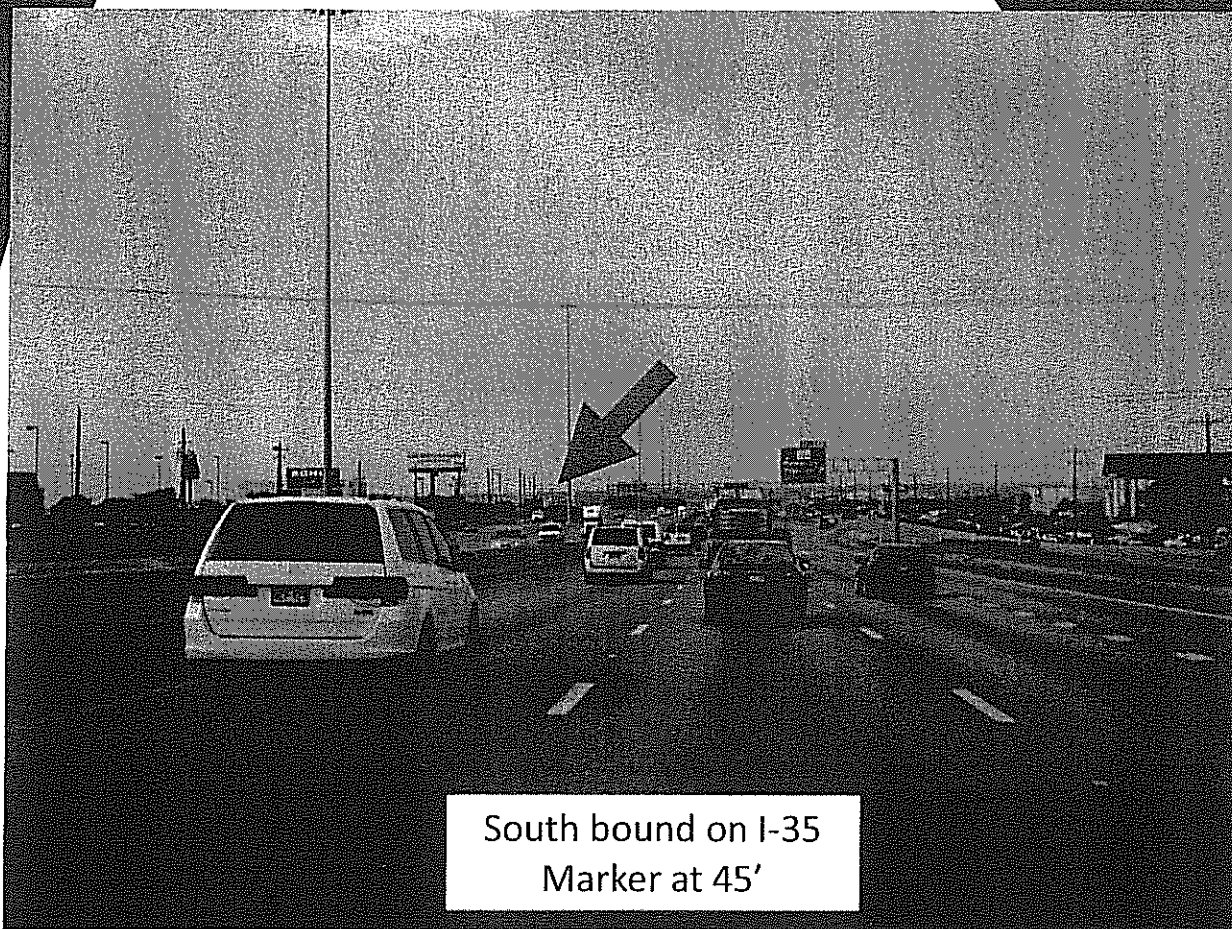


Survey Prepared by:

