HUSCH BLACKWELL

111 Congress Avenue, Suite 1400 Austin, Texas 78701 512.472.5456 0

Nikelle S. Meade
Partner
512.479.1147 direct
512.226.7208 direct fax
nikelle.meade@huschblackwell.com

July 30, 2014

Leanne Heldenfels Liaison to Sign Review Board City of Austin 505 Barton Springs Road, 1st Floor Austin, Texas 78704

Re: Sign Variance Request to Implement a Master Signage Plan

Lincoln Village 6406 IH-35 N SVRD **C16-2013-0017**

Dear Ms. Heldenfels:

This purpose of this letter is to provide additional information and clarification with regard to the sign variances being requested in the above-referenced case. Ten variances are being requested in order to implement a master signage plan for the property formerly known as Lincoln Village, which is located across from Highland Mall at 6406 IH-35 N. SVRD. The property has been purchased by 35 Austin Partners, Ltd., and is being recreated into a destination for local businesses, incubator space, and community amenities.

Over the past year, Allan and Dean Davidov of 35 Austin Partners, Ltd., have engaged in extensive community outreach and involvement to get a clear understanding of the community's needs and wants for this property. With the property being situated in the heart of the thriving Highland district, and given its large size, it has been clear in those discussions that everyone—business owners, long-time residents, those who are new to the community, and those who don't live or own property in the vicinity but utilize the vicinity as a place of work and recreation—want to see the former Lincoln Village property thrive.

One of the major components of the reinvigoration of the property is a comprehensive signage master plan to overcome the impediments of the elevated infrastructure that has been developed around the site and the extensive trees that have grown to cover the site. For this reason, the new property owners engaged Roy Watson of Dyal and Partners to create such a plan so that the signage on the property would both serve its purpose of directing visitors with regard to where to go and what is offered on the property and also give the site and the neighborhood a unique identity.

To implement the master signage plan, ten variances are needed and are being requested, as listed in Exhibit A to the application. The variances will allow for existing signs to be reconstructed and updated and new signs to be added.

The sign plan includes the following signs, which are also shown in the attached site layout.

- 1 Gateway Monument sign (location H on the sign plan)
 - pole-mounted
 - replacement of existing freestanding sign
 - placed on I-35 frontage
- 1 Primary Monument sign (location E on the sign plan)
 - pole-mounted
 - replacement of existing freestanding sign
 - placed on I-35 frontage
- 1 Existing tenant pole-mounted sign (location F on the sign plan)
 - placed on I-35 frontage
- 1 Secondary Monument (location B on the sign plan)
 - multi-tenant ID installed to existing landscape wall
 - placed on Middle Fiskville frontage
- 1 Tenant Monument (location Q on the sign plan)
 - placed on I-35 frontage
- 1 Existing Tenant Marquee sign (location I on the sign plan)
 - placed on interior of site
- 4 Vehicular Directional signs (locations A, C, D, and G on the sign plan)
 - pole-mounted
 - 2 signs on Middle Fiskville frontage
 - 2 signs on I-35 frontage
- 6 Pedestrian Orientation signs (locations K, L, M, N. O, and P on the sign plan)
 - pole-mounted
 - placed on interior of site

Dear Leane Heldenfels, Staff Liaison, City of Austin Sign Review Board, Nikelle Meade, and Alex Schmitz, HNA President,

We are pleased to present you with this petition affirming this statement:

"We, the undersigned residents and businesses of the Highland, Skyview, and St. John area support the sign plan proposed for the Lincoln Village property and the variances for sign height, sign size, and iconic signs."

Attached is a list of individuals who have added their names to this petition, as well as additional comments written by the petition signers themselves.

Sincerely, Eduardo Garza

Charles Barrow Austin, TX 78752 Aug 11, 2014 Joann M. Rees Austin, TX 78752-2404 Aug 11, 2014 Bala Silkenson AUSTIN, TX 78752 Aug 11, 2014 Meagan Dean Austin, TX 78751 Aug 11, 2014 I would love to see this shopping center revived. Better signage could give the center more visibility. Maureen O'Connor Austin, TX 78757 Aug 11, 2014 Natalie Trevino Austin, TX 78752 Aug 11, 2014 Please let's get this going! Kami Harcrow Austin, TX 78752 Aug 11, 2014 dan gillotte austin, TX 78752 Aug 11, 2014 Gwen Stovall Austin, TX 78757 Aug 11, 2014 missy menzes austin, TX 78752 Aug 11, 2014 Karla Schultz Austin, TX 78752

Aug 11, 2014

VIA EMAIL -- leane.heldenfels@austintexas.gov

Leane Heldenfels, Staff Liaison Sign Review Board 505 Barton Springs Road, 1st Floor (Development Assistance Center) Austin, Texas 78704

RE: Letter of Support for Sign Variances; 6406 N. IH-35; Lincoln Village

C16-2013-0017

Dear Ms. Heldenfels:

Highland Neighborhood Association supports the above-referenced sign variance case in which the new owner of the Lincoln Village property is seeking to put in place a unified sign plan for the Lincoln Village property which will include taller, larger signs and iconic signs.

