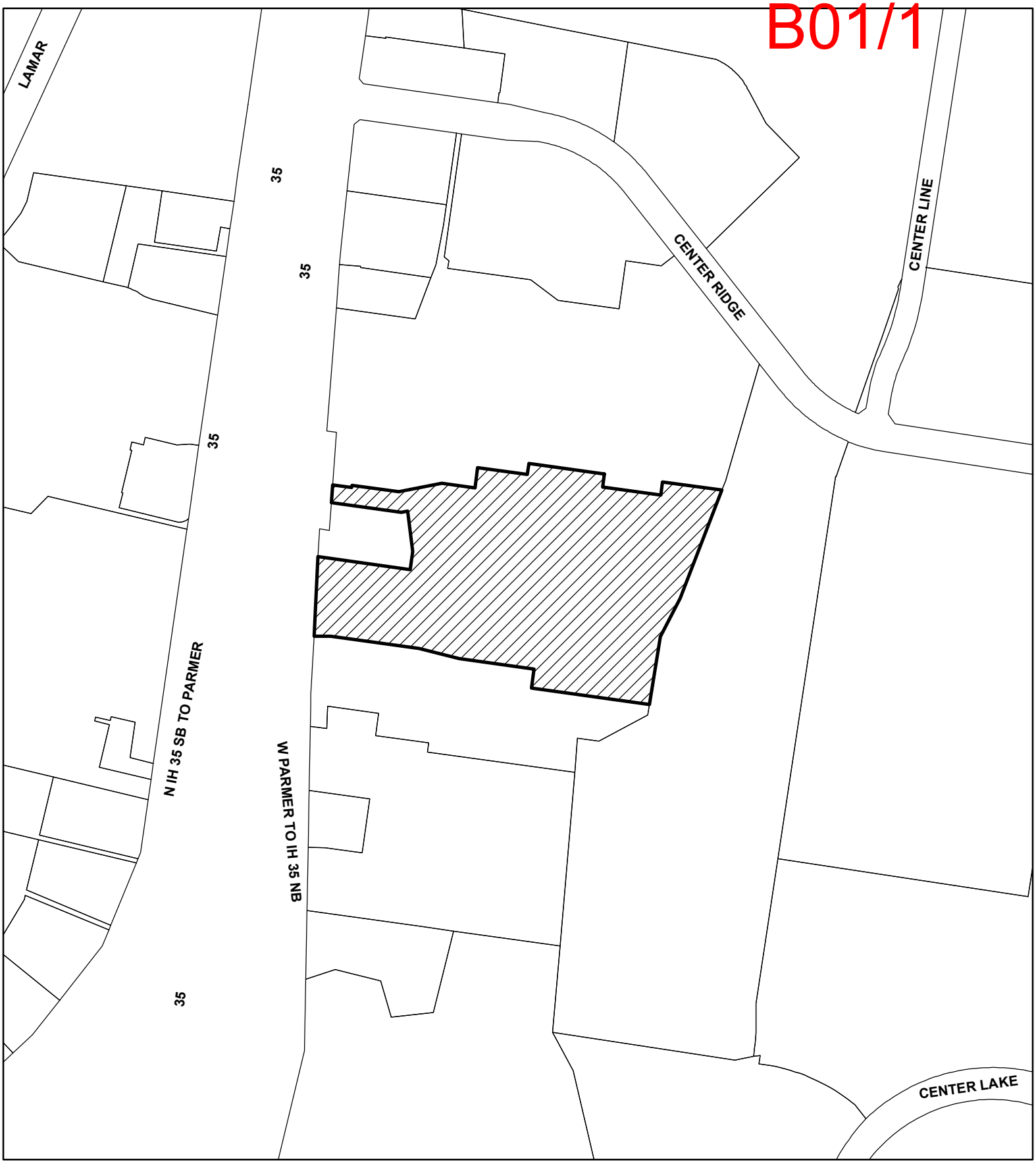
B01/1



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 387 '

NOTIFICATIONS

CASE#: C16-2018-0001

LOCATION: 12901 N IH 35 Service Rd. NB

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Board of Adjustment Sign Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, click here to Save the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. All information is required (if applicable).

For Office Use Only

Case # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 12901 N. I-35 Service Rd., Bldg 14, Austin, TX 78753

Subdivision Legal Description:

Parmer

Lot(s): 8 Block(s): A

Outlot: _____ Division: South Parmer

Zoning District: _____

Sign District: _____

I/We Clive Hartsfield / Chandler Signs on behalf of myself/ourselves as authorized agent for _____ affirm that on Month Select , Day Select , Year Select , hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

- (●) Erect
- ( ) Attach
- ( ) Complete
- ( ) Remodel
- ( ) Maintain
- ( ) Other: _____

Type of Sign: Pylon Sign 42' in height

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

35 feet in height to 42 feet in height in order to erect a freestanding sign in a "CS-CO", Commercial Services Conditionaly Overlay zoning district.