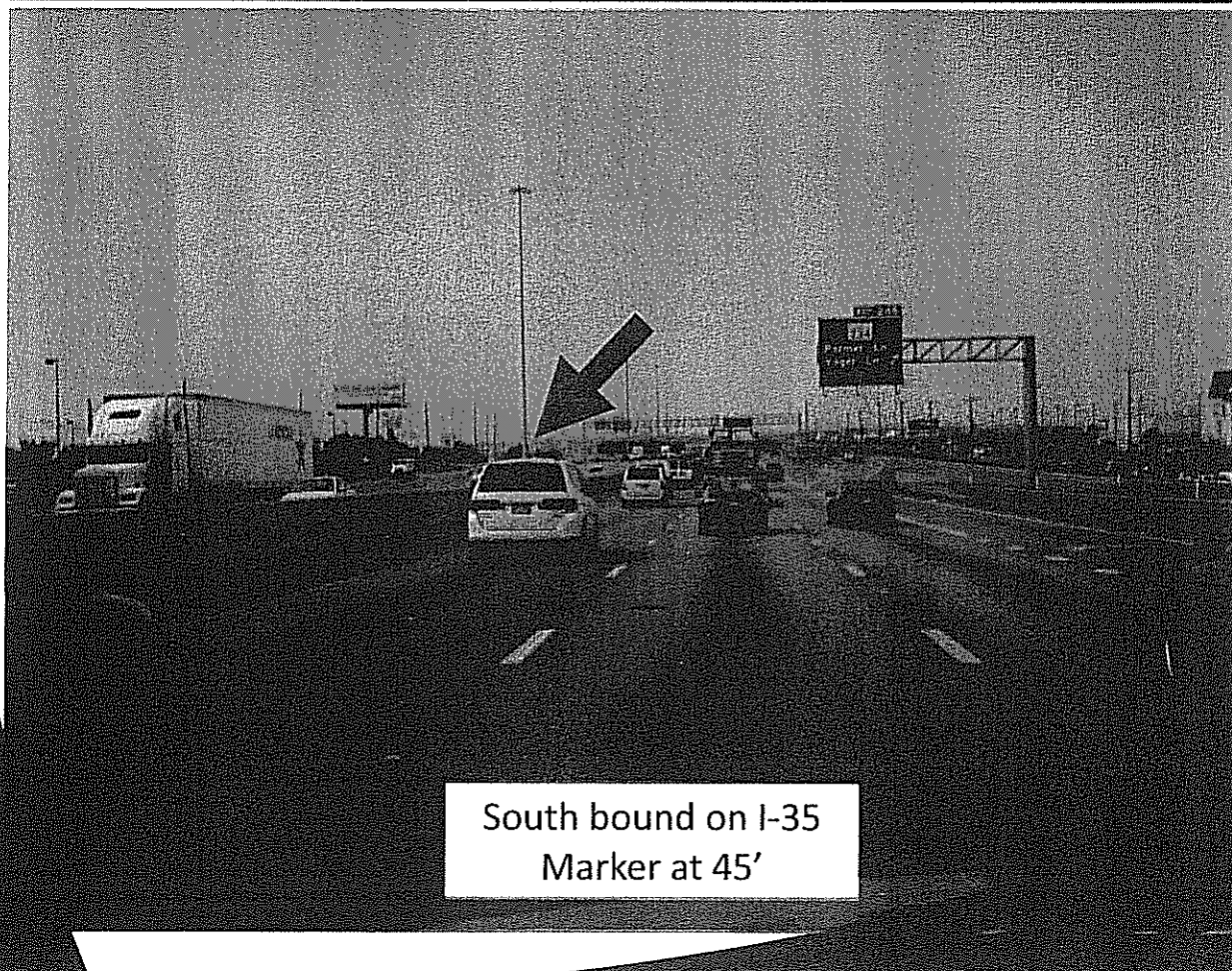


**Chandler Signs**

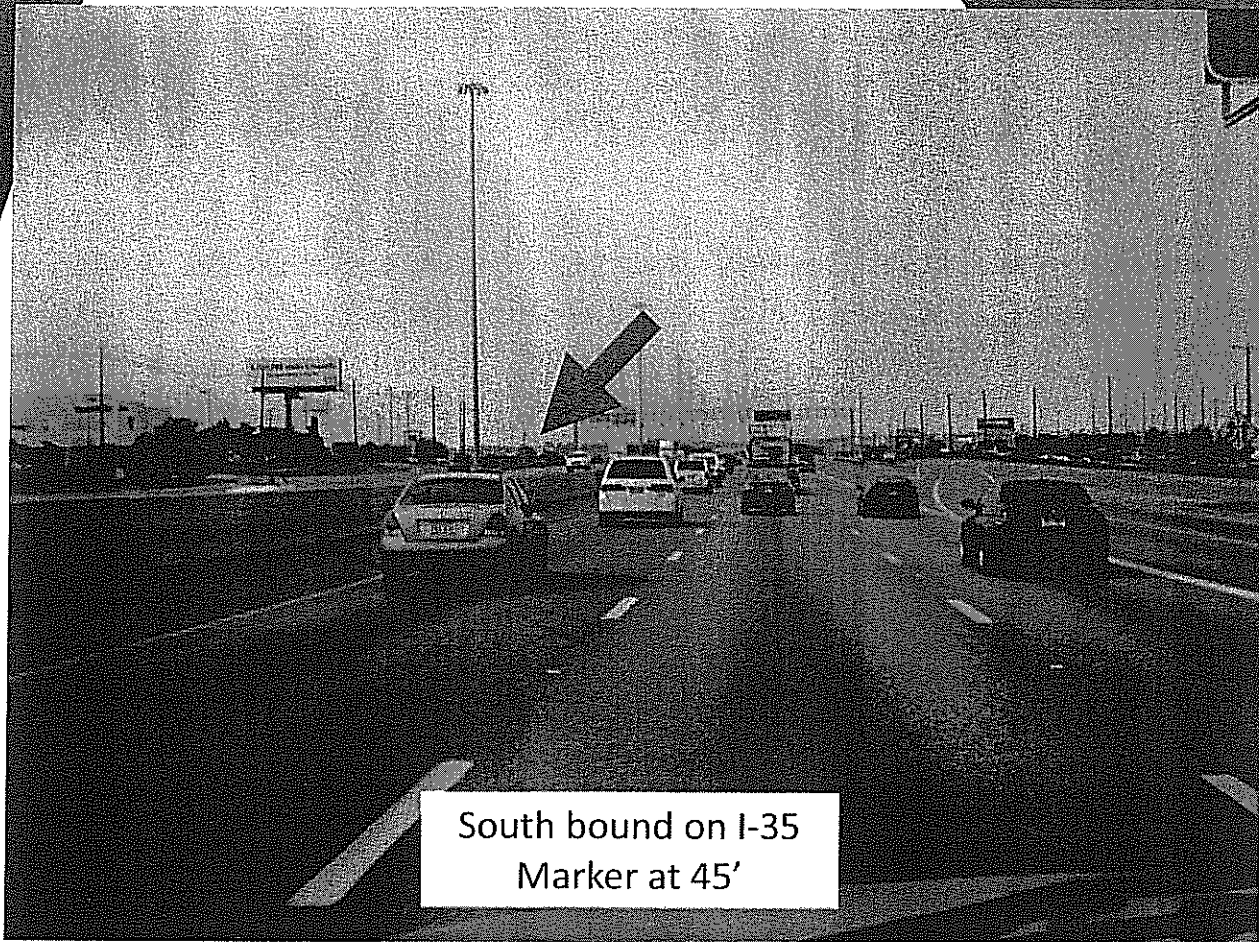
July 28, 2010



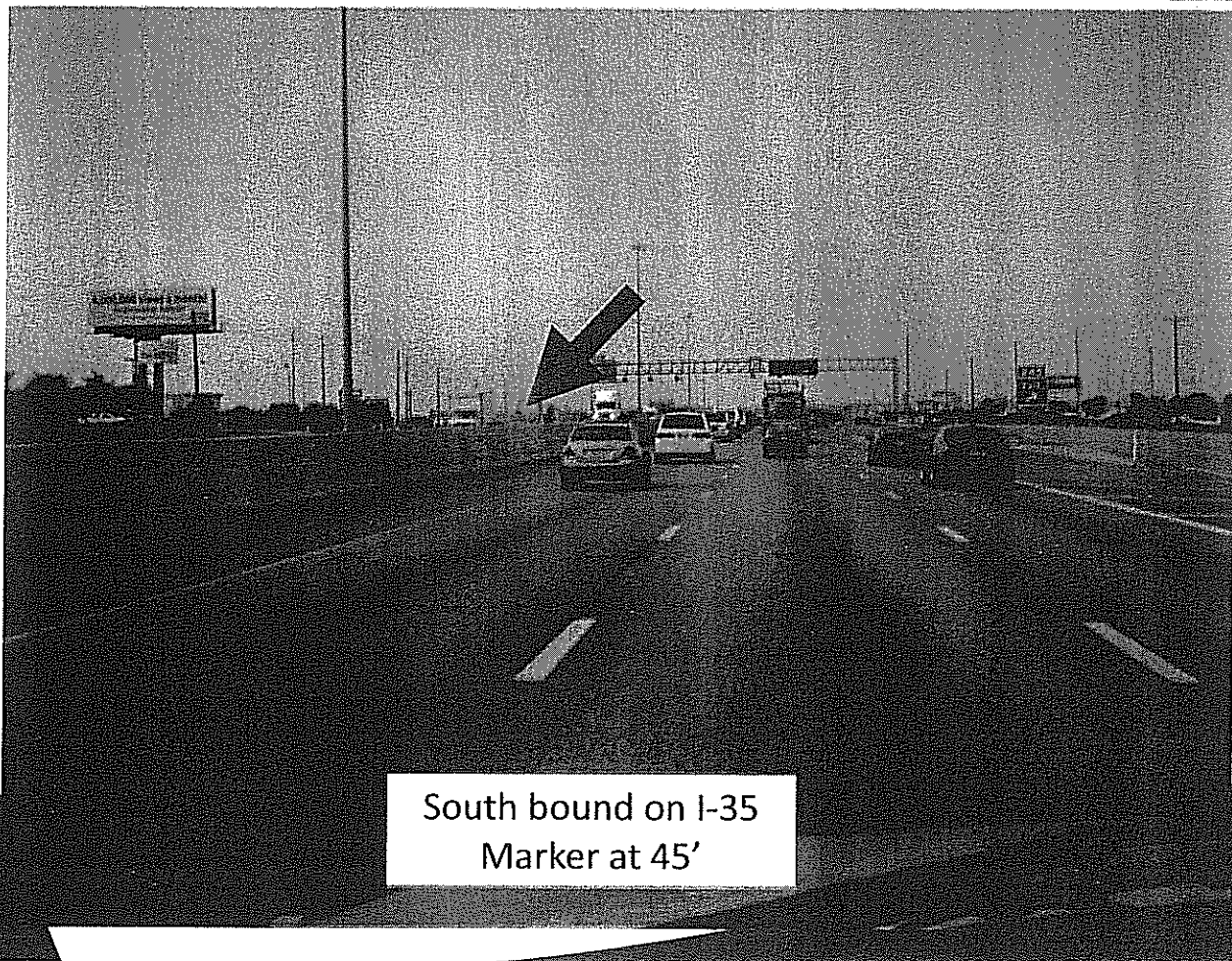
South bound on I-35  
Marker at 45'



South bound on I-35  
Marker at 45'



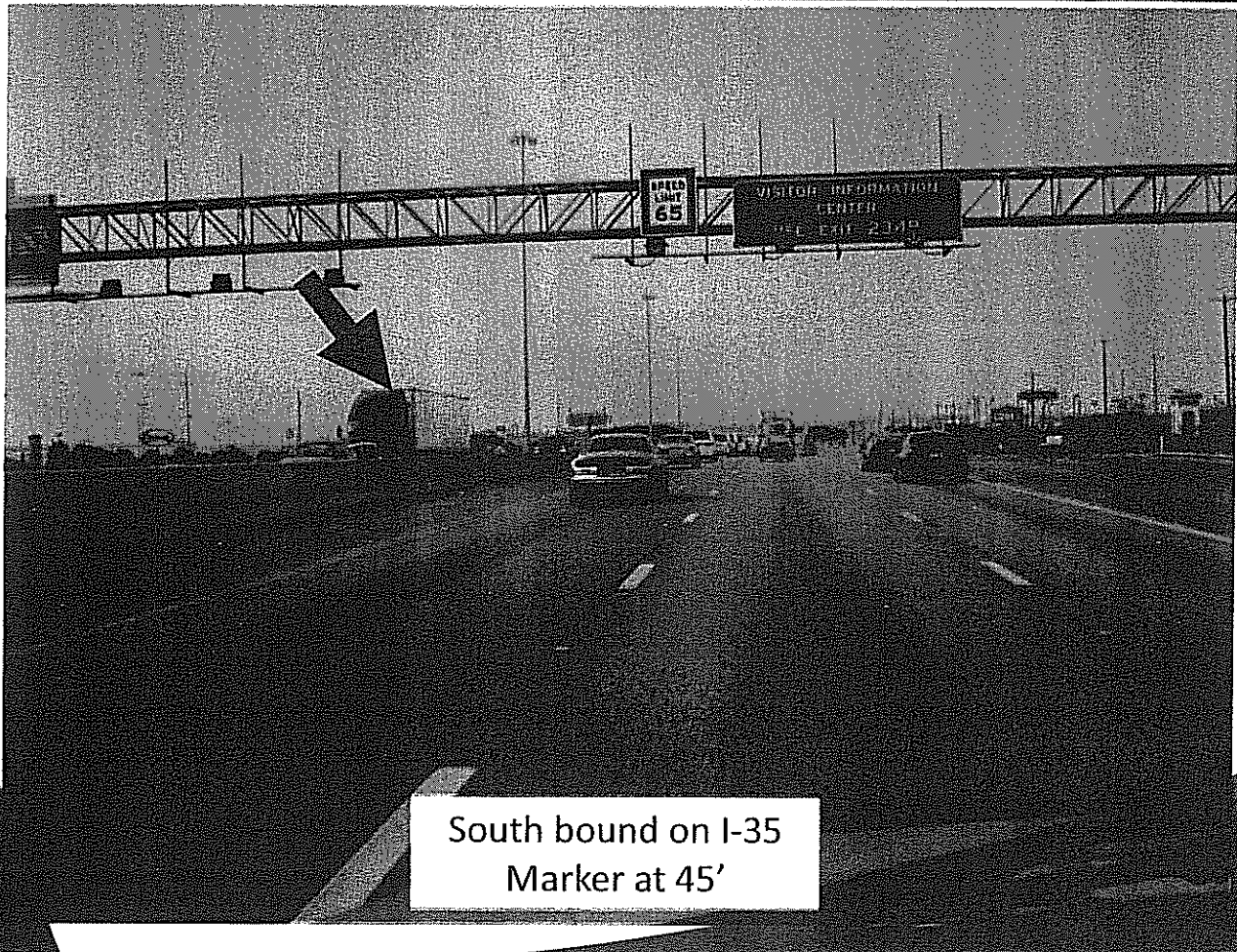
South bound on I-35  
Marker at 45'



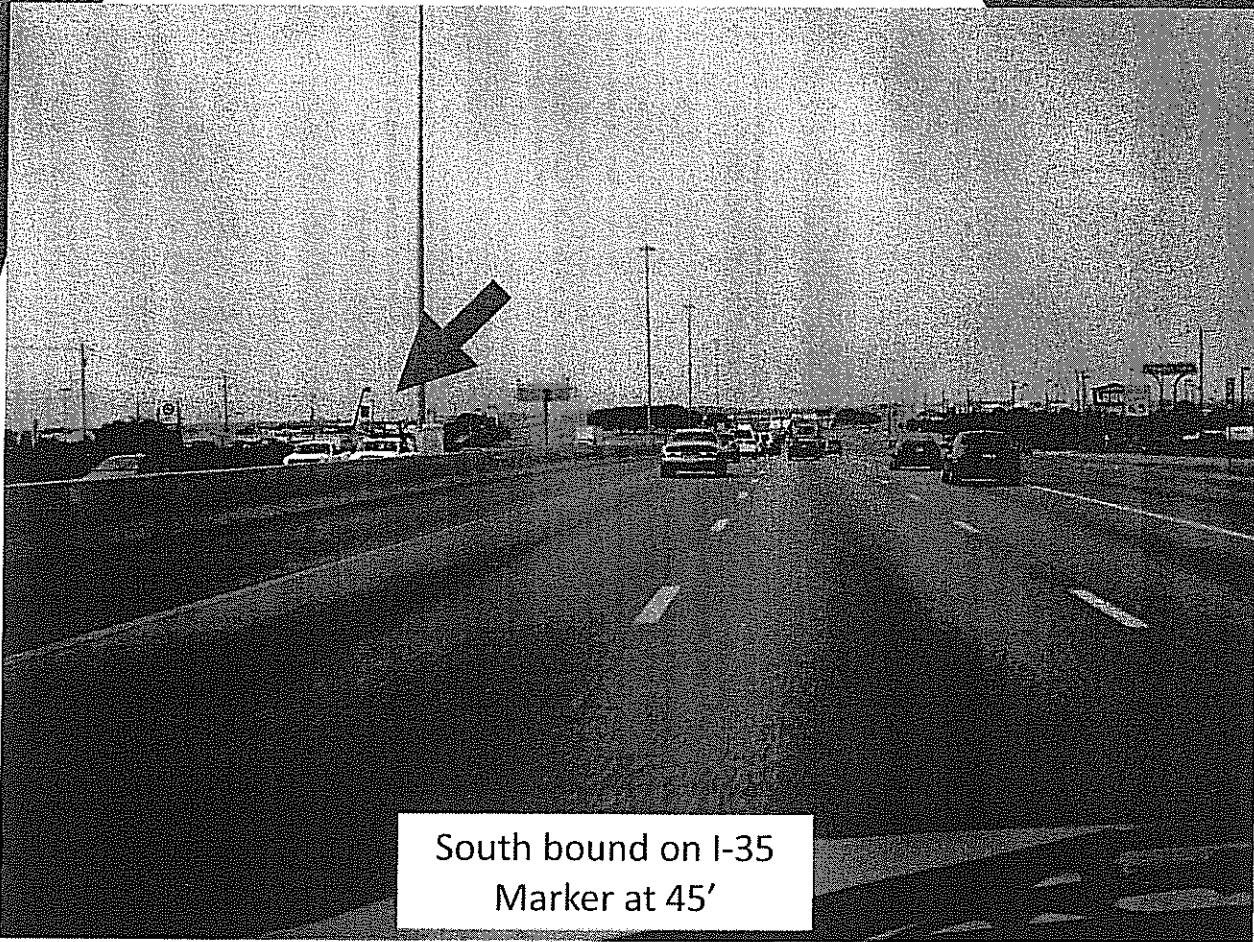
South bound on I-35  
Marker at 45'