Lincoln Village is one of the major development parcels in our community, and it is set to return to being one of our most important activity and amenity centers. We have seen the center decline over the years, in part because of the changed landscape of highway infrastructure surrounding it. It has become buried in the adjacent highway. For this reason, many tenants have either failed at the center or have chosen to or had to relocate to other properties. Updated, visible signage will help tenants like the ones we have lost be seen on the site so that patrons can find them and utilize their businesses.

Although we know the Board has been very cautious in the past about allowing increased sign heights on any property, we believe that in this location taller, larger, and more unique signs will not create any blemish whatsoever on the surrounding landscape while greatly benefitting the ability of Lincoln Village's tenants to thrive. In fact, we think that attractive signage at this site will actually serve to enhance the landscape and improve it.

For these reasons, Highland Neighborhood Association supports the proposed sign variance case and asks for the Sign Review Board's support of it as well.

Sincerely,

Alex Schmitz, President

HIGHLAND NEIGHBORHOOD ASSOCIATION

To: Leane Heldenfels, Sign Review Board Staff Liaison, 505 Barton Springs Road, Austin, TX 78704

Martha Koock Ward's comments in support for Sign Variances, for 6406 N. IH 35 Lincoln Village (The LINC).

Dear Signage Review Board Members:

As a 5th generation Austinite, I have a long term perspective on changes occurring to our city's landscape. I am a 20 year resident of a nearby neighborhood of The LINC. I serve on the Airport Blvd. Advisory Group, on ACCHighland's Community Advisory Committee, and now participate in a north central IH 35 neighborhoods' coalition, NINC2, concerning TXDoT proposed changes, 183 to MLK. My understanding about the essential value of good signage, for way-showing, safety, and economic well-being, has increased through these participatory activities.

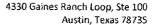
The era of the Highland area of IH 35/290/183 becoming regional hub is upon us. The addition of Travis County Tax & Licensing services on Airport brought 10,000 additional car trips daily to the area. Combine this with ACCHighland opening September 2014 with an initial 6,000 students + support staff; the continuing growth of housing, businesses, imminent at Mueller; the increased number of new local restaurants, and services on Airport, underlines how good signage is essential for both public safety and to support business access and viability.

Austin Renaissance Limited's purchase and redevelopment of The LINC requires both the quality and quantity of signage requested, to meet the needs of ACC's students + support staff, increasing to 10-15,000 in 4 years, along with the thousands of residents in the surrounding neighborhoods of Highland, Windsor Park, Ridgetop, Northfield, Skyview, St. Johns. We want to know where these businesses are located and how to get there.

Representatives of The LINC reached out to me and others, over a year ago to learn what was important to us. We shared that many resident did not know where Lincoln Village was located nor how to get there, nor why to even look. Now, as The LINC develops, neighborhood residents are ready to realize the City's long promised possibility, that we can live and work within an increasingly more walkable area, where we can patronize a diversity of local businesses and access services we want and need, daily. Yes, The LINC's effective, iconic, easily read signage is essential. Please help the City make good on its promises to our neighborhoods at this regional business/community hub.

SHILE EIV,

Martha Koock Ward, 905 East 55 1/2 Street, Austin, TX 78751 - 512-574-9224 text





July 8, 2014

VIA EMAIL -- leanne.heldenfels@austintexas.gov

Leanne Heldenfels, Staff Liaison Sign Review Board 505 Barton Springs Road, 1st Floor (Development Assistance Center) Austin, Texas 78704

RE: Letter of Support for Sign Variances; 6406 N. IH-35; Lincoln Village

Dear Ms. Heldenfels:

The purpose of this letter is to express support for the pending sign variance being proposed by the owners of the former Lincoln Village tract, Austin Renaissance, L.P. We support their sign proposal and the variance request.

As you know, our firm is the developer of the Highland Mall tract, one of the most significant and largest properties in the Airport Boulevard Corridor.

Please let me know if you have questions. Please also forward this letter of support to the Board.

Sincerely.

Matt Whelan Principal





Highland Business Center • 5930 Middle Fiskville Road • Austín, Texas 78752 • (512) 223.7000

July 8, 2014

VIA EMAIL - leanne.heldenfels@austintexas.gov

Leanne Heldenfels, Staff Liaison Sign Review Board 505 Barton Springs Road, 1st Floor (Development Assistance Center) Austin, Texas 78704

RE: Letter of Support for Sign Variances; 6406 N. IH-35; Lincoln Village

Dear Ms. Heldenfels:

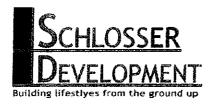
The purpose of this letter is to support the sign variance being proposed for the Lincoln Village tract. We support the proposed signage plan and the variances needed for it.

As you know, we are owners of the Highland Mall property located directly across Middle Fiskville from the subject property. Our property and the subject property are in an area that is being reinvented and reinvigorated. The success of Lincoln Village in its ability to attract high-quality, sustainable tenants is critical to the revitalization of the entire corridor, and appropriate, visible signage is a major component of such success.