Section 2: Variance Findings

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 supporting documents.

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 the site such as dimensions, landscaping, or topography, because:

the sign setback from the frontage road and expressway inhibits the visibility of the sign at its present height; the property is located at the lowest point on this site.

—OR—

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

the property is in the lowest point on this site; other restaurants do not have the setback and topographic issues as illustrated in the exhibits.

—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 one more of an even visual standing with the competition due to the hardship created by the interstate and the topographical issues.

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:

Chick-fil-a is at a disadvantage due to the setback and topographic impact.

Section 3: Applicant Certificate

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

Applicant Signature: _____ Date: _____

Applicant Name (typed or printed): Clive N Hartsfield

Applicant Mailing Address: 17319 San Pedro Ave Suite 200

City: San Antonio State: TX Zip: 78232

Phone (will be public information): (210) 247-3008

Email (optional – will be public information): chartsfield@chandlersigns.com

Section 4: Owner Certificate

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

Owner Signature: _____ Date: _____

Owner Name (typed or printed): Micah Dowdy

Owner Mailing Address: 5200 Buffington Road

City: Atlanta State: GA Zip: 30349

Phone (will be public information): (404) 765-8998

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Chandler Signs / Clive Hartsfield

Agent Mailing Address: 17319 San Pedro Ave Suite 200

City: San Antonio State: TX Zip: 78232

Phone (will be public information): (210) 247-3008

Email (optional – will be public information): chartsfield@chandlersigns.com

SAVE

October 9, 2017

VIA OVERNIGHT DELIVERY:

RD Management LLC
810 Seventh Avenue, 10th Floor
New York, New York 10019.
Attention: Legal Department

WITH A COPY VIA EMAIL TO:

Chris Greene (cgreene@rdmanagement.com)

Re: Request for Plan Approval for Chick-fil-A, Inc. ("CFA") Restaurant located at 12901 I-35 N. Service Rd., Building 14, Austin, Texas 78753 (the "Property")

Dear Mr. Greene:

CFA desires to increase the height of its main sign on the above-referenced Property from 25 feet to 42 feet in accordance with the plans enclosed herewith (the "**CFA Plans**"). It is our understanding that the below-listed Delaware limited liability companies, as tenants-in-common (the "**TP Entities**"), have approval rights for these improvements as Approving Party pursuant to Section 5.3(A) of the Operation and Easement Agreement dated September 12, 2002, recorded September 13, 2012 at Document No. 2002171409 in the Official Public Records of Travis County, Texas (as amended, the "**OEA**"):

1. RB TP Tech Ridge LLC (f/k/a RD Austin Properties LLC);
2. GB TP Tech Ridge LLC;
3. JB TP Tech Ridge LLC;
4. 309 TP Tech Ridge LLC;
5. RA TP Tech Ridge LLC;
6. JL TP Tech Ridge LLC;
7. ML TP Tech Ridge LLC; and
8. EL TP Tech Ridge LLC.

In addition, it is our understanding that the below-listed Delaware limited liability companies, as tenants-in-common (the "**Tech Ridge Entities**"), have approval rights for these improvements (i) as Approving Party pursuant to Section 5.3(A) of the OEA, and (ii) under that certain Restrictive Covenant, Development and Operating Agreement dated August 27, 2004, recorded August 31, 2004 at Document No. 2004167608, aforesaid records (as amended, the "**ECR**"):

1. RB Tech Ridge LLC (f/k/a RD Austin Shopping Centers LLC);
2. GB Tech Ridge LLC;
3. JB Tech Ridge LLC;
4. 309 Tech Ridge LLC;
5. RA Tech Ridge LLC;
6. JL Tech Ridge LLC;
7. ML Tech Ridge LLC; and
8. EL Tech Ridge LLC.

Per this letter, CFA kindly requests the TP Entities' and Tech Ridge Entities' consent and approval of the CFA Plans.

If the CFA Plans are acceptable, please indicate the TP Entities' and Tech Ridge Entities' approval by having an authorized party(ies) execute this letter in the space provided below. If the TP Entities and/or Tech Ridge Entities have any comments or concerns to the CFA Plans, please provide those in writing to my attention at the address set forth above.

PLEASE NOTE THAT PURSUANT TO SECTION 6.5(B) OF THE OEA, THE TP ENTITIES' REPONSE IS REQUIRED TO BE GIVEN WITHIN THIRTY (30) DAYS OF ITS RECEIPT OF THIS REQUEST, AND FAILURE TO RESPOND WITHIN THE APPLICABLE TIME PERIOD WILL BE DEEMED AN APPROVAL BY THE TP ENTITIES AND THE TECH RIDGE ENTITIES.