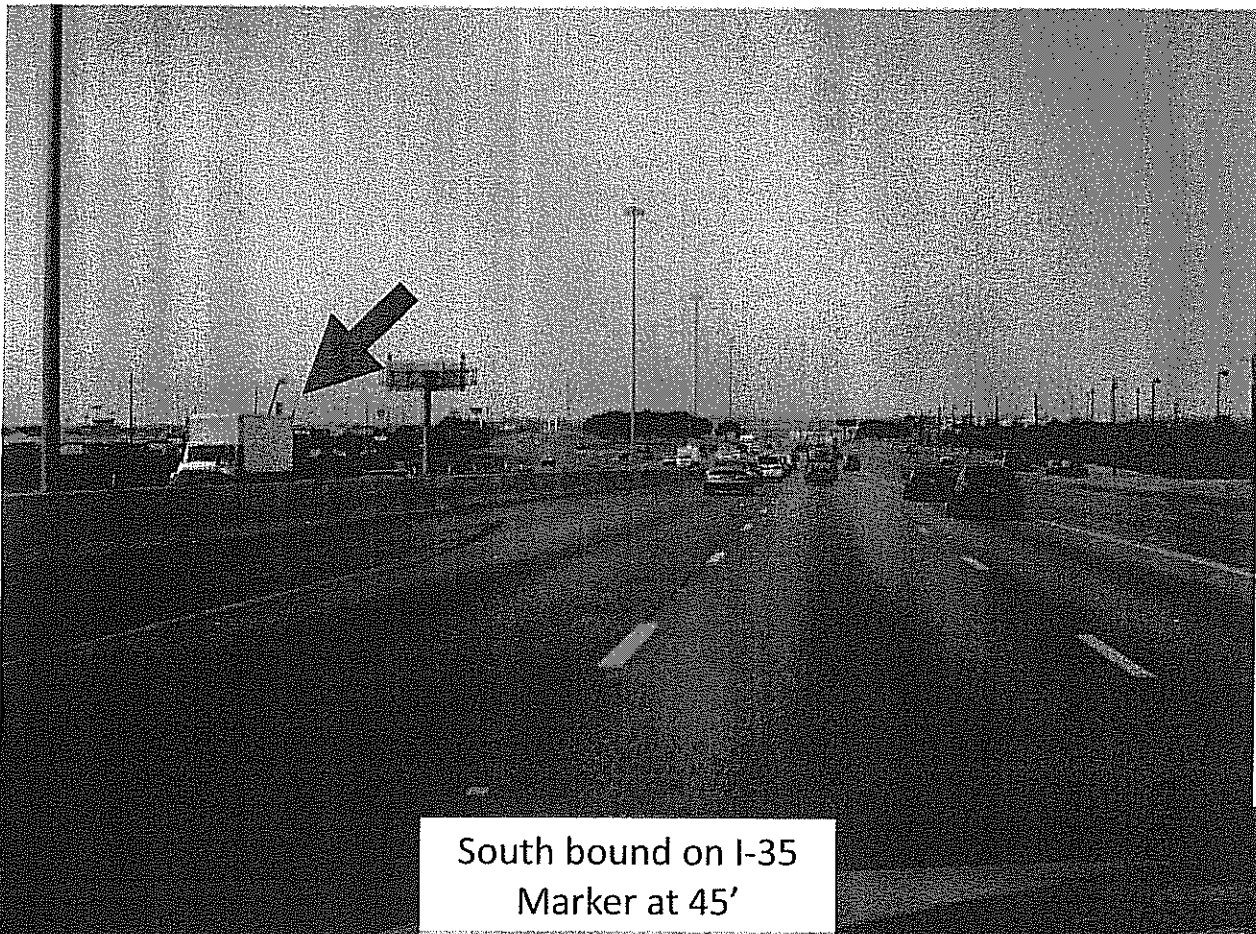
South bound on I-35  
Marker at 45'



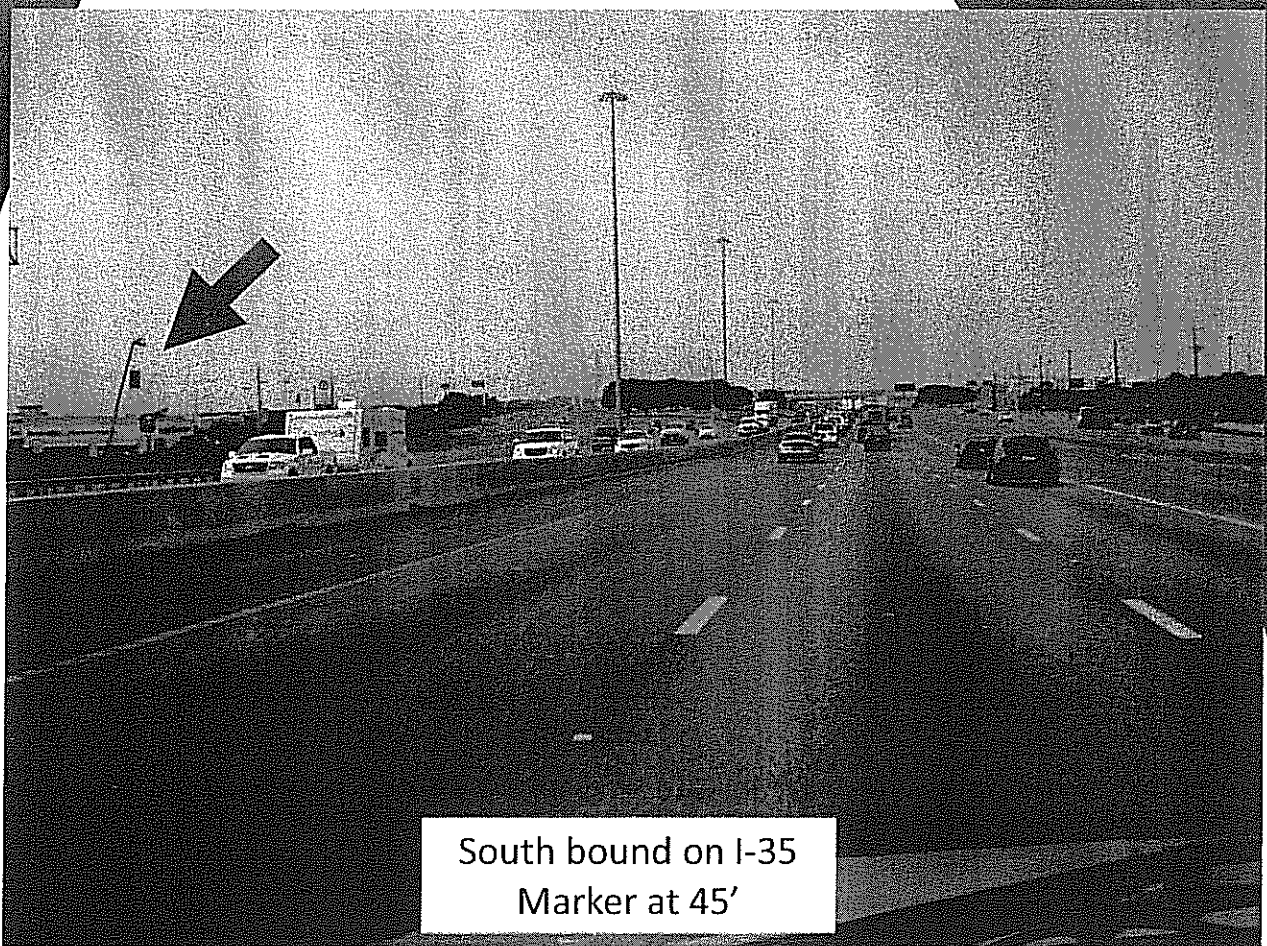
South bound on I-35  
Marker at 45'



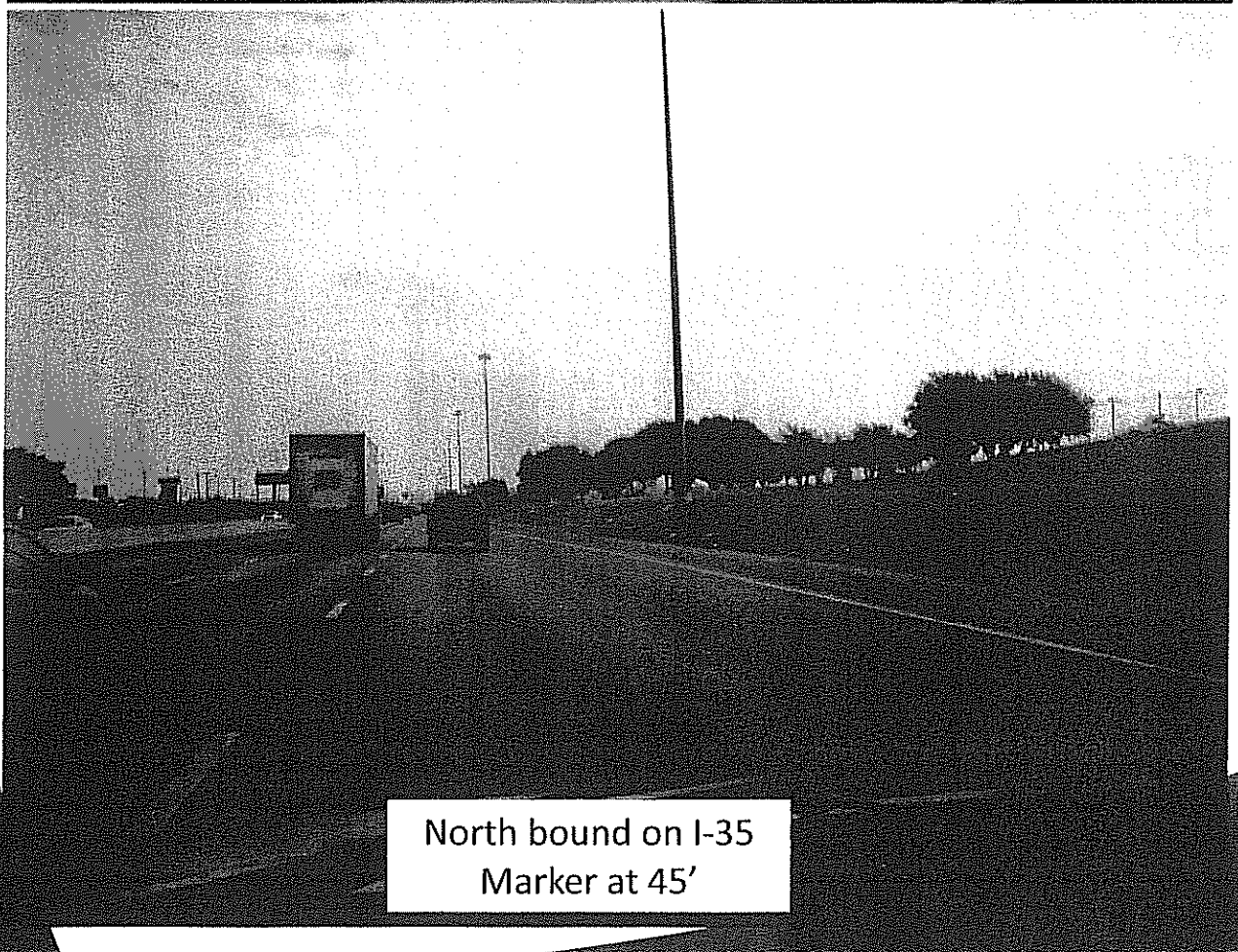
South bound on I-35  
Marker at 45'