For this reason, we support the requested sign variances and ask you to convey our support to the Board.

Sincerely,

Austin Communitý College District



08 July 2014

Leanne Heldenfels, Staff Liaison Sign Review Board

505 Barton Springs Road, 1st Floor

(Development Assistance Center) Austin, Texas 78704

> RE: Letter of Support for Sign Variances 6406 N. IH-35; Lincoln Village

Dear Ms. Heldenfels:

The purpose of this letter is to express support for the pending sign variance being proposed by the owners of the former Lincoln Village tract, Austin Renaissance, L.P. We support their sign proposal and the variance request.

As you know, our firm is the owner of the Highland Pavilion, across Middle Fiskville Rd. from Lincoln Village.

Please let me know if you have any questions. Please also forward this letter of support to the

(OU 111

Bradley Schlosser

Principal





1901 East 51 Street Austin, Texas 78723 T 512.322.0145 F 512.322.5192

afs@austinfilm.org austinfilm.org

ADVISORY BOARD

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VIA EMAIL -- leanne.heldenfels@austintexas.gov

Leanne Heldenfels, Staff Liaison Sign Review Board Development Assistance Center 505 Barton Springs Road, 1st Floor Austin, Texas 78704

RE: Letter of Support for Sign Variances; 6406 N. IH-35; Lincoln Village

Dear Ms. Heldenfels:

I'm writing to express our support for the sign variances being proposed at Lincoln Village. We believe that allowing them will serve to transform the Lincoln Village property into a jewel within the Airport Boulevard Corridor.

Austin Film Society is a major tenant of the property currently, and we struggle with having visible, appropriate, aesthetically-appealing signage. We are asking the city to allow for signage to be taller, slightly larger, and more visible on this property and to allow some signage on the property to be iconic and unique rather than standard and uniform. The property spans across almost 16 acres, from IH-35 to Middle Fiskville, so visibility throughout the property is a challenge. We believe that allowing these variances will make or break the future revitalization and sustainability of the center, as it has been difficult for any tenant not directly situated on Middle Fiskville to have any visibility at all.

Please support the requested variances so that we can have a thriving, exciting center in this very important corridor of the City.

Sincerely,

Rebecca Campbell
Executive Director

VIA EMAIL -- leanne.heldenfels@austintexas.gov

Leanne Heldenfels, Staff Liaison Sign Review Board 505 Barton Springs Road, 1st Floor (Development Assistance Center) Austin, Texas 78704

RE: Letter of Support for Sign Variances; 6406 N. IH-35; Lincoln Village

Dear Ms. Heldenfels:

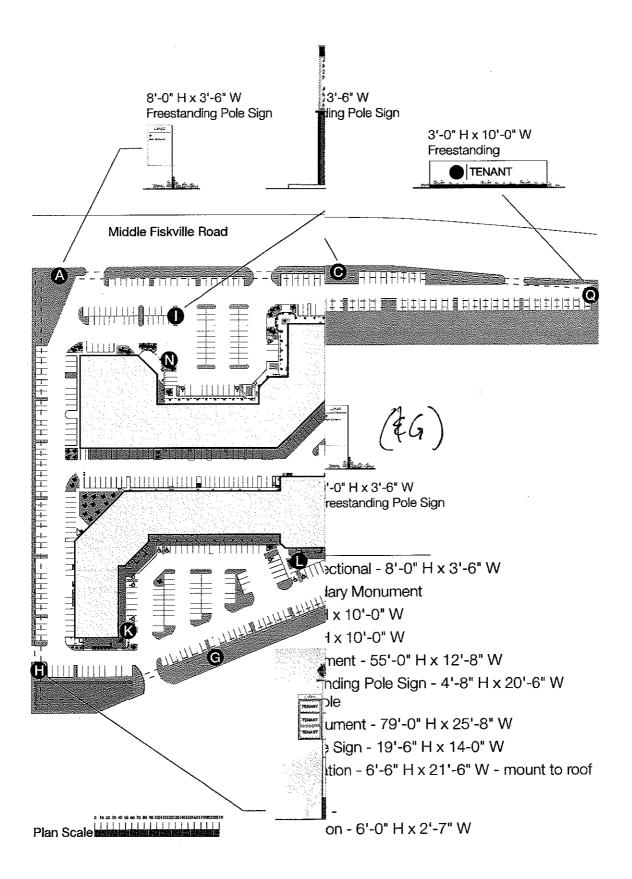
The purpose of this letter is to express support for the sign variance being proposed by the owners of the former Lincoln Village tract located at 6406 N. IH-35. We support the sign proposal and the variance request. We are tenants of the property currently and feel strongly that better, more visible, more updated, more attractive signage is needed on the property to attract patrons, for way-finding, and to support a high-quality image for our center. We currently have outdated signage that is not visible from any of the major transportation corridors surrounding the property, which makes it very difficult for many patrons to even locate us. Further, the signage that is visible is extremely outdated and needs to be reconstructed.