IN ADDITION, PLEASE NOTE THAT PURSUANT TO SECTION 3.1 OF THE ECR, ANY DISAPPROVAL MUST BR PROVIDED WITHIN TWENTY (20) DAYS OF THE DATE OF REQUEST FOR APPROVAL, AND IF THE TECH RIDGE ENTITIES FAIL TO RESPOND TO ANY REQUEST BY CFA FOR SUCH APPROVAL WITHIN SUCH TWENTY (20) DAY PERIOD, SUCH PLANS SHALL BE DEEMED APPROVED.

The TP Entities, Tech Ridge Entities and CFA hereby further agree that the covenants, conditions and agreements contained in this letter will bind and inure to the benefit of the TP Entities, the Tech Ridge Entities and CFA and their respective heirs, successors, successors in title, administrators and assigns. The TP Entities hereby represent and warrant to CFA that the TP Entities, as tenants-in-common, are the correct and authorized Approving Party for the Target Tract as set forth in Section 1.1 of the OEA, and that the TP Entities are not aware of any amendments to the OEA or other documents assigning the Approving Party status for the Target Tract to any other party. The Tech Ridge Entities hereby represent and warrant to CFA that the Tech Ridge Entities, as tenants-in-common, are the correct and authorized Approving Party for the Developer Tract as set forth in Section 1.1 of the OEA, and that the Tech Ridge Entities are not aware of any

Chick-fil-A

RA TP TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

JL TP TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

[Signatures continue on following page.]

TP ENTITIES: (CONTINUED)

ML TP TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

EL TP TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

TECH RIDGE ENTITIES:

RB TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

GB TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

JB TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

309 TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

RA TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

JL TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

amendments to the OEA or other documents assigning the Approving Party status for the Developer Tract to any other party.

If you have any questions or concerns or require additional information, please contact me immediately at (770) 539-0726.

Thank you in advance for your prompt attention to this matter.

Very truly yours,

Graham Rodgers
Asset Management – Existing Restaurants
Chick-fil-A, Inc.

Notwithstanding the terms of the OEA and ECR, the TP Entities and Tech Ridge Entities, as applicable, hereby approve the CFA Plans and hereby agree that the terms of the OEA and ECR, as applicable, are hereby satisfied with respect to the CFA Plans as of this 11th day of November, 2017.

TP ENTITIES:

RB TP TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

GB TP TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

JB TP TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

309 TP TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

Chick-fil-A

ML TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

EL TECH RIDGE LLC

By: _____
Name: RICHARD BIRDOFF
Title: MANAGER

[Lender consent appears on following page.]

CONSENT

Peter S. Graf, as trustee, for the benefit of Ladder Capital Finance LLC, a Delaware limited liability company ("**Lender**"), and Lender, as holder of a security interest in the Target Tract and certain real property comprising a portion of the Developer Tract (as such terms are defined in the OEA), under that certain Deed of Trust, Assignment of Leases and Rents and Security Agreement dated December 28, 2016, recorded December 29, 2016 as Instrument No. 2016215447 in the official records of Travis County, Texas, and under that certain Assignment of Leases and Rents dated December 28, 2016, recorded December 29, 2016 as Document No. 2016215448, aforesaid records, do hereby acknowledge and consent to the execution and delivery of the foregoing letter agreement to which this consent is attached, it being the intent of such consent that all rights and obligations set forth in this letter agreement shall be unaffected and continue in full force and effect if the undersigned, or their successors or assigns, should foreclose upon the real property described in its security documents, or otherwise exercises its rights thereunder.

LENDER:

LADDER CAPITAL FINANCE, LLC,
a Delaware limited liability company

By: _____

Name: _____

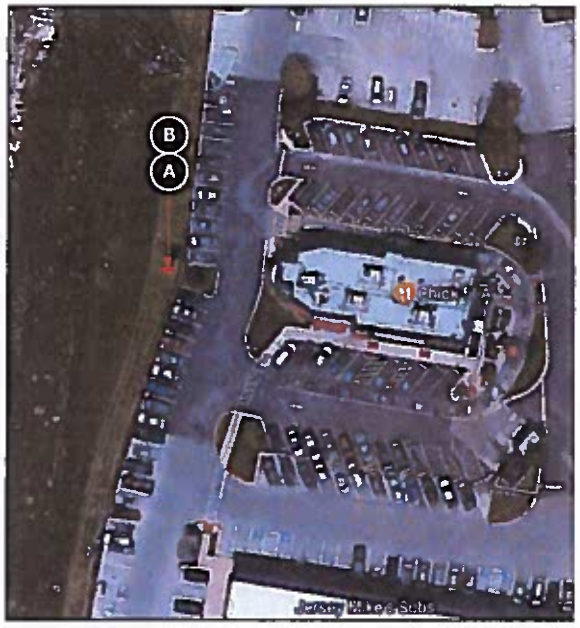
Title: _____

Enclosures

cc: Ashanti Hunt, Esq.
Jordan Kukler
Stacy Burge

VICINITY MAP N.T.S.