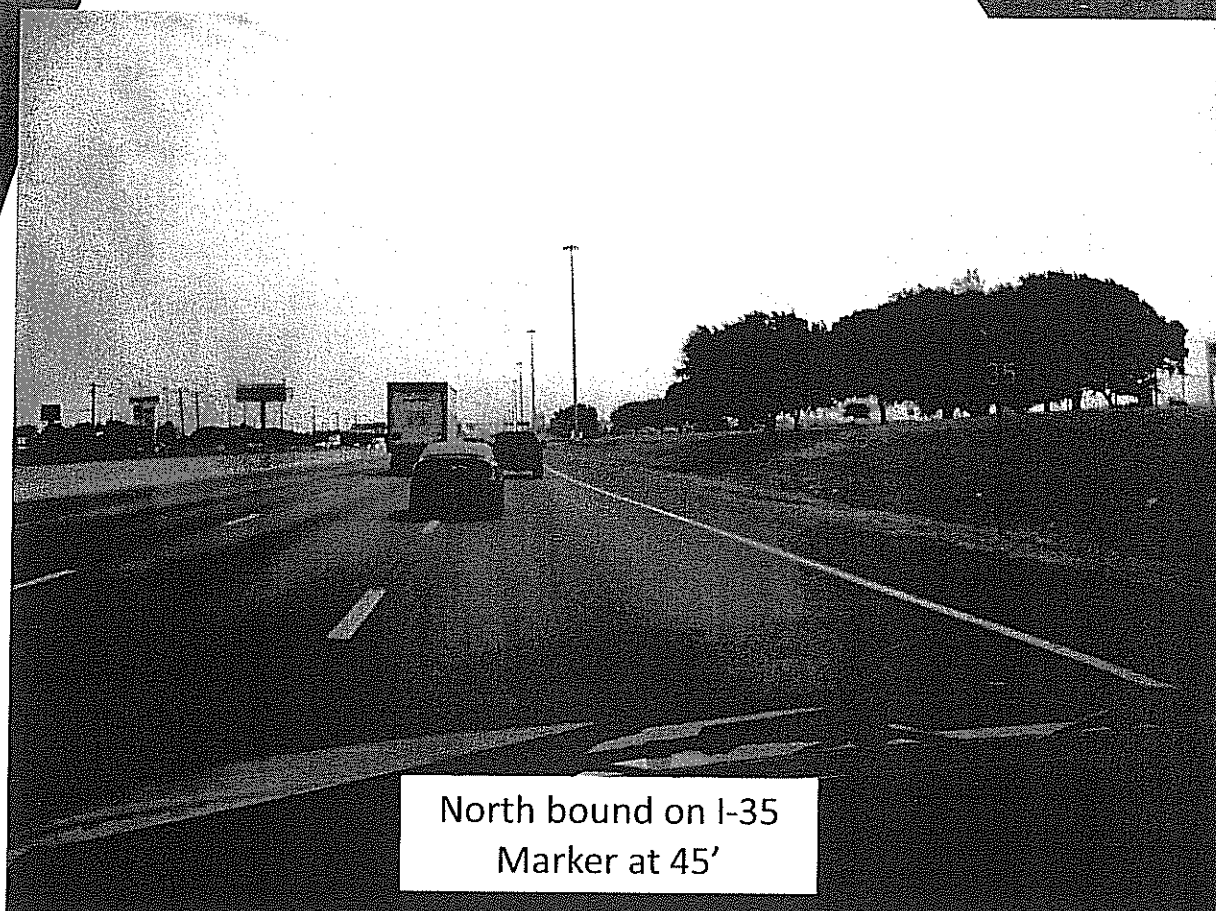
South bound on I-35  
Marker at 45'



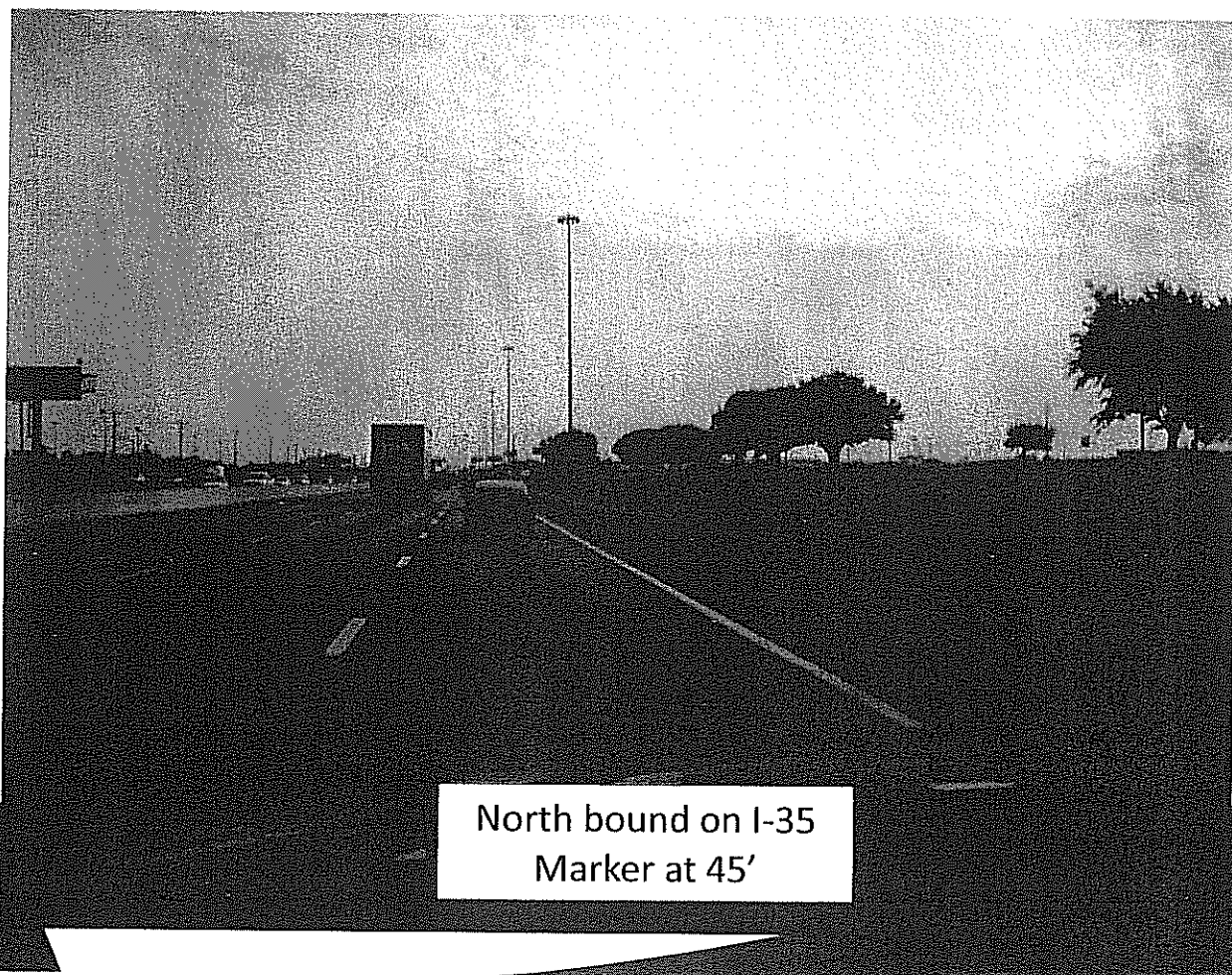
South bound on I-35  
Marker at 45'



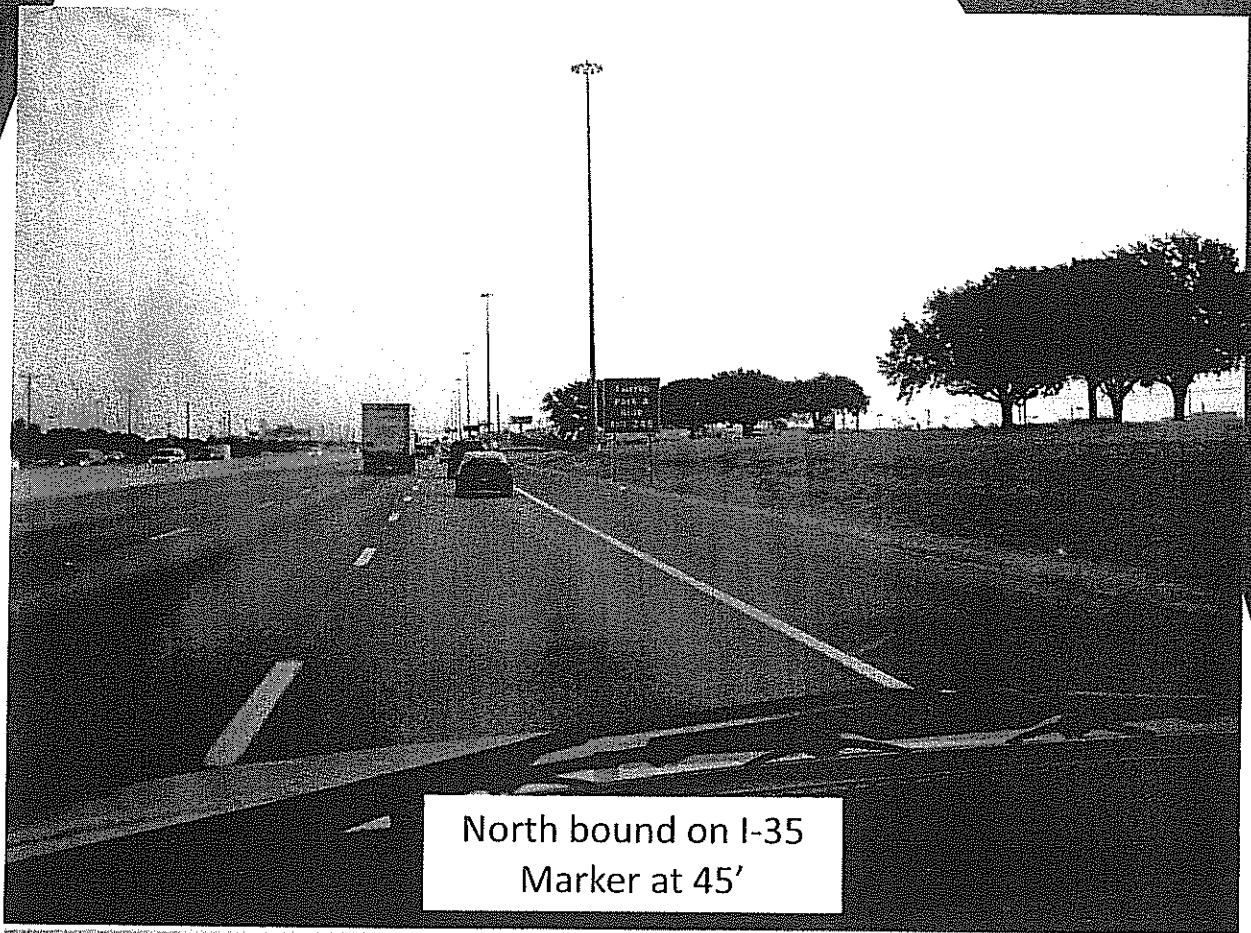
North bound on I-35  
Marker at 45'