The comprehensive sign plan being proposed by the property owner will be beneficial not only to the tenants in Lincoln Village, but to the entire Airport Corridor that is developing around us. These signs will serve as marquee signs for the entire area which will help create a sense of place for those who visit Lincoln Village and the area as a whole. The proposal will also allow for unique, very Austin, iconic signage that is critical in attracting a unique, interesting set of tenants to a shopping center such as this one. As you know, Austin's small businesses don't want cookie-cutter, uniform signage in a shopping center. They want to be located in places where they can express what their businesses are all about through tasteful but unique, creative signs. The proposed plan will allow the type of expression these businesses seek within a comprehensive, master development.

For all of these reasons, we wholeheartedly support the proposed variances.

Sincerely,

The Marchesa



CASE	#	

CITY OF AUSTIN APPLICATION TO SIGN REVIEW BOARD SIGN VARIANCE

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

PLEASE: TYPE AND COMPLETE ALL REQUESTED INFORMATION.

STRE	ET ADDRESS:	6406 N I	nterstate Highwa	ıy 35, Austin, Texas 7	<u>'8752</u>
LEGAL DESCRIPTION: Subdivision: 15.6129 acres out of Abstract 789, Survey 57 Wallace J					
	Lot(s)	_ Block	Outlot	Division	
I, Nikelle Meade on behalf of Husch Blackwell LLP as authorized agent for Lemuel Scarbrough Ir. affirm that on, 2013, hereby apply for a hearing before the Sign Review Board for consideration:					
ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN					
a network of signs within the to-be-developed project known as The Linc in variance to Section					

a network of signs within the to-be-developed project known as The Line in variance to Section 25-10 of the City Code of the City of Austin in a CS and CS-1 zoning district, located within the Expressway Corridor and Commercial Sign Districts.

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:

the proposed project to be known as The Linc (hereinafter, the "Project") will be a planned, large-scale development intended to be a destination within the Airport Corridor. It will include a variety of uses and several of them all with unique needs for signage. In order to make the signage on the site uniform and aesthetically consistent with Austin's design goals while still visible, unique, and consistent with the airport plan, variance from the current sign ordinance is necessary.

OR,

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

the property is bordered by IH-35 to the East, Middle Fiskville to the West, and FM 2222 to the South. It is directly across Middle Fiskville from the ACC campus/Highland Mall redevelopment tract. The signage plan is designed to be compatible with and complimentary to all of the surrounding uses and properties and to aid visitors to both the subject property and the Highland Mall development as a destination. The proposed signage plan is also designed to be consistent with and further the goals of the future Airport Plan.

OR,

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

although the proposed signage plan creates a signage regulations specific to this property, all of the proposed regulations are in concert with the intent and principles of the City's existing sign ordinance set forth in 25-10 of the City Code. The goals of the proposed plan, as those of the City's existing ordinance, are to reduce signage clutter and visual blight from signs, reduce the number of signs needed for a particular development, utilize signage for direction, increase the aesthetic appeal of signage, minimize branding and commercialization, and enhance the existing character of the city.

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 project and property for which the variance would be granted is unique as to adjacent roadways, inclusion within a development master plan, tract size, and number and variety of uses which the regulations will govern.

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 Off Off	Mail Address: 433 N. Camden Drive #1177				
City, State & Zip: Beverly Hills, California 90210					
Printed: Dean Davidov	Phone(310) 553-4302 Date: 10/17/2013				
OWNERS CERTIFICATE - I affirm that my statements contained in the complete application are true add correct to the best of my knowledge and belief.					
Signed M	Mail Address: 433 N. Camden Drive #1177				
City, State & Zip Beverly Hills, California 90210					
Printed Dean Davidov	Phone (310) 553-4302 10/17/2013				

Page 3 of 4

4951361.1 38436.13

Exhibit A to Variance Application

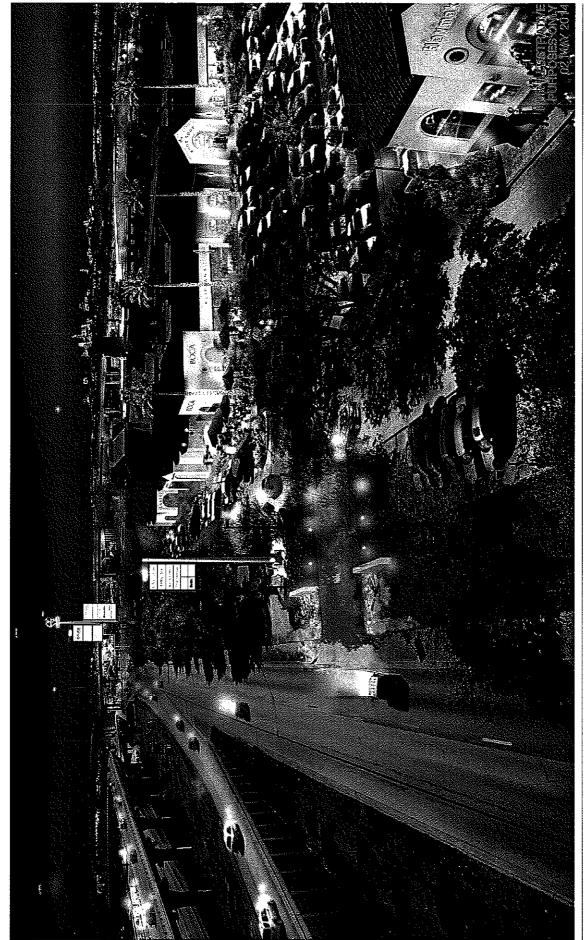
C16-2013-0017

Variances are requested to the following code sections:

