

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE: July 8, 2013**

**CASE NUMBER: C16-2013-0011**

☐ R ☐ Jeff Jack  
☐ Y ☐ Michael Von Ohlen  
☐ Y ☐ Will Schnier - Nora Salinas-absent  
☐ Y ☐ Bryan King  
☐ Y ☐ Fred McGhee  
☐ R ☐ Melissa Hawthorne  
☐ Y ☐ Sallie Burchett  
☐ Y ☐ Cathy French (SRB only)

**APPLICANT: DON JACKSON**

**OWNER: ROGER MILLAR**

**ADDRESS: 200 SAN JACINTO BLVD**

**VARIANCE REQUESTED:** The applicant has requested a variance to increase the maximum number of projecting signs requirement of Section 25-10-129 (D) (1) from one projecting sign to two projecting signs for a Hotel/Motel Use in a "CBD", Central Business District zoning district. (Downtown Sign District)

The applicant has requested a variance to increase the maximum sign area of a projecting sign requirement of Section 25-10-129 (D) (2) from 35 square feet to 88 square feet for one and from 35 square feet to 165 square feet for the second projecting sign for a Hotel/Motel Use in a "CBD", Central Business District zoning district. (Downtown Sign District)

**BOARD'S DECISION:** The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to August 12, 2013, Board Member Bryan King second on a 6-2 vote (Board members Jeff Jack and Melissa Hawthorne recused); **POSTPONED TO AUGUST 12, 2013.**

**FINDING:**

1. The variance is necessary because strict enforcement of the Article prohibits and reasonable opportunity to provide adequate signs on the site, considering the unique features of a site such as its dimensions, landscape, or topography, because:

OR,

2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because:

OR,

3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because:

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:

  
Susan Walker  
Executive Liaison

  
Jeff Jack  
Chairman

---

**From:** Matt Frankiewicz <mfrankiewicz@whitelodging.com>  
**Sent:** Tuesday, July 02, 2013 2:42 PM  
**To:** Walker, Susan; Ramirez, Diana  
**Cc:** brad.haas@whitelodging.com  
**Subject:** RE: Automatic reply: Email from austintexas.gov: July 8th Sign Review Board Opposition  
**Attachments:** July 8th Meeting.pdf

Diana and Susan – I sent an email re: our opposition to the proposed signage variance request by our neighbors at the Hampton Inn and Suites. We own and operate the Hyatt Place Austin DT next door and are very concerned about its impact to our property. The requested waiver is concerning in terms of overage over allowable signage. Please find attached scanned opposition. Please contact me on my mobile 219.670.2039. Thank you for your consideration.

---

**From:** Walker, Susan [<mailto:Susan.Walker@austintexas.gov>]  
**Sent:** Tuesday, July 02, 2013 2:28 PM  
**To:** Matt Frankiewicz  
**Subject:** Automatic reply: Email from austintexas.gov: July 8th Sign Review Board Opposition

I am currently out of the office until July 8, 2013. I will respond to emails when I return.

---

If you have any e-mail regarding the Board of Adjustment meeting on July 8th, please forward the information to [diana.ramirez@austintexas.gov](mailto:diana.ramirez@austintexas.gov)

Thank you,

Susan

# PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C16-2013-0011 - 200 San Jacinto Blvd  
Contact: Susan Walker, 512-974-2202  
Public Hearing: Sign Review Board, July 8th, 2013

Matt Frankiewicz for ADHP LLC

Your Name (please print)

211 East 3rd Street, Austin, TX 78701

Your address(es) affected by this application

*[Signature]*

Signature

Daytime Telephone: 219.670.2039

Date

7/2/13

Comments: We own & operate The Hyatt

Place right next to the Hampton Inn and Suites. We are concerned with the impact to our hotel. We would respectfully request to see the proposed signage to understand how it may impact our property and guests.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor  
Susan Walker  
P. O. Box 1088  
Austin, TX 78767-1088