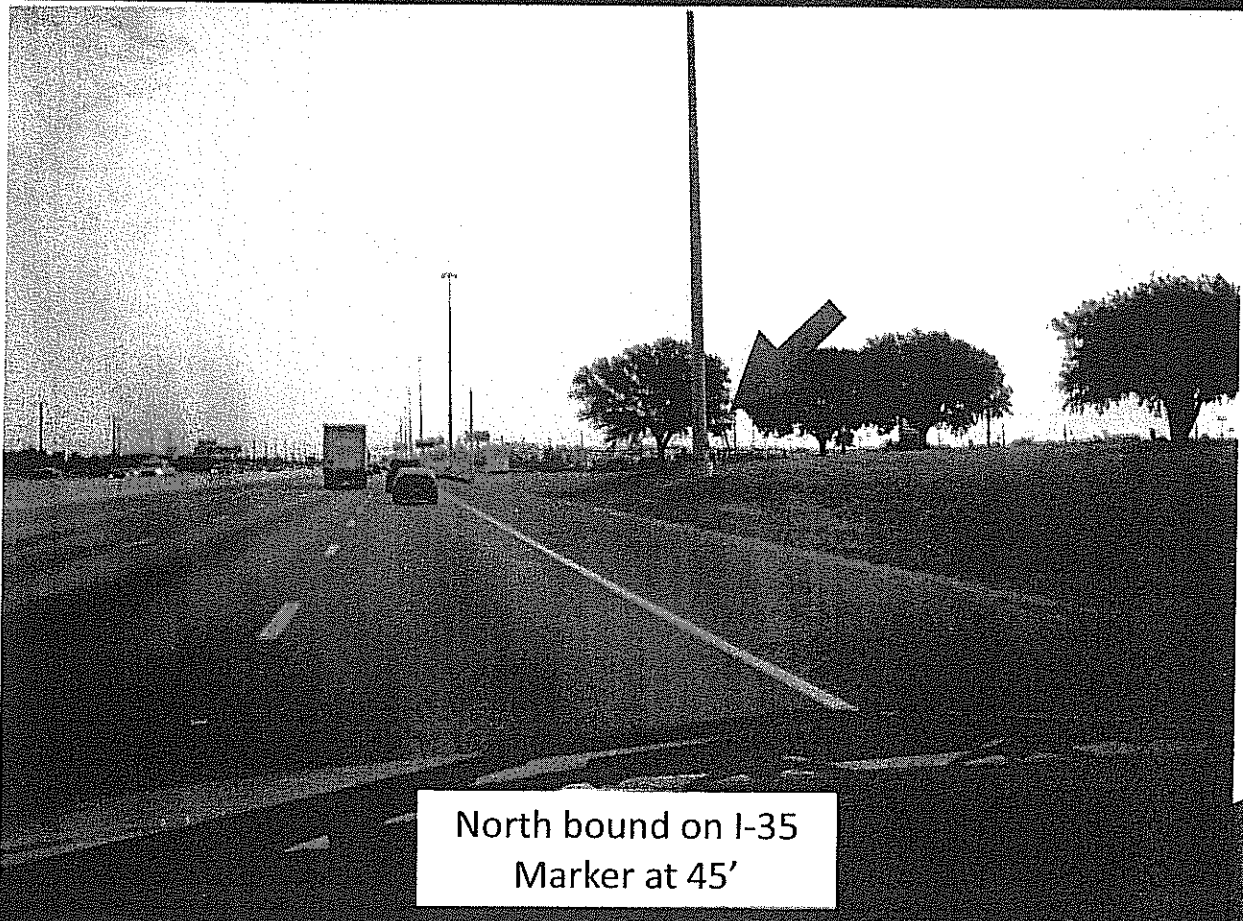
North bound on I-35  
Marker at 45'



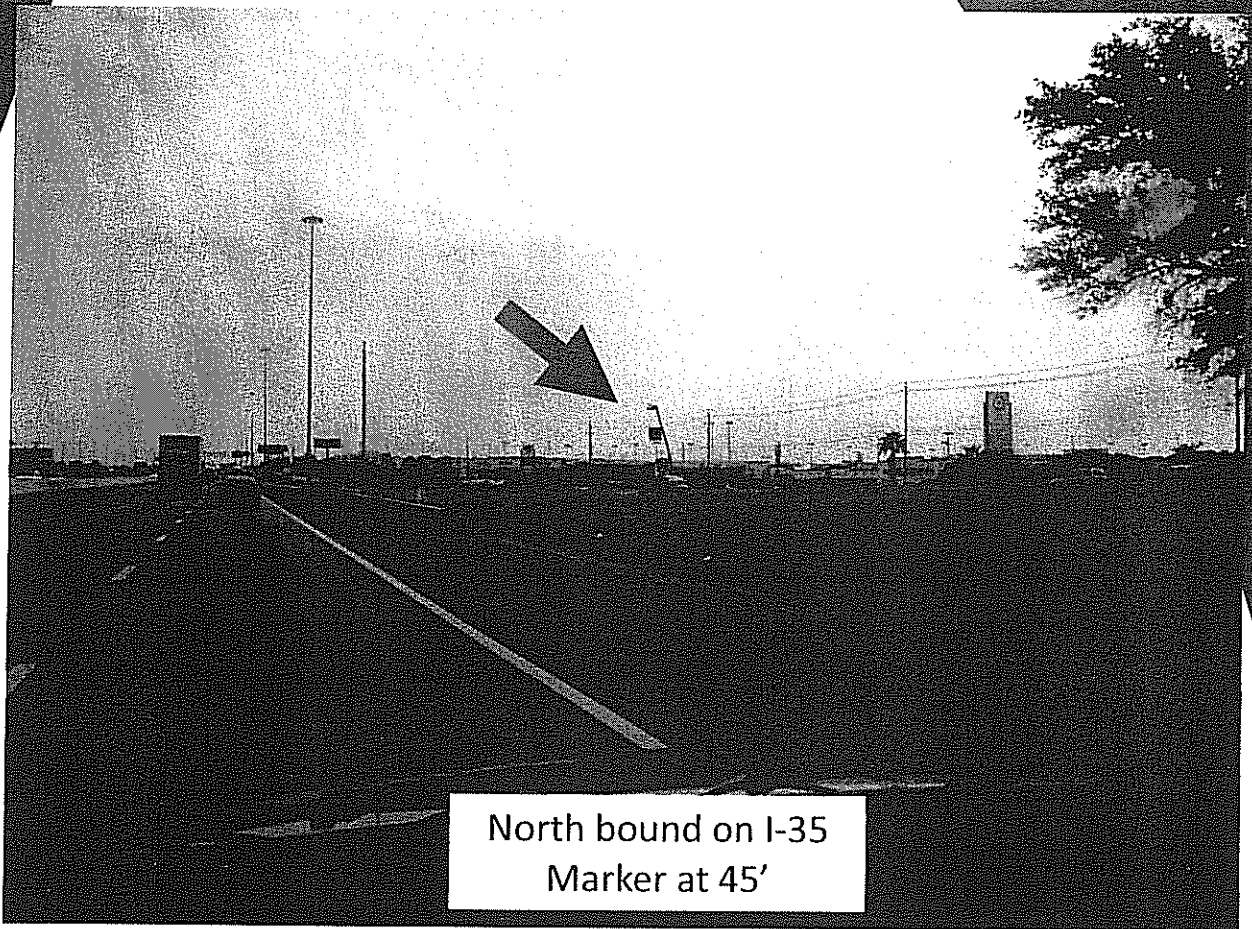
North bound on I-35  
Marker at 45'



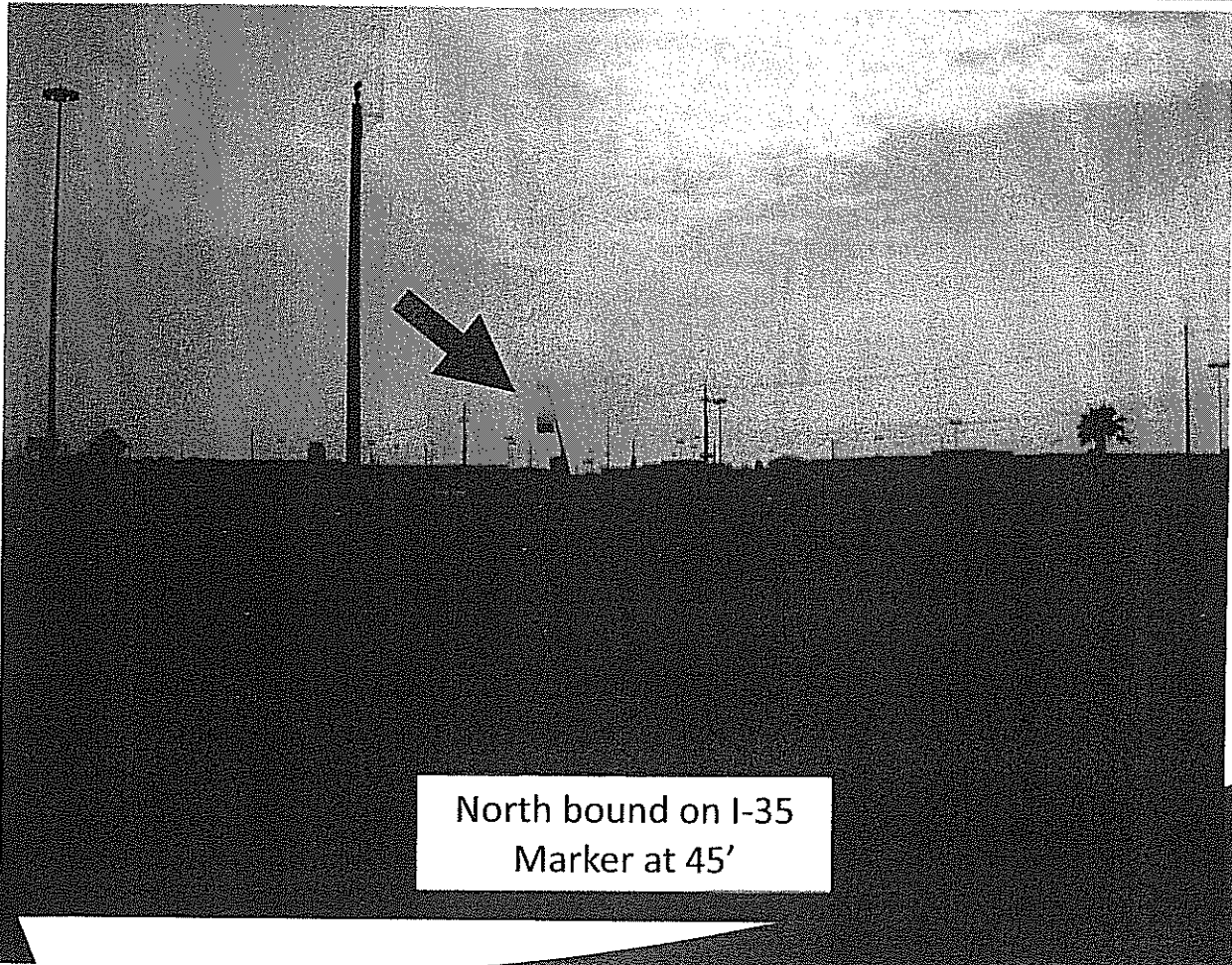
North bound on I-35  
Marker at 45'