- I. Section 25-10-101 (C)(1) (Signs Allowed In All Sign Districts Without An Installation Permit) to increase the number of freestanding or wall signs allowed per curb cut from 1 (required) to 2 (requested).
- II. Section 25-10-101 (C)(2) (Signs Allowed In All Sign Districts Without An Installation Permit) to increase the maximum sign area from 12 feet (required) to 15 feet (requested).
- III. Section 25-10-101 (C)(2)(a) (Signs Allowed In All Sign Districts Without An Installation Permit) to increase the maximum height of a freestanding sign from 4 feet above grade (required) to 8 feet above grade (requested).
- IV. 25-10-123 (B)(1) (Expressway Corridor Sign District Regulations), to increase the number of freestanding signs allowed on a lot from 3 (required) to 8 (requested).
- V. 25-10-123 (B)(2) (Expressway Corridor Sign District Regulations), to increase the maximum allowed sign area from the lesser of 300 sq. ft. or 0.7 square feet for each linear foot of street frontage (required) to 600 sq. ft. (requested).
- VI. 25-10-123 (B)(3) (Expressway Corridor Sign District Regulations), to increase the maximum allowed sign height from the greater of 35 feet above frontage street pavement grade or 20 feet above grade at the base of the sign (required) to 80 feet above frontage street pavement grade (requested).
- VII. 25-10-123 (F) (Expressway Corridor Sign District Regulations), to increase the maximum allowed sign area for a lot from 20% of the façade area of the first 15 feet of the building (required) to the greater of either 25% of the façade area of the first 15 feet of the building or 30% of the total area of a storefront (requested).
- VIII. 25-10-131 (E) (Additional Freestanding Signs Permitted), to waive the requirement that the space within a unified development to which this section applies must be a pad site (required) so long as the space to which the waiver is applied is at least 6,400 square feet (requested).
- IX. 25-10-132 (C) (Roof Sign Instead of Freestanding Sign), to increase the maximum height permitted for a roof sign from the lesser of either 5 feet above the building façade or 5 feet above the maximum height permitted for a freestanding sign (required) to the lesser of either 8 feet above the building façade or 8 feet above the maximum height permitted for a freestanding sign (requested).

EXHIBIT B to SIGN VARIANCE APPLICATION

The Linc



The Linc Austin, Texas

30 July 2014

Project Overview Photo Rendering Looking South

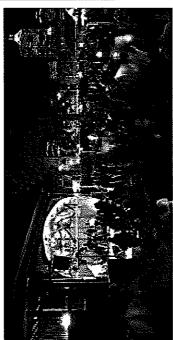


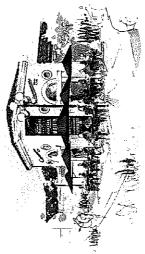


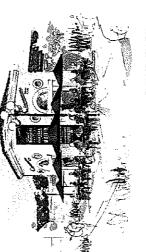








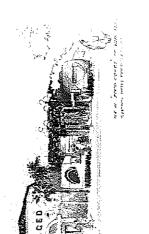








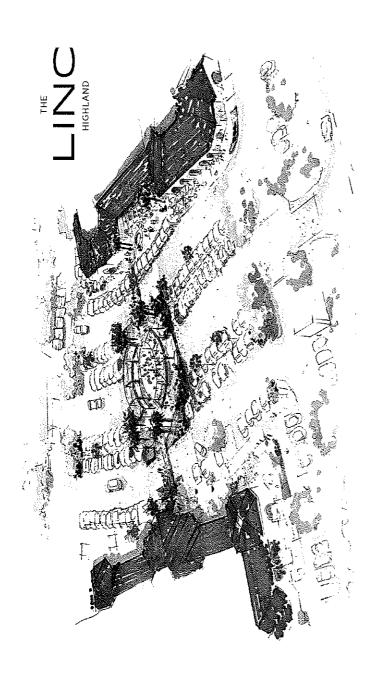




30 July 2014

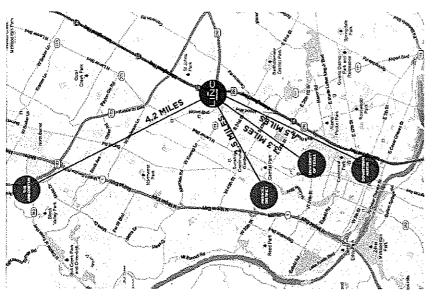
The Linc Austin, Texas

Project Overview Identity Elements



urban infill redevelopment in The Linc Highland is a new Central Austin.

The Linc is located at the intersection of US 290 and IH-35. With the transformation of Highland Mall and major upgrades to the surrounding neighborhoods, The Linc Highland is poised for a bright future, sitting at the crossroads of Austin; where East meets West.