## SIGNAGE IMPACT STATEMENT

Case Number: C16-2013-0011

Austin rightly sought to encourage development of downtown for residential use. These developments, including the Town Lake Residences (a.k.a the Four Seasons Residences), are exactly what Austin was trying to create—a vibrant residential community. Allowing an extreme variance, like the Hampton Inn's request, would be a substantial step backward for positive developments, and a slap in the face for the "pioneers" like the Four Seasons residents. As a result, we vehemently object to the current proposal for the following reasons:

- 1) **Detrimental reliance.** The increases are simply too large, and will create an arms race. Going from 35 feet to 165 feet is a more than 450% increase in signage, and such a huge variation sets a dangerous precedent for those of us who wish to keep downtown Austin beautiful. It is also a material change that is unfair to those who have invested more than \$150 million based on the ordinances being as they were when they bought their homes.
- 2) **Dangerous precedent.** If the Hampton Inn receives this waiver, every hotel and restaurant will compete for larger and larger signs, and what grounds will there be to deny them? If the City approves one and denies another, the City will be subject to lawsuit on the grounds of its being discriminatory, and will have no defense, and there will be no way to prevent the Austin we have envisioned from becoming like Las Vegas.
- 3) **Quality of life.** Overly large signs, especially lighted ones, create both visual pollution and light pollution, decreasing quality of life, especially for residents unfortunate enough to have the sign light shining directly into their bedrooms. We also believe that any new sign should be no brighter than the current sign, rather than ratcheting up the lumens. That would be a serious issue for residents of the Four Seasons, especially in the event of the City approving a sign on the south side.
- 4) **It isn't necessary.** The Hampton Inn doesn't need this large of an increase, nor does it need two new signs. The hotel does have a problem with signage from the north, but we believe the Hampton Inn can manage with one new blade sign, of currently approved size, on the north side of the building. That would substantially alleviate their problem, while mitigating the neighborhood impact.

In conclusion, we respectfully suggest that the City uphold its own rules and deny this request by the Hampton Inn, as it is in the best interest of the City of Austin and its downtown residents.

Respectfully submitted on behalf of The Four Seasons Residences,



Adam Levinson  
Member, HOA Board of Directors.  
512-940-7727

CITY OF AUSTIN  
APPLICATION TO SIGN REVIEW BOARD  
SIGN VARIANCE

CASE # C16-2013-0011  
ROW-1D-10962940  
TR-0205021005

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

**PLEASE: TYPE AND COMPLETE ALL REQUESTED INFORMATION.**

STREET ADDRESS: Hampton Inn & Suites Hotel 200 San Jacinto, Austin 78701

LEGAL DESCRIPTION: Subdivision – RG-1-18 In-lots 1840

Lot(s) 3-6 Block 17 Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Chandler Signs on behalf of myself/ourselves as authorized agent for

the Hampton Inn & Suites Downtown Hotel affirm that on June 7th, 2013; hereby apply for a hearing before

the Sign Review Board for consideration:

***ERECT***

Two projecting signs from our building façade in a Commercial zoning district, located within the Austin Downtown Sign District.

ε larger than 35' A-165'  
B-88'

If your variance request is for a reduction in setbacks or height limits, please contact Lena Lund with the Electric Utility at 322-6587 before filing your application with this office to discuss your request. The Electric Utility will recommend the board deny your request if it will result in an encroachment into an electric easement or a NESC violation.

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: our \$30,000 sign on the north side of the hotel cannot be viewed as the newly constructed Hyatt Place Hotel and the Whitley apartment building are taller than our building. All of our hotel guests arrive at the hotel from the north on San Jacinto Blvd and cannot locate the hotel as our north sign is not visible. Guests have to circle the block several times in order to find our building due to the lack of signage visibility. The two proposed signs will enable our guests to locate the hotel as they travel south on San Jacinto. The proposed sign listed as "A" on the picture (33' x 5') on the SE corner would be visible for guests as they travel between 5th and 8th street. The proposed sign listed as "B" on the picture (24' x 3'8") on the NE corner would be visible to guest as they between 5th and 2nd street and arrive at the hotel. The new Hyatt Place Hotel has a blade sign that extends from their building and it also blocks the front visibility of our hotel. The Hyatt Place was built 20' from our building only separated by a one lane alley and the two buildings have a similar exterior color that makes it look like one building as you approach them from the north.