North bound on I-35  
Marker at 45'



North bound on I-35  
Marker at 45'

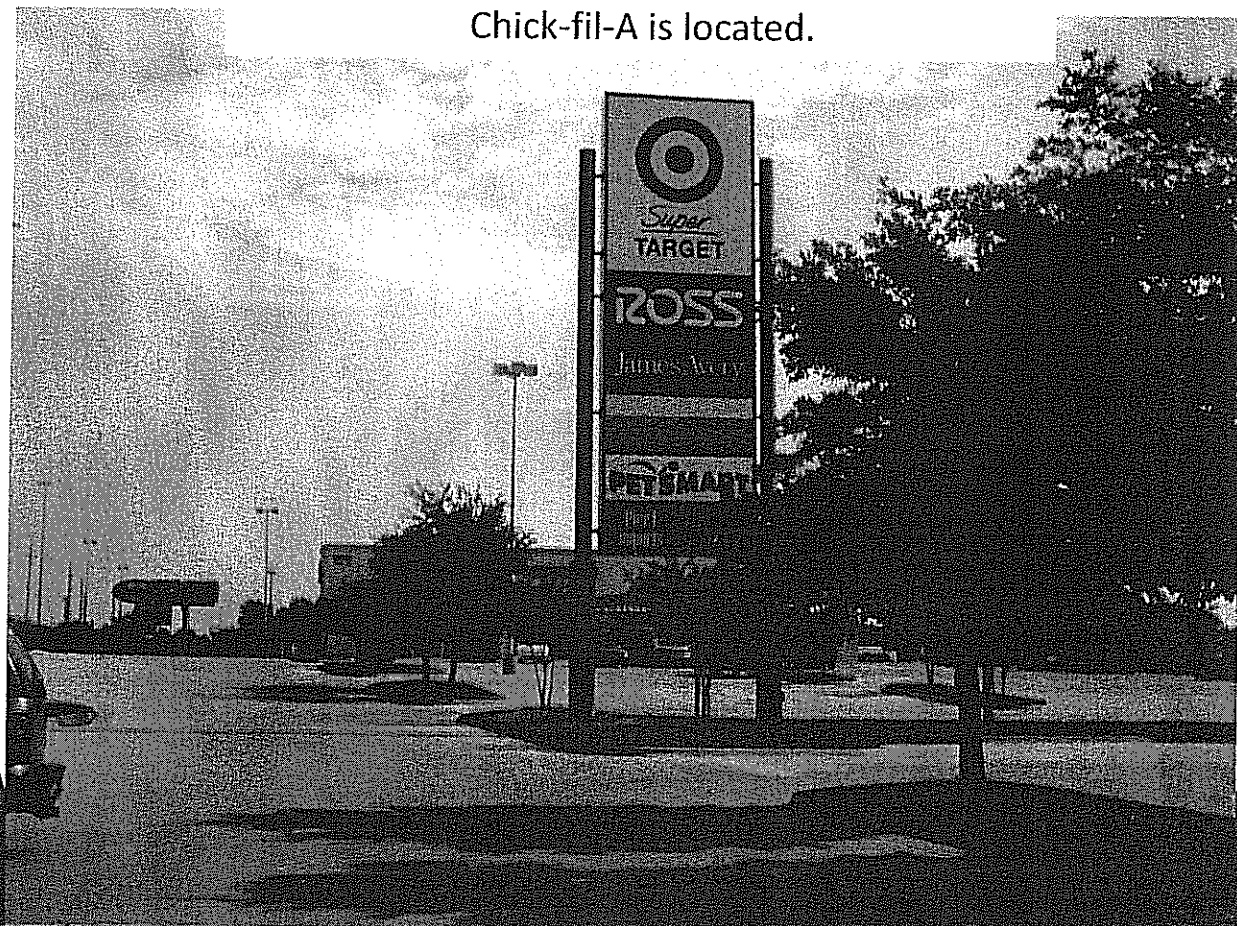


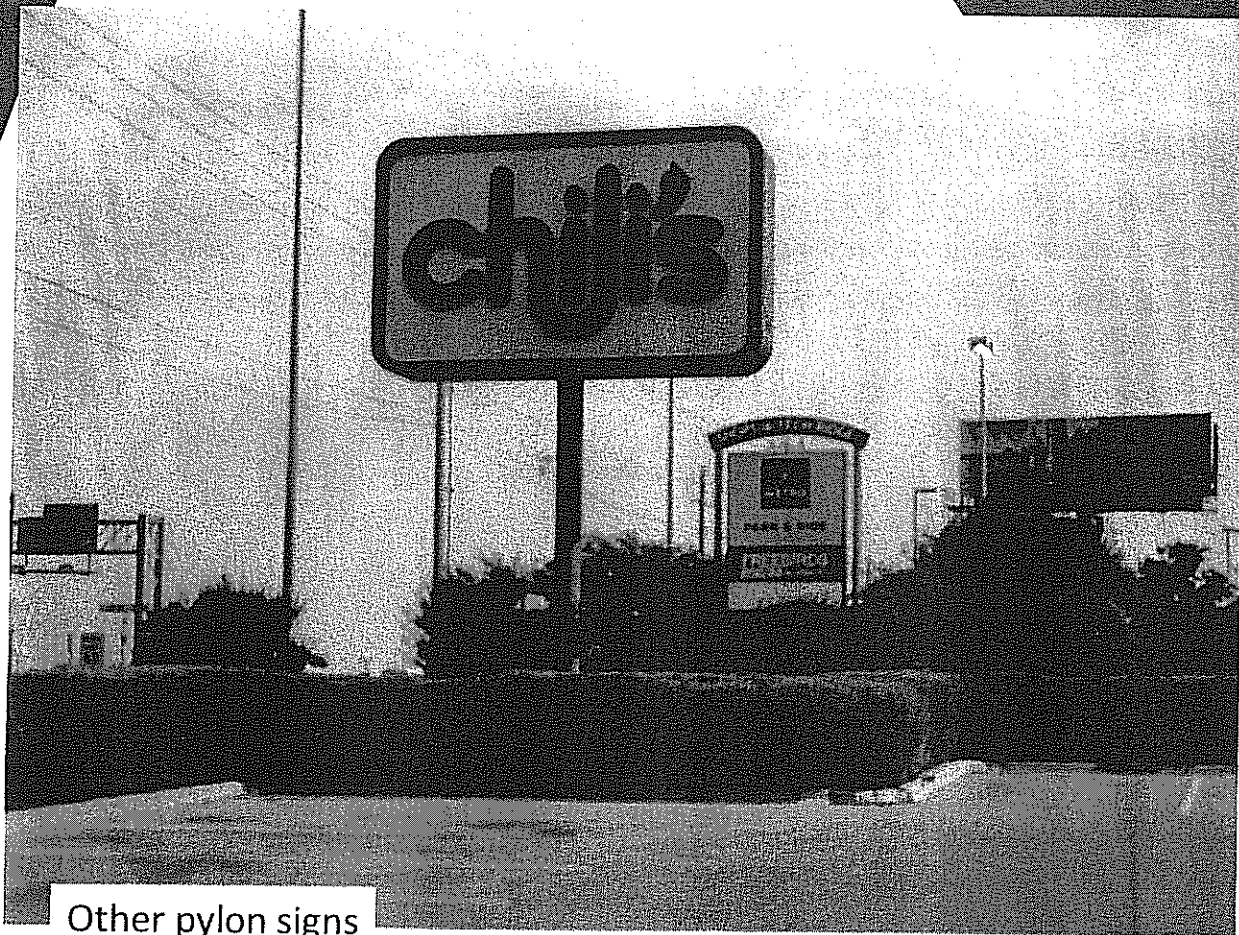
North bound on I-35  
Marker at 45'