FOR ILLUSTRATIVE PURPOSES ONLY 02 MAY 2014

The Linc Austin, Texas

30 July 2014

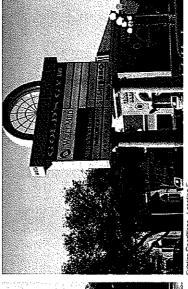
Project Overview Summery

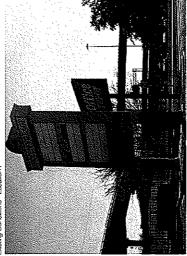
8

The Linc Austin, Texas

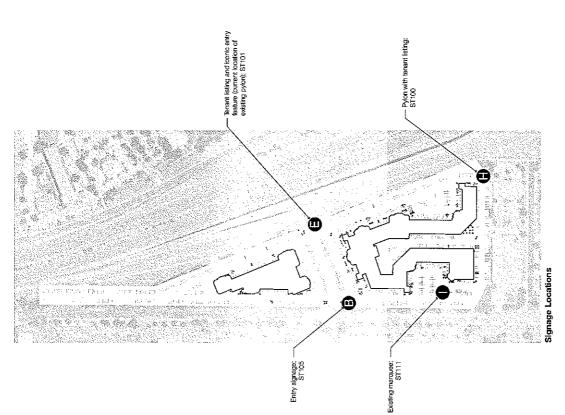


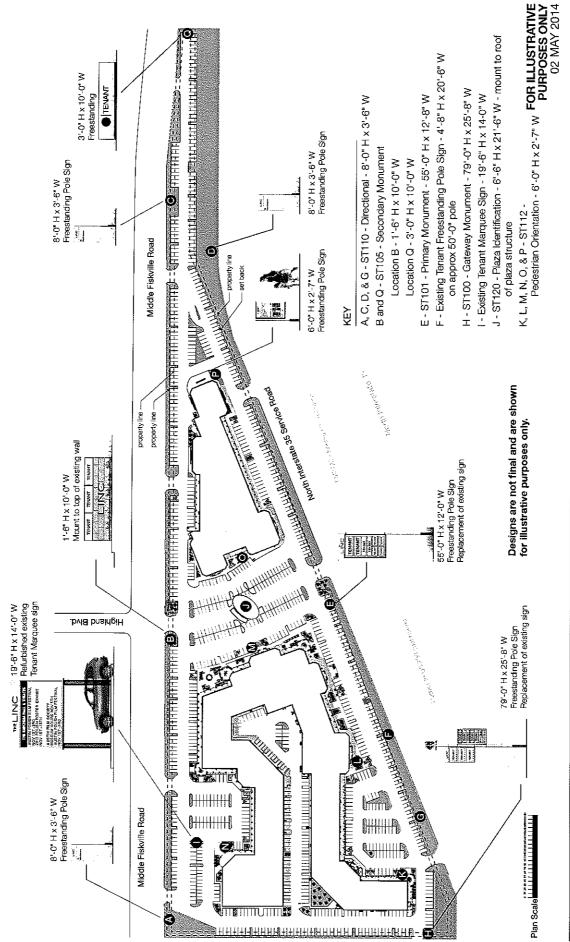






Existing Conditions - Location H



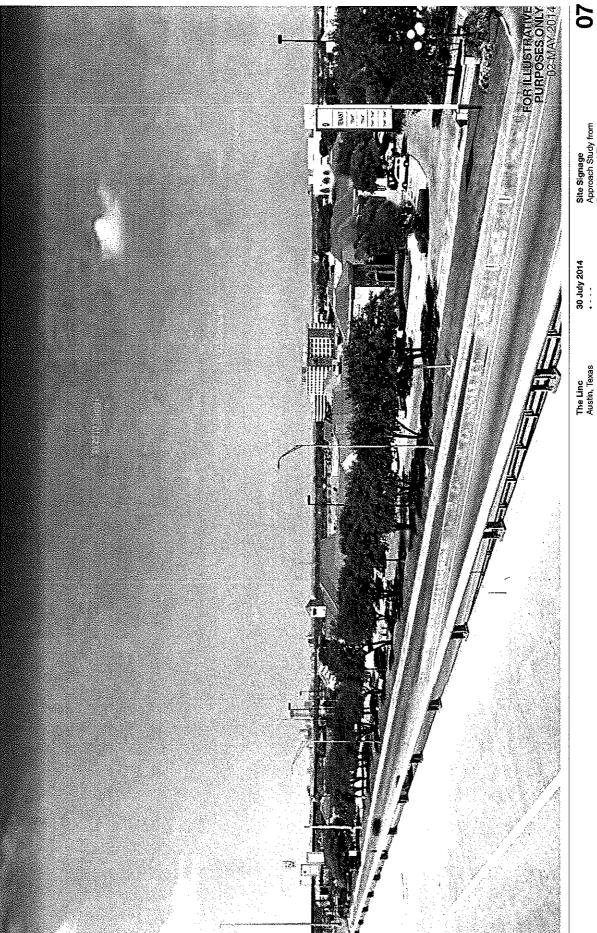


30 July 2014

The Linc Austin, Texas

Site Signage Sign Locations

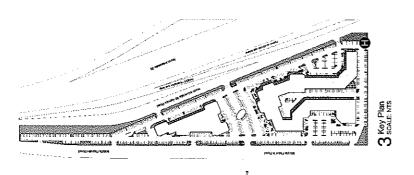
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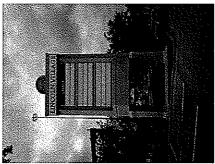
30 July 2014