---

OR,

2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because: To the south of our building is the Austin convention center parking garage and they have signage on the building façade. Our proposed two projecting signs on the front of our building would not interfere with the visibility of the parking garage. The entrance to the parking garage is located a half block from our hotel with 2nd street separating the two buildings.

OR,

3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because: the new Hyatt Place Hotel is built so close to our hotel that our guests cannot locate our hotel. As you come down San Jacinto from 9th street there is a huge change in road elevation. From the 9th street area you are more eye level with the upper floors of our building which warrant the larger blade sign that is proposed for the SE corner of our building. When you get between 3rd and 5th street you are looking at the street level or lower floors of our building which is where we have proposed placing the smaller blade sign on the NE corner. Also from the 3rd to 5th street areas you have to look past the traffic lights, trees along the roadway, and the Hyatt Place sign in order to locate our building. Currently with no extending signs on our building you will drive right past it and have to circle the block.

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: the new Hyatt Place Hotel and the Whitley apartment building have recently been built and have blocked our current scripted signage on the north side of the building. Both of these two buildings are taller than our 16 story

building. The Whitley apartment building is a residential building so they do not have guests looking for their location daily. The Hyatt Place has a blade sign extending from their building as well as a scripted sign at the top of the NE corner of their building so they have two signs that is visible to the direct guests to their hotel. We currently have no signage visible to our guests due to the two new buildings. By approving out two proposed blade signs would be equivalent to what the Hyatt Place has.

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 *Don Jackson* Mail Address 200 San Jacinto

City, State & Zip Austin, TX 78701

Printed Don Jackson Phone 512-744-0828 Date 6/7/2013

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 *RM* Mail Address 200 San Jacinto

City, State & Zip Austin, TX 78701

Printed *Roger Millar* Phone 512-472-1500 Date 6/7/2013

ADDITIONAL INFORMATION TO BE SUBMITTED WITH COMPLETED APPLICATION:  
(FAILURE TO SUBMIT ALL THE REQUIRED MATERIALS WILL RESULT IN NON-  
ACCEPTANCE OF THE APPLICATION. **LATE BACKUP MATERIAL WILL BE  
ACCEPTED UNTIL 9:00 A.M. THE MONDAY PRIOR TO THE MEETING. THERE  
WILL BE NO EXCEPTIONS.**)

SITE PLAN: Must be drawn to scale, showing present and proposed construction  
and locations of existing structures on adjacent lots.

All Sign Review Board cases must submit location and  
elevation drawings, drawn to scale, in addition to the site  
plan required.

APPLICATION FEES: Residential	\$360.00
All Other	\$660.00

Please be advised that the Board can only hear so many cases a month, therefore, first come, first served.

Please be advised that a request for reconsideration must be filed within 10 days from the Board meeting.

If you need assistance completing this application (general inquires only) please Susan Walker, 974-2202 or Diana Ramirez, 974-2241, 505 Barton Springs Road, 1<sup>st</sup> floor, Development Assistance Center

**NOTE: ALL VARIANCES EXPIRE 1 YEAR (12 MONTHS) FROM DATE OF APPROVAL BY BOARD AS STATED IN SECTION 25-1-217 OF THE LAND DEVELOPMENT CODE UNLESS BOARD DEEMS OTHERWISE.**