NORTH



AERIAL VIEW N.T.S.

KRISTEN HA
KHamilton
SCARLETT QU
SQuintero:

A REMOVE D/F CFA PYLON

N.T.S.

ONE (1) ITEM TO BE REMOVED

REMOVE AND DISCARD EXISTING D/F CFA PYLON AND CONCRETE FOOTER AS REQUIRED.

RE-USE EXISTING ELECTRICAL FOR NEW CFA PYLON.

B01/13

SPECIFICATIONS:

D/F MAIN ID CABINET
FABRICATED D/F ALUM. CABINET WITH SIGNCOMP RETRO FLAT BLEED FRAME AND COVER, WITH .063" ALUM. FILLER, PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS.

INTERNALLY ILLUMINATED WITH T-8/CW VOLTARC TRILIGHT MAX LAMPS, SPACED EVENLY.

FLEX FACES
WHITE BLEED 3M PANOGRAPHIC FLEX FACES DECORATED WITH 3M #3630-53 TRANSLUCENT CARDINAL RED VINYL APPLIED FIRST SURFACE.
WHITE SHOW THRU GRAPHICS.

PAINT INTERIOR OF CABINETS MATTE WHITE.

POLE SUPPORT
STEEL POLES, PAINTED DARK BRONZE, WITH MATCH PLATES.
ONE (1) 3'-6" DIA. x 9'-9" DEEP CONCRETE SUPPORT PIER REQUIRED.

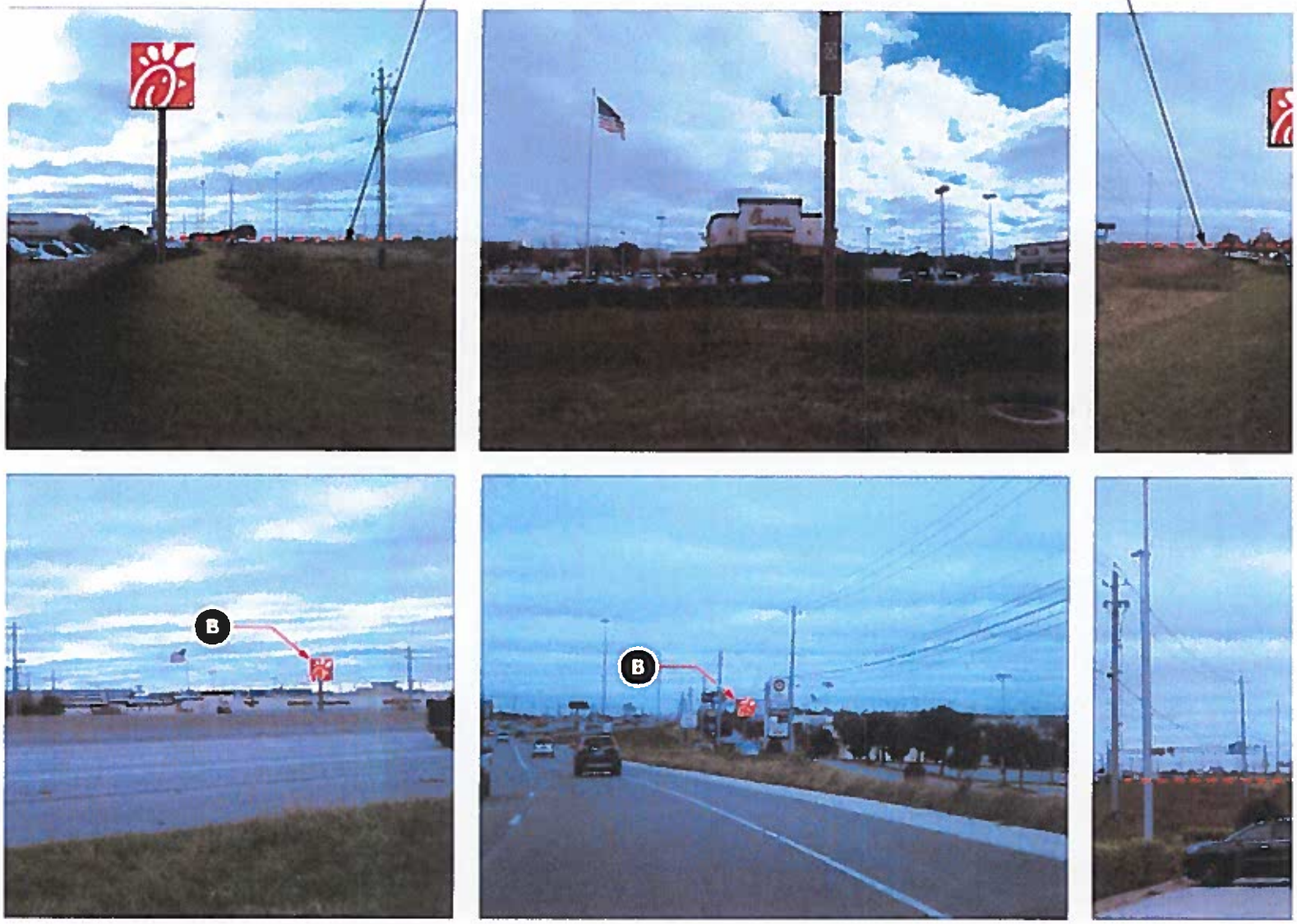
WEATHERPROOF POWER BOX PROVIDED and INSTALLED by CUSTOMER.
PRIMARY ELECTRICAL by G.C.