Site Signage Approach Study from Southbound Flyover





- Icon and District name 53.7 SF Approx 600 SF of sign area for single face of sign 2 The Linc Scale: 1/16'=1' 30,-0 -0-.64



Existing Sign scale: NTS

Site Signage ST100 Gareway Monument replace existing sign

30 July 2014

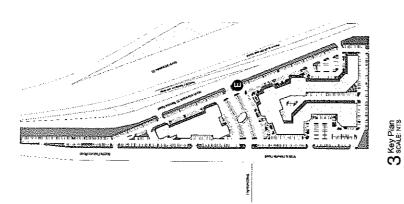
The Linc Austin, Texas

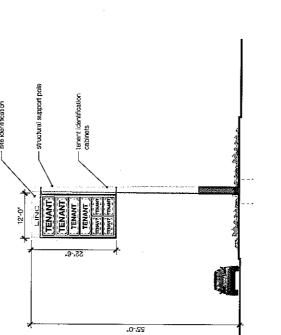
Site Signage ST101 Primary Monument replace existing sign

30 July 2014

The Linc Austin, Texas

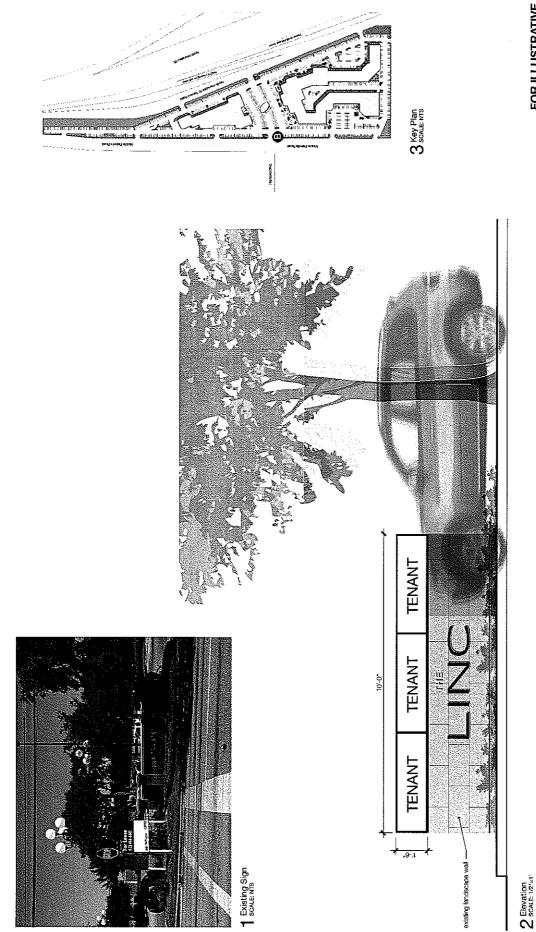
Scale 1/16'=1'