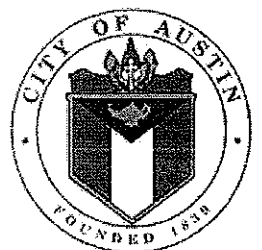


SUBJECT TRACT



ZONING BOUNDARY

CASE#:  
LOCATION: C16-2013-0011  
200 San Jacinto



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

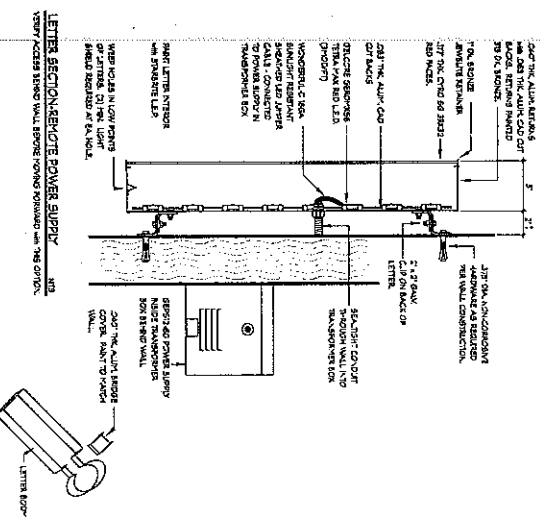


Design #  
09-1716  
Sheel 1 of 1  
Client  
Hampton Inn & Suites

Address  
2000 Columbia Blvd

200 San Jacinto Blvd.  
Austin, TX  
Account

Date 6Aug09



760-967-7003 FAX 760-967-7011  
750 E. Hwy. 24 - Bldg. 2 Ste. 10

502-489-2660 Fax 502-254-384

**FINAL ELECTRICAL  
CONNECTION BY  
CUSTOMER**

This drawing is the property of Chandler Sign, L.P. and all rights to its use for reproduction are reserved by Chandler Sign, L.P.

(2) Hyatt Place being built 20' from the Hampton  
Hotel. Hampton's scripted sign not visible to  
guests arriving from the north.