NOTE:
STEEL AND FOUNDATION FOR SIGN TO BE DETERMINED BASED ON SITE-SPECIFIC BASIS, LOCAL SOIL CONDITIONS AND WIND-LOAD REQUIREMENTS.

B **D/F PYLON SIGN** SCALE: 3/16" = 1'-0"

ONE (1) REQUIRED - MANUFACTURE AND INSTALL 144 SQ. FT.

LARGE HILL LIMITS VISIBILITY



/LON (AFTER) N.T.S.

'YLON IS LIMITED TO 35' VISIBILITY DUE TO
AND LARGE GRASS HILL BETWEEN ROADWAY AND PYLON

B01/16

Pylon Sign Survey

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

Survey Prepared by:

Chandler Signs

July 28, 2010

Evaluation of Chick-fil-A Pylon Sign

A. Visibility

1. Southbound on I-35, 35' OAH and 42' OAH

   a. Overall, the sign remains unobstructed by any stationary objects at its current height. The periodic obstructions occur when large tractor-trailers and oversized vehicles temporarily obstruct the sign entirely for a few seconds.

   b. The visibility is improved greatly at the 35' height and is excellent at the 42' height.

2. Northbound on I-35, 35' OAH and 42' OAH

   a. Current sign is obstructed by trees along I-35. These trees were planted by the Texas Department of Transportation and cannot be relocated or trimmed. The sign does not come into clear view when northbound on I-35 until drivers are past the trees. Current visibility of pylon sign to northbound drivers is fair. We would not rate it at poor or good, just fair.

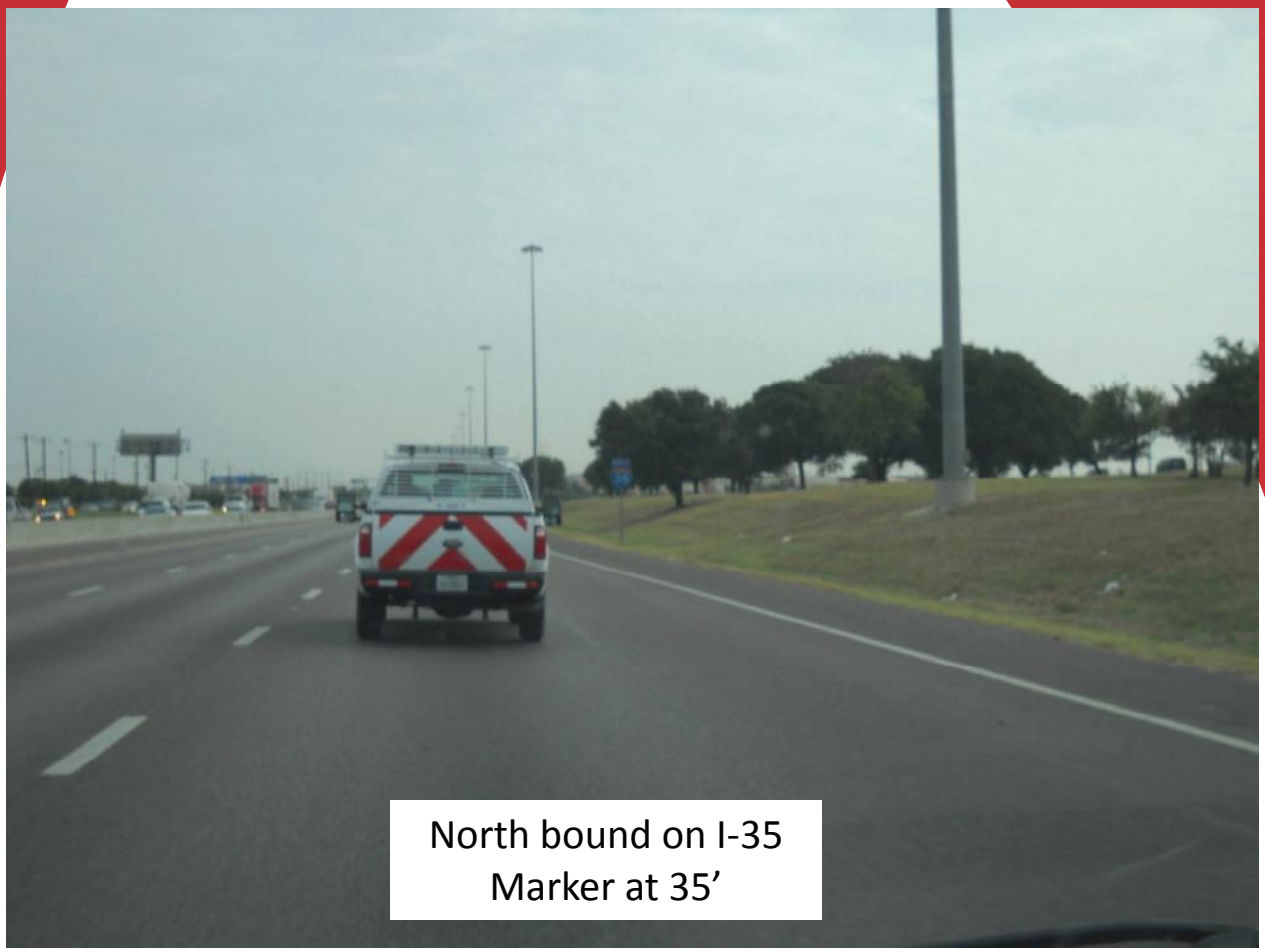
   b . The trees will obstruct the pylon if the height is increased to 42' but the visibility of the pylon is still greater at 42' than at the current 25'. We would rate this visibility to be great, better than good.