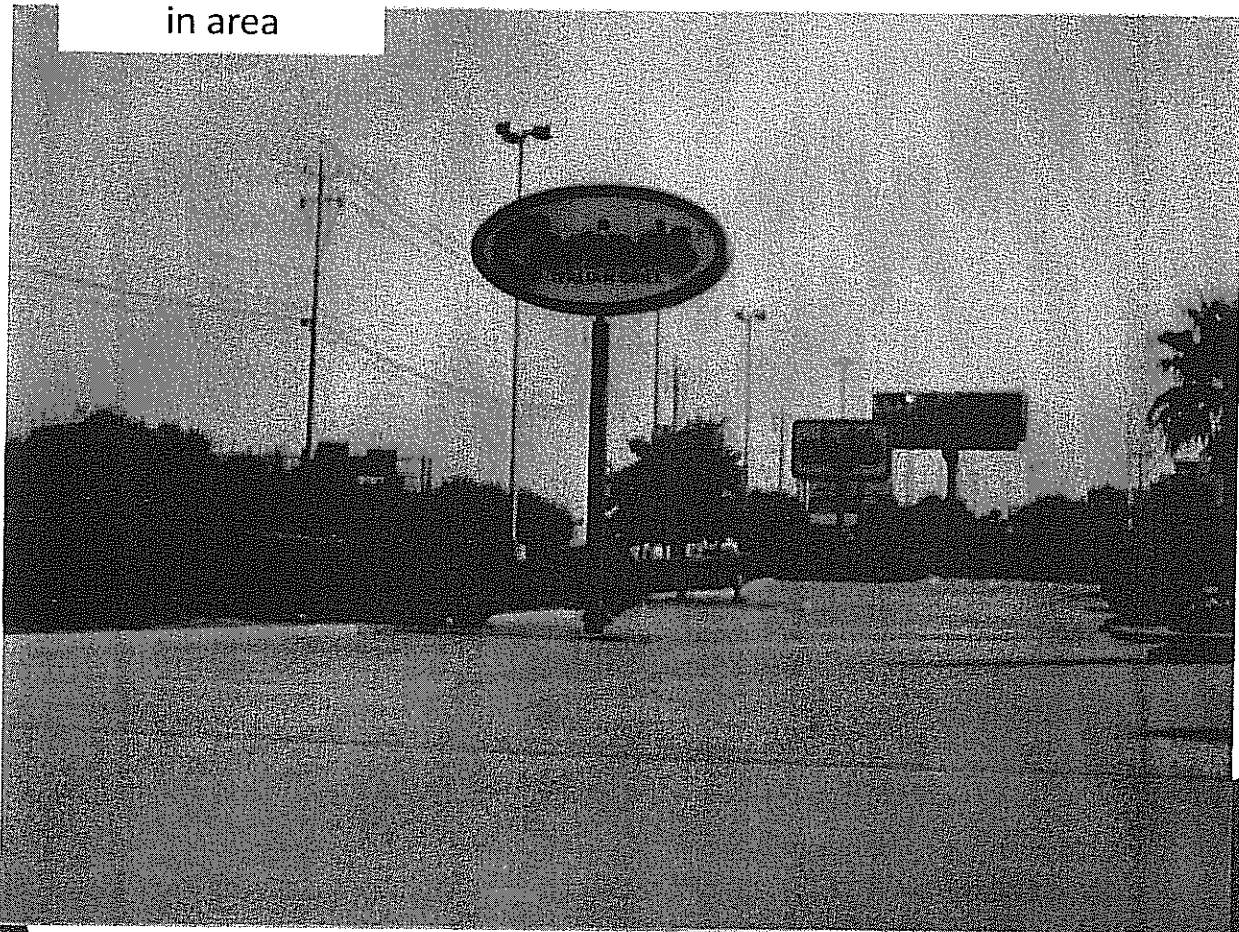


Multitenant pylon sign at shopping center where Chick-fil-A is located.

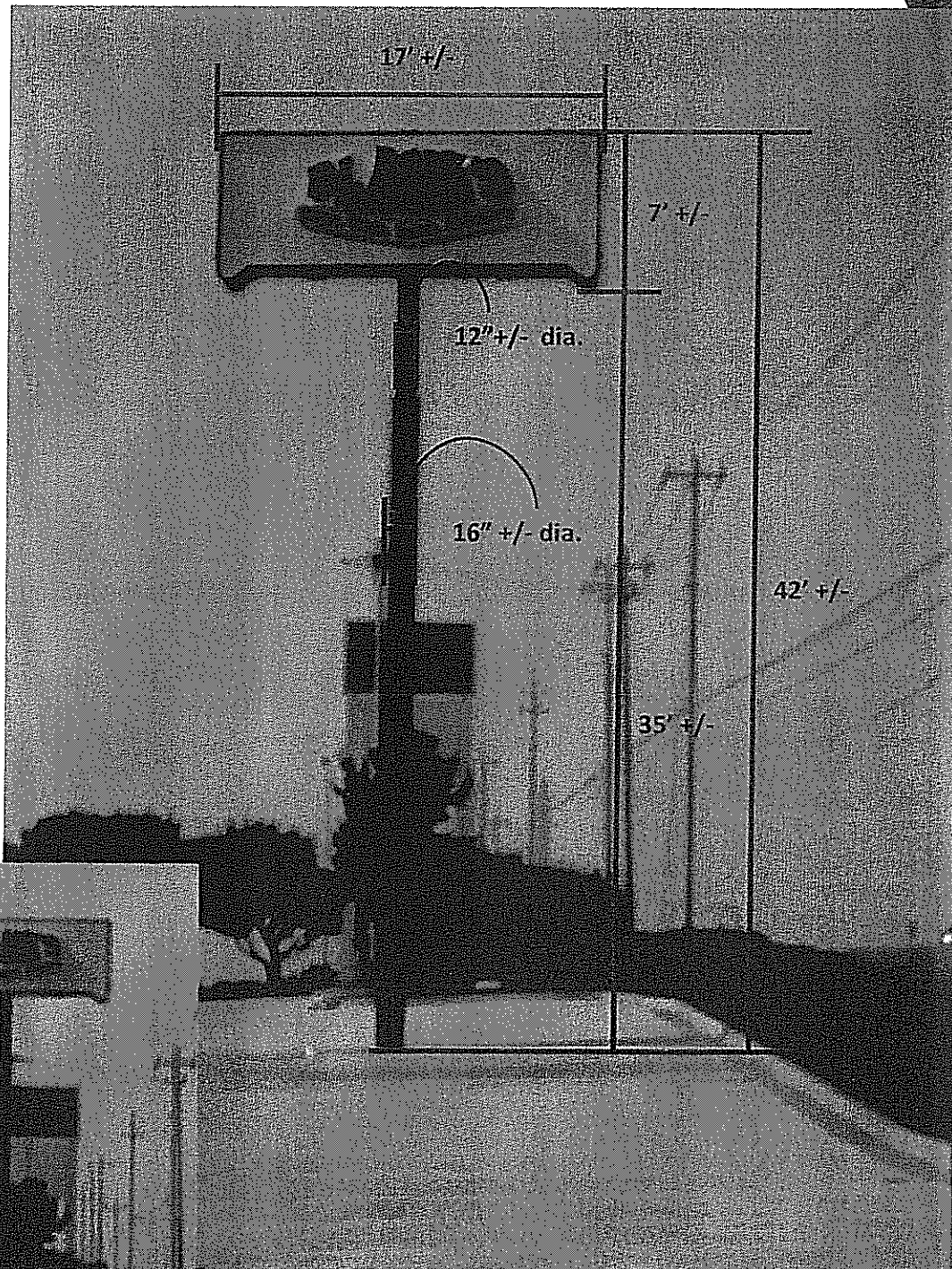




Other pylon signs  
in area



This pylon sign in the same area as Chick-fil-A and exceeds the allowable height established in the codes. 'Planks' may have applied for a variance.



Circle K

|                 |                                                       |
|-----------------|-------------------------------------------------------|
| Design #        | 10-1029                                               |
| Sheet           | 1 of 3                                                |
| Location        |                                                       |
| Address         | 1700 N. L. SERVICE RD & PALMER BLVD. S. 14 AUSTIN, TX |
| Arch. Firm      | KRISTEN RENFROE                                       |
| Coordinator     | LENA TOWNSEND                                         |
| Designer        | I. HERASTI                                            |
| Date            | 7/30/10                                               |
| Approval / Date |                                                       |
| Client          |                                                       |
| Label           |                                                       |
| Estimating      |                                                       |
| Art             |                                                       |
| Engineering     |                                                       |
| Landscaping     |                                                       |
| Revision / Date |                                                       |



**Shouler Signs**  
www.shoulersigns.com

3200 Hume Way, Dallas, TX 75235  
214-493-3000 Fax 214-493-3044  
1100 N. Stemmer, Fort Worth, TX 76114  
817-342-1100 Fax 817-342-1101

1035 Park Center Drive, Suite C  
Vero, FL 32906  
888-844-7882 Fax 888-844-7823

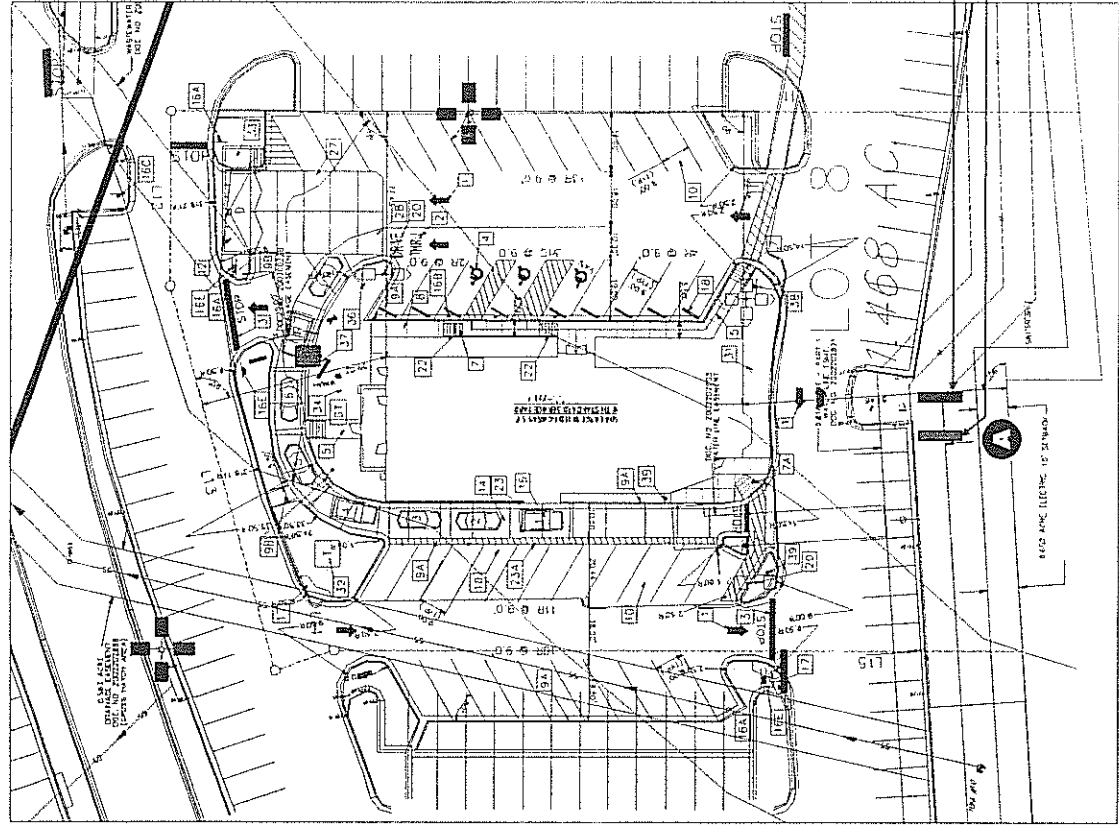
1400 N. Main Street  
Bismarck, ND 58104-7337  
701-487-2307 Fax 701-487-2304

1000 N. Main Street  
Bismarck, ND 58104-7337  
701-487-2307 Fax 701-487-2304

**FINAL ELECTRICAL CONNECTION BY CUSTOMER**

THE CUSTOMER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CUSTOMER SHALL BE RESPONSIBLE FOR THE COST OF ALL MATERIALS AND LABOR REQUIRED FOR THE INSTALLATION OF THE ELECTRICAL SYSTEM.