(3) Picture taken from 7<sup>th</sup> street, Hampton

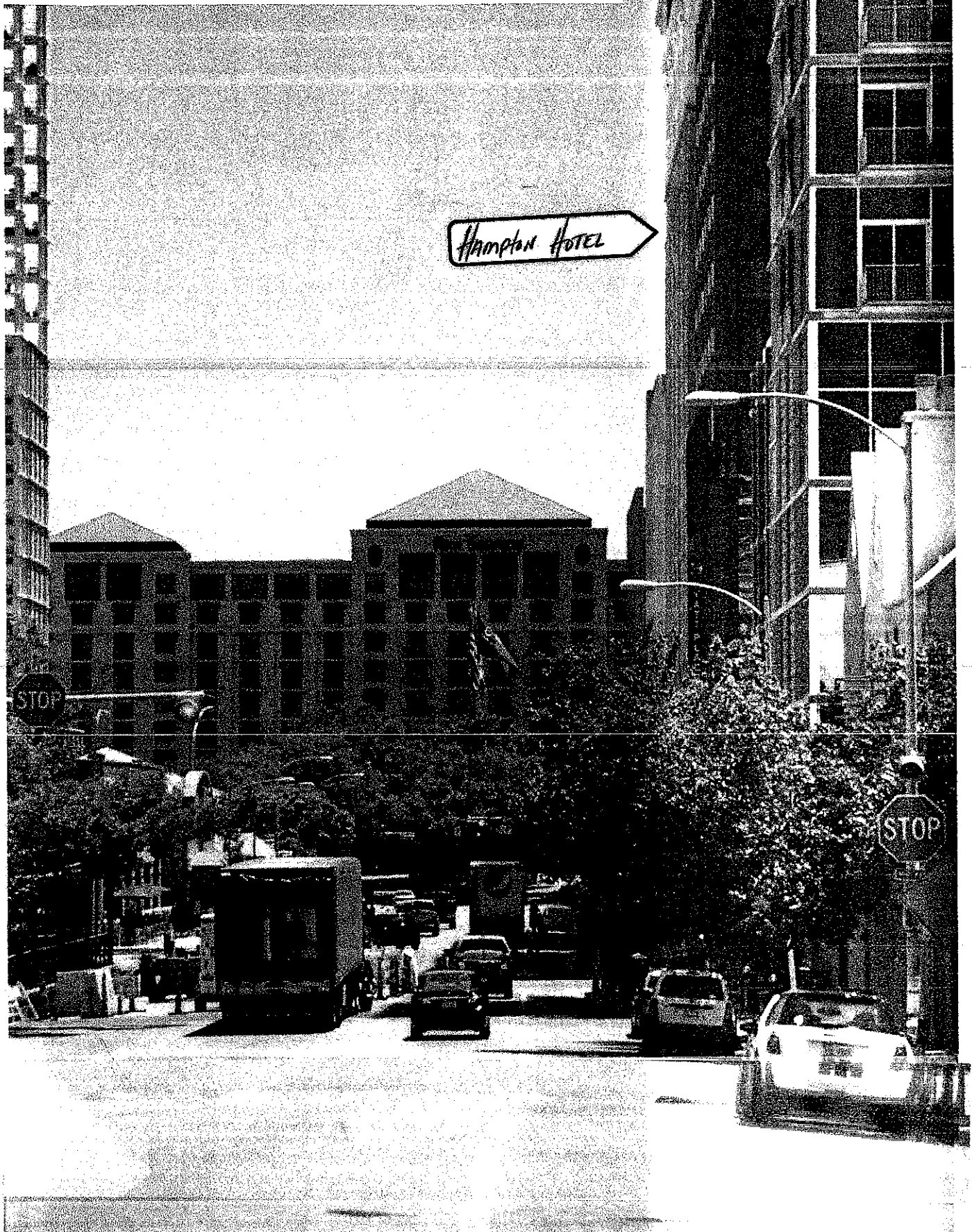
not visible due to Whitley Apartments &

Hyatt Place hotel.



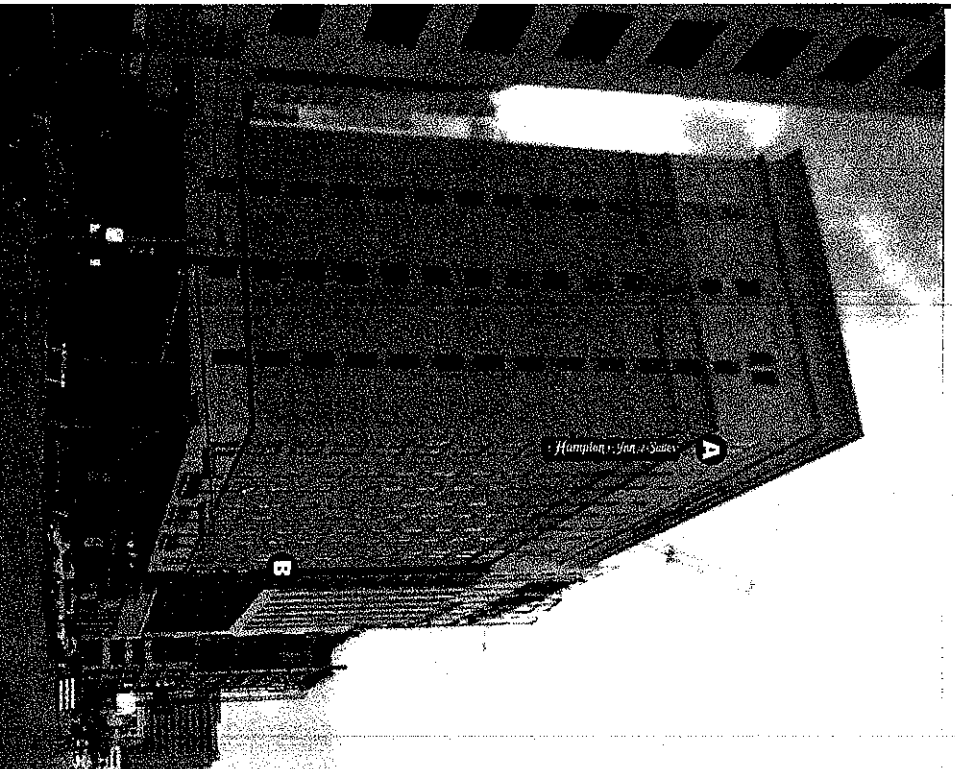


(4) Picture taken from 5<sup>th</sup> street, Hampton not visible. Hyatt Place blade sign hard to see because of trees, light posts and small size of sign.