B. Install

1. It is our recommendation that install be in the same general area of the existing sign be cause of visibility, traffic flow, and existing electrical. The existing 16" x 16" stub pipe on the existing cabinet can be removed and reused on a larger pylon structure, with proper engineering and kick and stop rings as determined by an engineer.

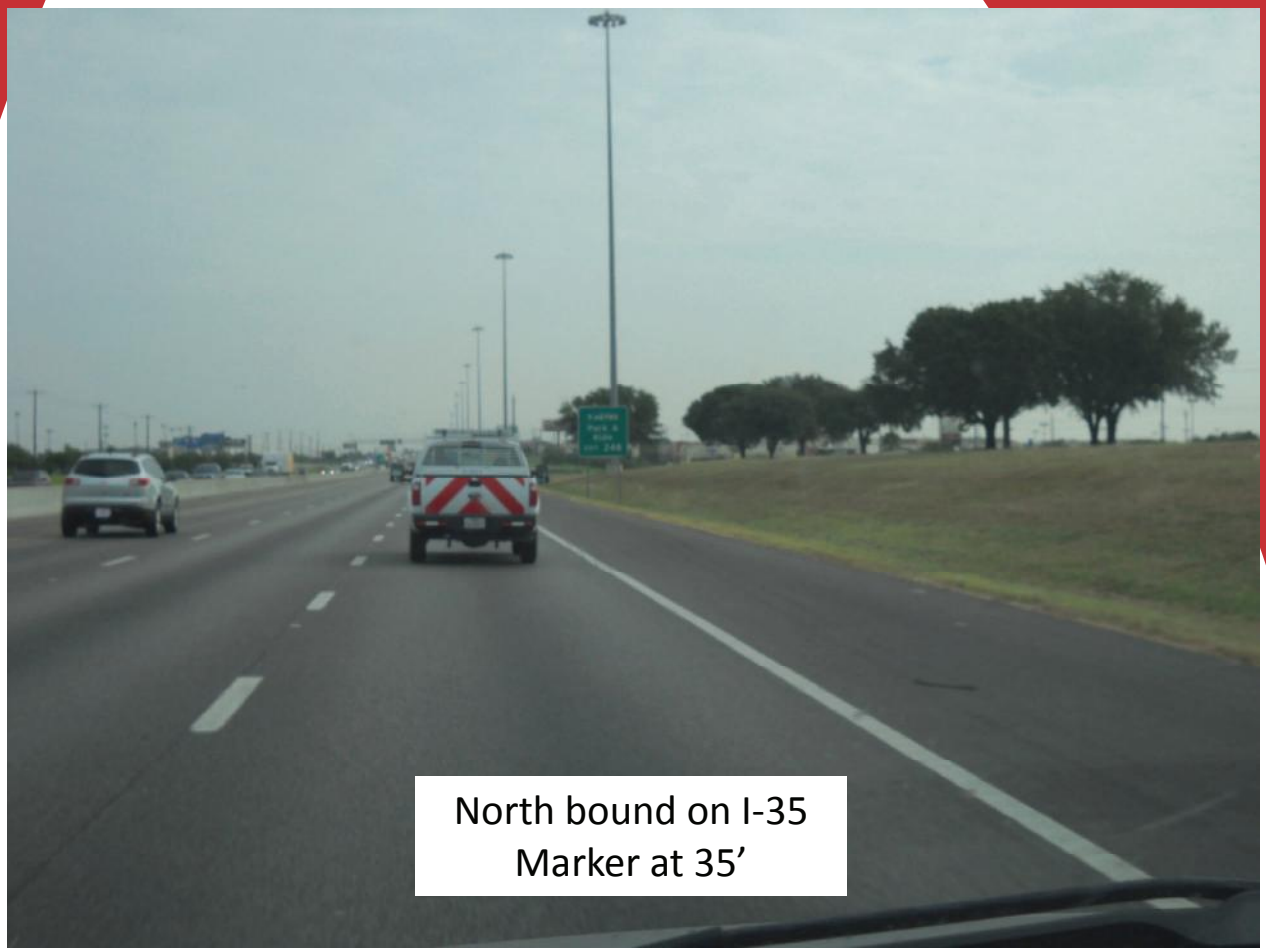
2. All existing defects on the connection between cabinet sign structure and stub pipe to be corrected (poor welding, plug welds, etc.)