Existing Sign SCALE: NTS

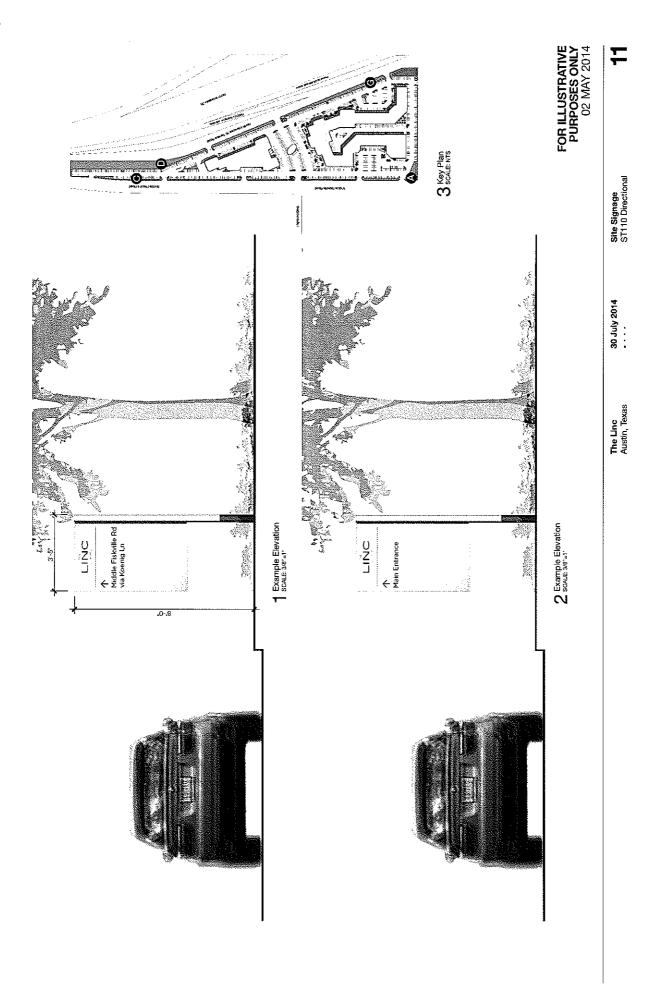


FOR ILLUSTRATIVE PURPOSES ONLY 02 MAY 2014

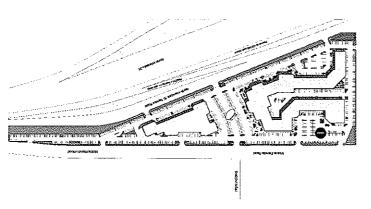
30 July 2014

The Linc Austin, Texas

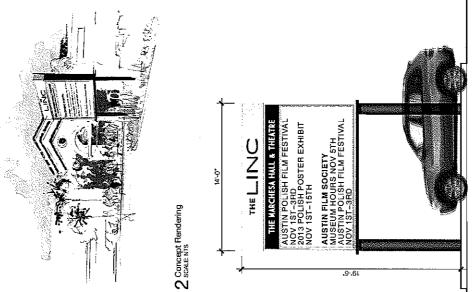
Site Signage ST105 Secondary Monument







3 Key Plan Scale: NTS



Scale: 3/16"=1"

THE MARCHESA HALL & THEATRE
The Marchesta
Hall & Triestre
Hall & Triestre

Existing Sign SCALE: NTS The Linc Austín, Texas

30 Ju

30 July 2014

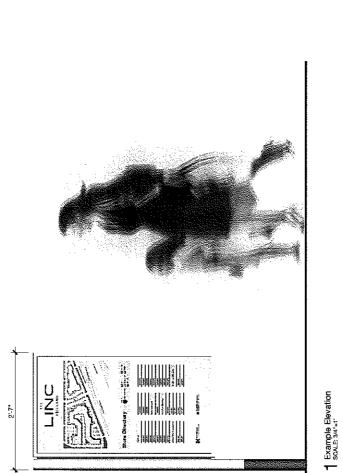
Site Signage ST111 Existing Tenant Marquee Sign

_

Site Signage ST112 Pedestrian Orientation

2014

30 July 2014



0-9

High market

X Key Plan scale: NTS

The Linc Austin, Texas

Site ImprovementsThe Line would benefit tranendously from a centralized meeting place. It would enhance the overall environment, help create a sense of place, and provide a place for discovery.

Solutions

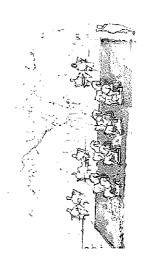
- The addition of a new plaza and music verue would act as a hub of activity in the center of the site.
- This area would not only liven up the entire environment, but would also make the center feel more complete and intimate,
- The plaza would be a welcoming hangout spot and would encourage shoppers to linger at The Linc.
- It would also help break the traffic flow of outside vehicles cutting through the parking lot to cross through, making it a more pedestrian-friendly destination.

+/- 21 -6"



*

Key Plan Diagram SCALE: NTS





NEW FLAZA & MUSIC YENUE.

The Linc Austin, Texas

30 July 2014

Site Improvements New Plaza Venue ST120 Sign Study

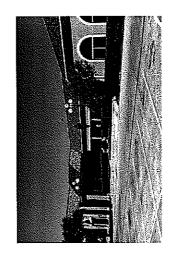
Site ImprovementsThe Line could benefit and flourish from a greater restaurant presence at the North end of the site. There are a few simple solutions to help achieve a more lively environment.

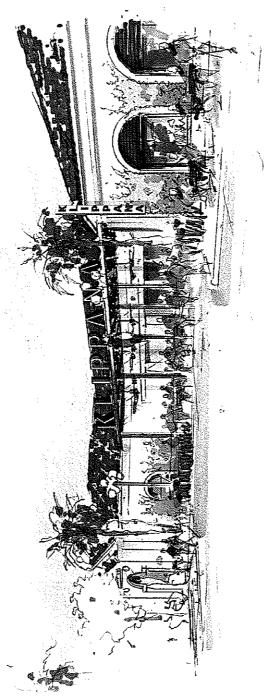
Solutions

- Adding color and variety in the plantings brighten up the area, giving it a more warm and welcoming ambiance, Allowing vine growth on the buildings helps achieve this as well.
- Adding more visible al fresco dining areas will entice shoppers to the destination.
- Blade signs and other signage that are not hidden behind or underneath elements will increase invisibility and give more flavor/character.



Key Plan Diagram SCALE: NTS





NORTH END RESTA WEALTS.

FOR ILLUSTRATIVE PURPOSES ONLY 02 MAY 2014

The Linc Austin, Texas

30 July 2014

Site Improvements New End Restaurants Tenant Signage

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