(5) Noted on building facade are the (2) proposed

blade signs for the Hampton Hotel. Sign "A" is 33' x 5' and sign "B" is 24' x 3'8".



**PROPOSED**

NOT TO SCALE



Design #  
12-1806K1  
Sheet 5 of 5

Client  
Hampton Inn & Suites

Address  
SAN JACINTO BLVD.  
AUSTIN, TEXAS

Account  
Bill Teel

Designer  
SDM

Date  
8/02/12

Approval / Date  
Date  
Title  
Created  
Revised  
Reviewed  
Approved

Revision / Date  
1. Revision 1/6/13

Chandler Signs  
www.chandler-signs.com  
Email: info@chandler-signs.com

1001 West 10th, Suite 100  
Fort Worth, TX 76102  
Tel: 817-335-1111 Fax: 817-335-1112

1031 E. 10th, Suite 100  
Fort Worth, TX 76102  
Tel: 817-335-1111 Fax: 817-335-1112

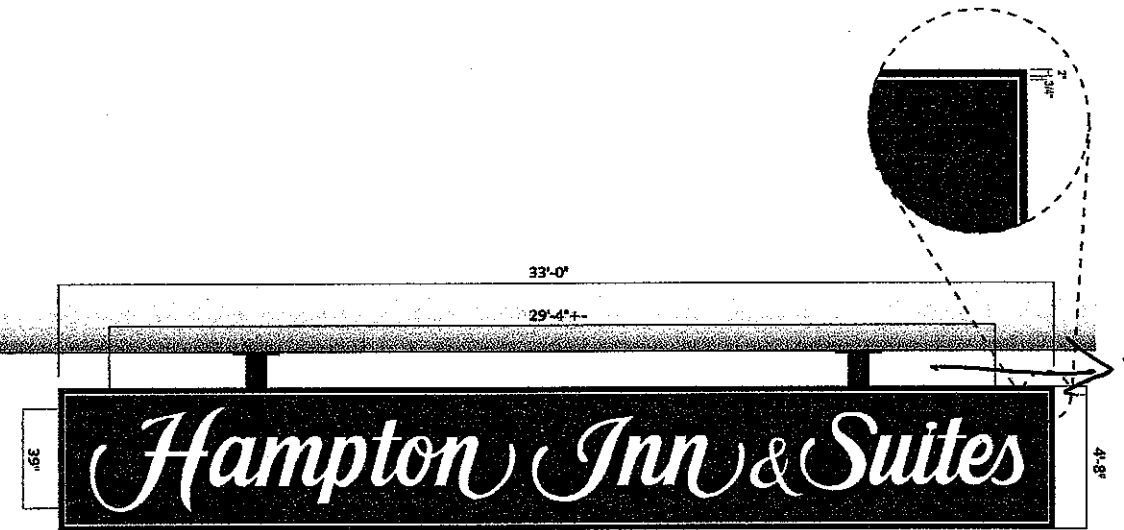
941 West 10th, Suite 100  
Fort Worth, TX 76102  
Tel: 817-335-1111 Fax: 817-335-1112

2384 South Loop West, Suite 100  
Houston, TX 77058  
Tel: 281-444-4531 Fax: 281-444-4532

1001 West 10th, Suite 100  
Fort Worth, TX 76102  
Tel: 817-335-1111 Fax: 817-335-1112

FINAL ELECTRICAL  
CONNECTION  
BY CUSTOMER  
UL  
UL 1001 West 10th, Suite 100  
Fort Worth, TX 76102  
Tel: 817-335-1111 Fax: 817-335-1112