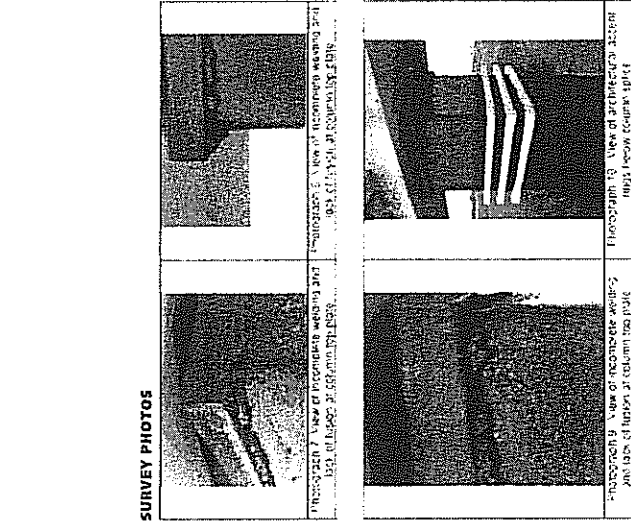
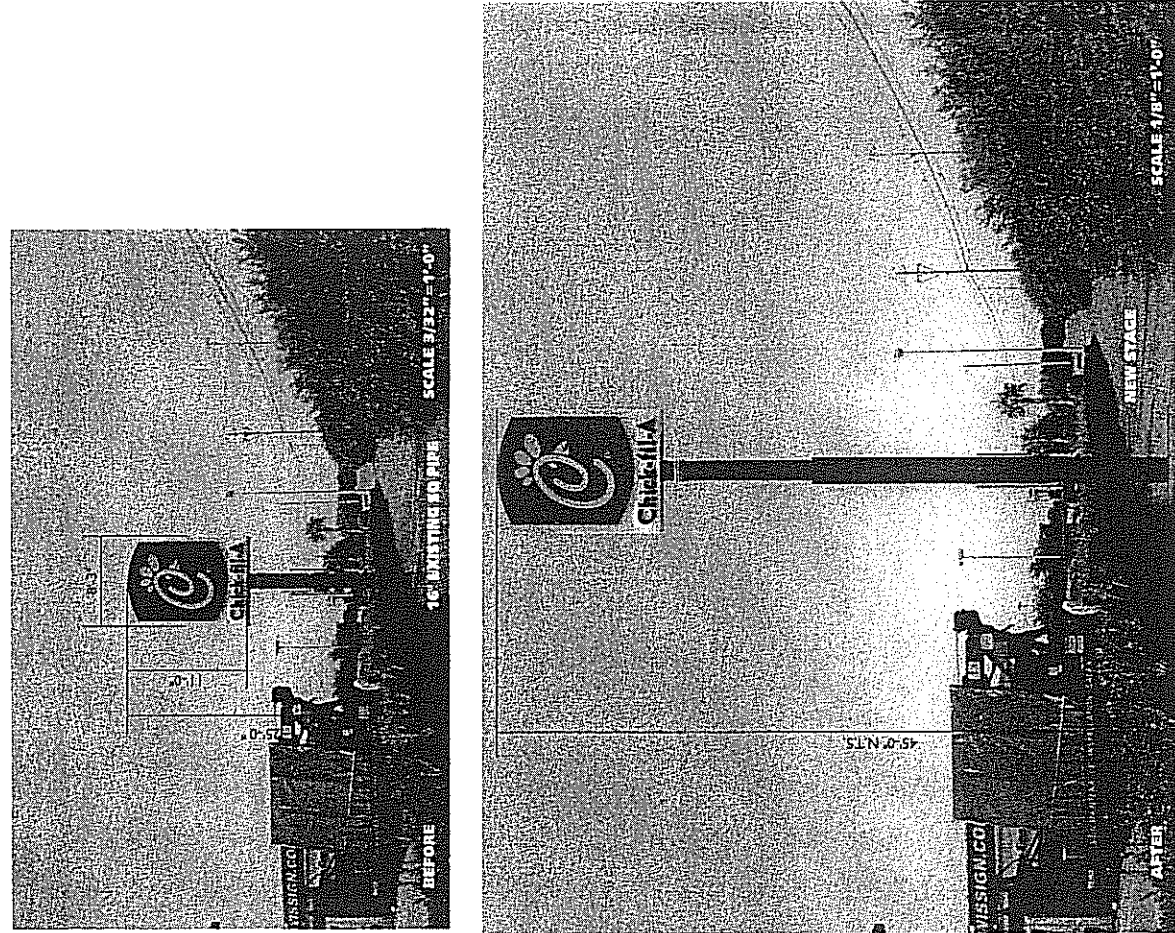




RE-INSTALL SIGN 7 FT APPROX. AWAY FROM CURRENT LOCATION, CLOSE TO EXISTING ELECTRICAL SOURCE. FIVE FEET FROM RIGHT OF WAY REQUIRED.

EXISTING SIGN LOCATION

PROPOSED NEW LOCATION



**PYLON RELOCATION**  
(1-TOT) REQ'D - REMOVE & INSTALL  
**3/4" = 1'-0"**  
REMOVE EXISTING D/F CABINET SIGN WITH EXISTING SQ TUBE SUPPORT.  
CUT PIPE AT GRADE AND CAP.  
RE USE CABINET AND SUPPORT WITH NEW GRADE 20" +/- SQ. TUBE  
T.B.D. BY ENGINEERING. PAINTED SW GENESIS #40247 RED AT 45 FT. OAH.  
(1) NEW CONCRETE PIER REQUIRED.  
WELDING DEFICIENCIES TO BE CORRECTED PER STRUCTURAL  
ENGINEERS RECOMMENDATION.  
EQUIPMENT ACCESSIBILITY TO BE COORDINATED BY INSTALLER.  
RELOCATION OF ANY SHRUBS IF REQUIRED TO ACCOMMODATE HOLE  
DIGGER TO BE CHICK-FIL-A RESPONSIBILITY.

REMOVE EXISTING DJF CABINET SIGN WITH EXISTING SQ TUBE SUPPORT.  
CUT PIPE AT GRADE AND CAP.

RE-USE CABINET AND SUPPORT WITH NEW GRADE 20" x 4" SQ. TUBE  
T.B.D. BY ENGINEERING. PAINTED SW GENESIS #48147 RED AT 45 FT. OAH.

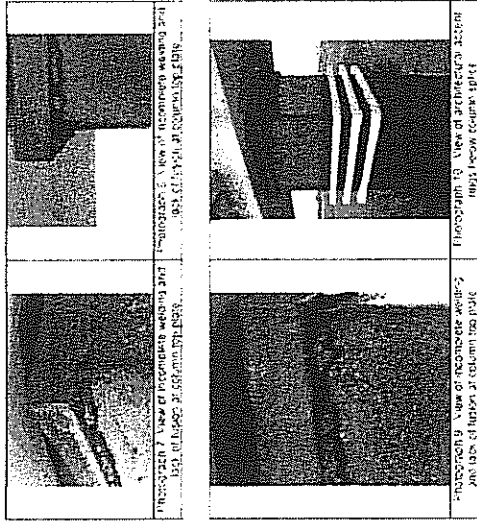
(1) NEW CONCRETE PIER REQUIRED.

WELDING DEFICIENCIES TO BE CORRECTED PER STRUCTURAL  
ENGINEERS RECOMMENDATION.

EQUIPMENT ACCESSIBILITY TO BE COORDINATED BY INSTALLER.

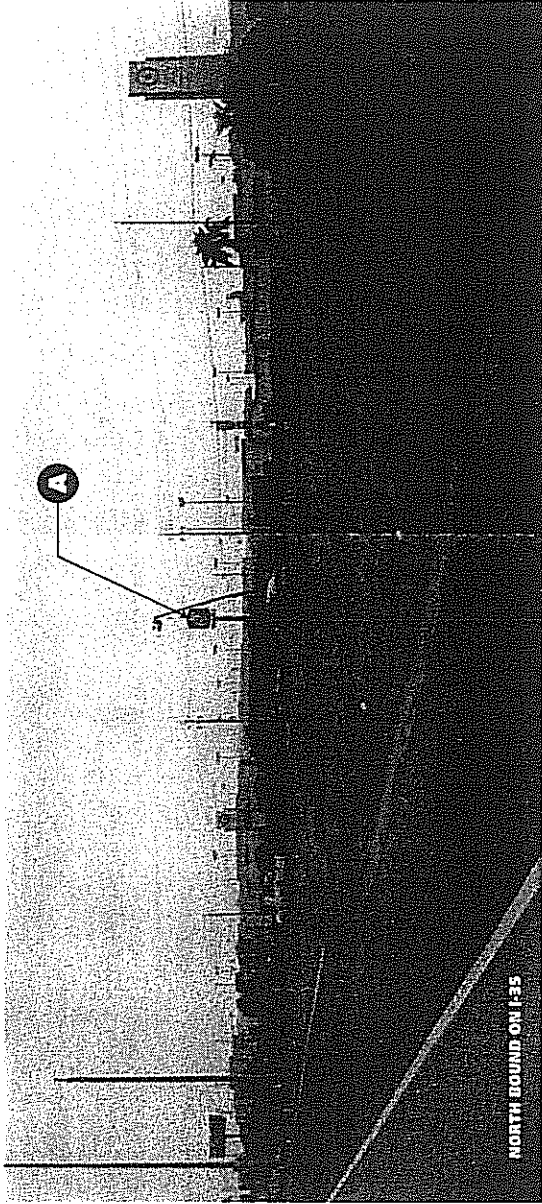
RELOCATION OF ANY SHRUBS IF REQUIRED TO ACCOMMODATE HOLE  
DIGGER TO BE CHICK-FIL-A RESPONSIBILITY.

|                             |                                                                                   |                                                                                   |                                                                                    |                                                                                    |                                                                                                 |
|-----------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <p><b>SURVEY PHOTOS</b></p> |  |  |  |  | <p>Photograph 11: View of respondent's vehicle and 1950 Buick Wildcat at 550 Main St. 1958.</p> |
|-----------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|



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**FINAL ELECTRICAL CONNECTION BY CUSTOMER**



Chick-fil-A

|                        |                                                 |
|------------------------|-------------------------------------------------|
| <b>Design #</b>        | 10-1029                                         |
| <b>Sheet</b>           | 3 of 3                                          |
| <b>Location</b>        |                                                 |
| <b>Address</b>         | 17804N I-35 SERVICE RD & PALMER BLVD AUSTIN, TX |
| <b>Arch. Rep.</b>      | KRISTEN RENFROE                                 |
| <b>Coordinator</b>     | LEBU TOONER                                     |
| <b>Designer</b>        | I. HERRASTI                                     |
| <b>Date</b>            | 7/30/10                                         |
| <b>Approval / Date</b> |                                                 |
| <b>Client</b>          |                                                 |
| <b>Notes</b>           |                                                 |
| <b>Estimating</b>      |                                                 |
| <b>Any</b>             |                                                 |
| <b>Engineering</b>     |                                                 |
| <b>Landfill</b>        |                                                 |
| <b>Section / Date</b>  |                                                 |

**Chick-fil-A**  
www.chick-fil-a.com

3101 Meador Way, Dallas, TX 75235  
214-901-2000 Fax 214-901-2044  
10000 North Loop West, Suite 1000, Houston, TX 77060  
281-241-2000 Fax 281-241-2079

1015 Park Center Drive, Unit C  
Tomball, TX 77375  
281-345-7000 Fax 281-345-7001

4000 Bonner Trail  
Frisco, TX 75034-2167  
972-467-2300 Fax 972-467-2306

3211 West Loop West, Suite 100  
Lewisville, TX 75040  
940-341-3137 Fax 940-341-3440

**FINAL ELECTRICAL CONNECTION BY CUSTOMER**

THE CHICK-FIL-A STORES ARE THE PROPERTY OF CHICK-FIL-A, INC. ALL RIGHTS ARE RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM CHICK-FIL-A, INC.