# (6) Chandler Signs art work design of the signs.



**A D/F BLADE SIGN - OPT. 1** SCALE: 1/4"=1'-0"  
(1) REQUIRED - MANUFACTURE & INSTALL

EXACT BUILDING SURVEY REQUIRED

STEEL TUBE SUPPORTS W/ STEEL MOUNTING PLATES / PAINTED TO MATCH PMS 425c GRAY (SMOOTH FINISH)

INTERNALLY ILLUMINATED W/ 800mA DAYLIGHT H.O. LAMPS

3M (OR APPROVED EQUIV.) VTB 12874 OPAQUE BLUE VINYL BACKGROUND W/ WEED-OUT SRO-THRU WHITE "HAMPTON INN" GRAPHICS

3M (OR APPROVED EQUIV.) 3650-10 OPAQUE WHITE INSET BORDER

3M (OR APPROVED EQUIV.) 3630-53 RED VINYL BORDER

FLEXIBLE BLEED FACES W/ 1ST SURFACE VINYL GRAPHICS

FABRICATED ALUMINUM D/F SIGN CABINET / PAINTED MATTHEWS MP49006 BLUE (PMS 2738C)

D/F BLADE SIGN:



**END VIEW**



Design #		12-1806R1	
Sheet		1 of 5	
Client		Hampton Inn & Suites	
Address		SAN JACINTO BLVD.	
Agent		AUSTIN, TEXAS	
Buyer		Bill Teel	
Date		8/02/12	
Approval Date			
Date			
Site			
Location			
By			
Signature			
Label			
Revision / Date			
11/28/2012/12/13			

**Chandler Signs**  
www.chandler-signs.com  
3101 MacGregor Dr., Dallas, TX 75244  
Tel: 972-342-1234 Fax: 972-342-1235  
5000 W. LBJ Fwy., Suite 100, Dallas, TX 75244  
Tel: 972-342-1234 Fax: 972-342-1235  
5011 Park Center Drive, Suite C, Dallas, TX 75244  
Tel: 972-342-1234 Fax: 972-342-1235  
9412 Bailey Avenue, Suite 100, Dallas, TX 75244  
Tel: 972-342-1234 Fax: 972-342-1235  
1111 Westwood Blvd., Suite 100, Dallas, TX 75244  
Tel: 972-342-1234 Fax: 972-342-1235  
1111 Westwood Blvd., Suite 100, Dallas, TX 75244  
Tel: 972-342-1234 Fax: 972-342-1235  
1111 Westwood Blvd., Suite 100, Dallas, TX 75244  
Tel: 972-342-1234 Fax: 972-342-1235

**FINAL ELECTRICAL CONNECTION BY CUSTOMER**

**UL**

**UL**



## Walker, Susan

---

**From:** Bill Teel <[REDACTED]>  
**Sent:** Monday, June 24, 2013 2:44 PM  
**To:** Walker, Susan  
**Cc:** Sara Ralstin; Regina Cunningham; Jessica Sellars  
**Subject:** RE: Sign Variance for Hampton Inn & Suites - San Jacinto Blvd. - Austin, TX

Susan, the width of the sidewalk is 18'4". The sign only projects 5'10" off the side of the building, so we are significantly less than 2/3 the width of the sidewalk. Please let us know if you need anything else. Thanks, Bill

---

**From:** Bill Teel  
**Sent:** Monday, June 24, 2013 2:34 PM  
**To:** [Susan.Walker@austintexas.gov](mailto:Susan.Walker@austintexas.gov)  
**Cc:** Sara Ralstin; Regina Cunningham; Jessica Sellars  
**Subject:** Sign Variance for Hampton Inn & Suites - San Jacinto Blvd. - Austin, TX

Susan, the blades sign that is 4'8" in width projects of the building 1'2" for a total projection of 5'10". I will let you know the width of the sidewalk as soon as I hear back from the hotel, which should be any minute now. Thanks, Bill