3. A hole digger will be required to install a new pylon sign and there is limited access to the area where the new pylon sign should be installed.

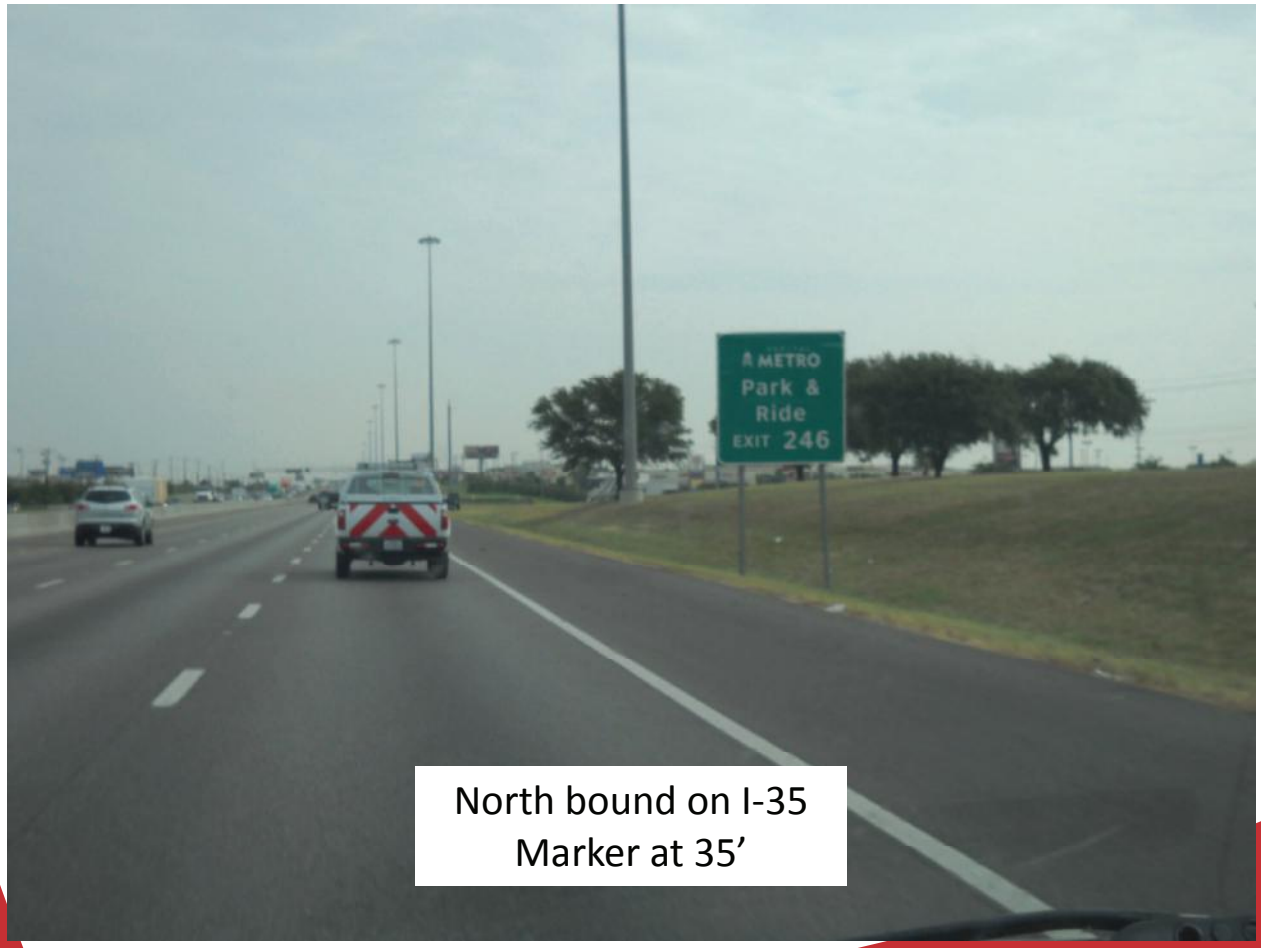


North bound on I-35
Marker at 35’

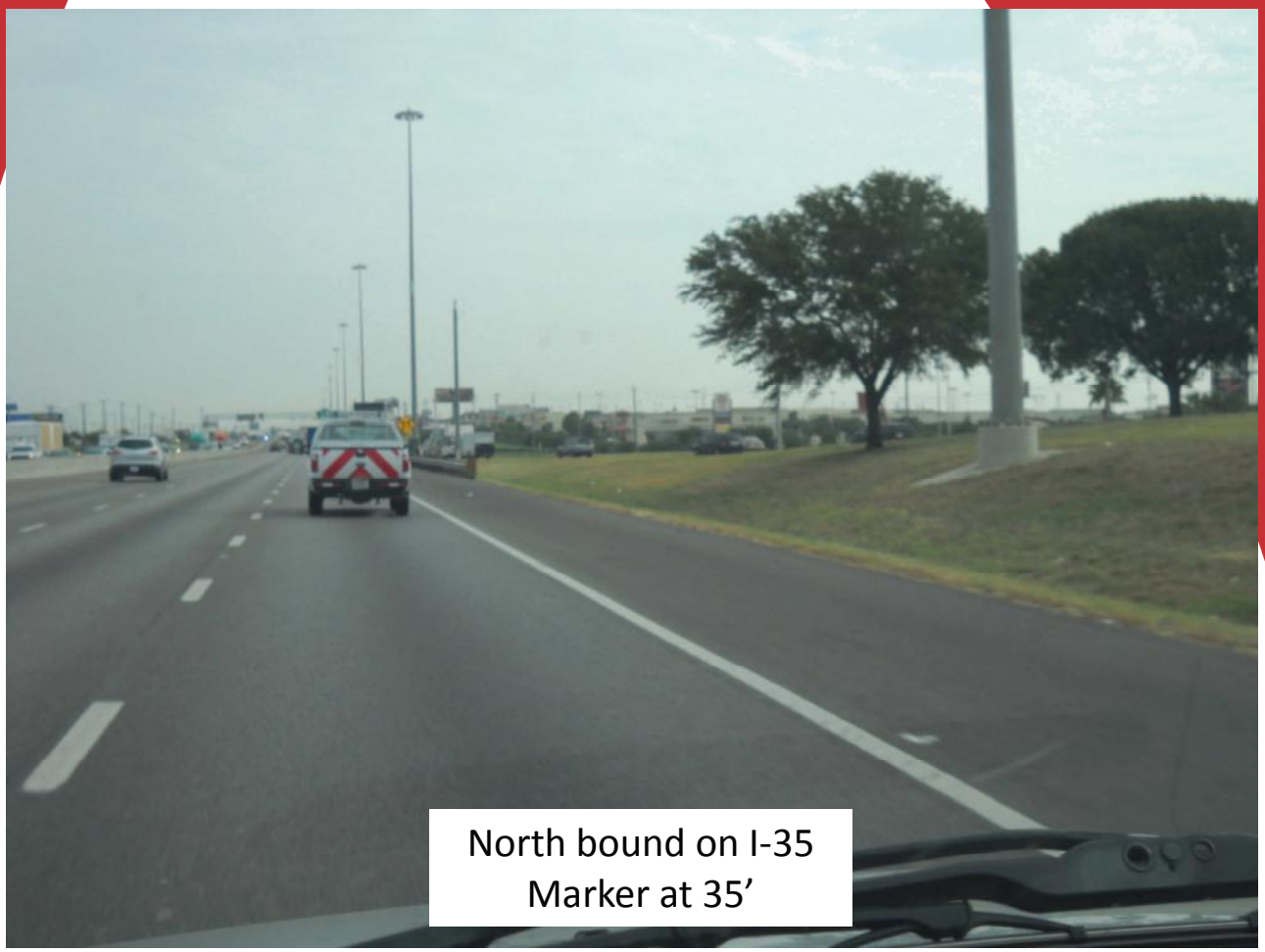
North bound on I-35
Marker at 35’



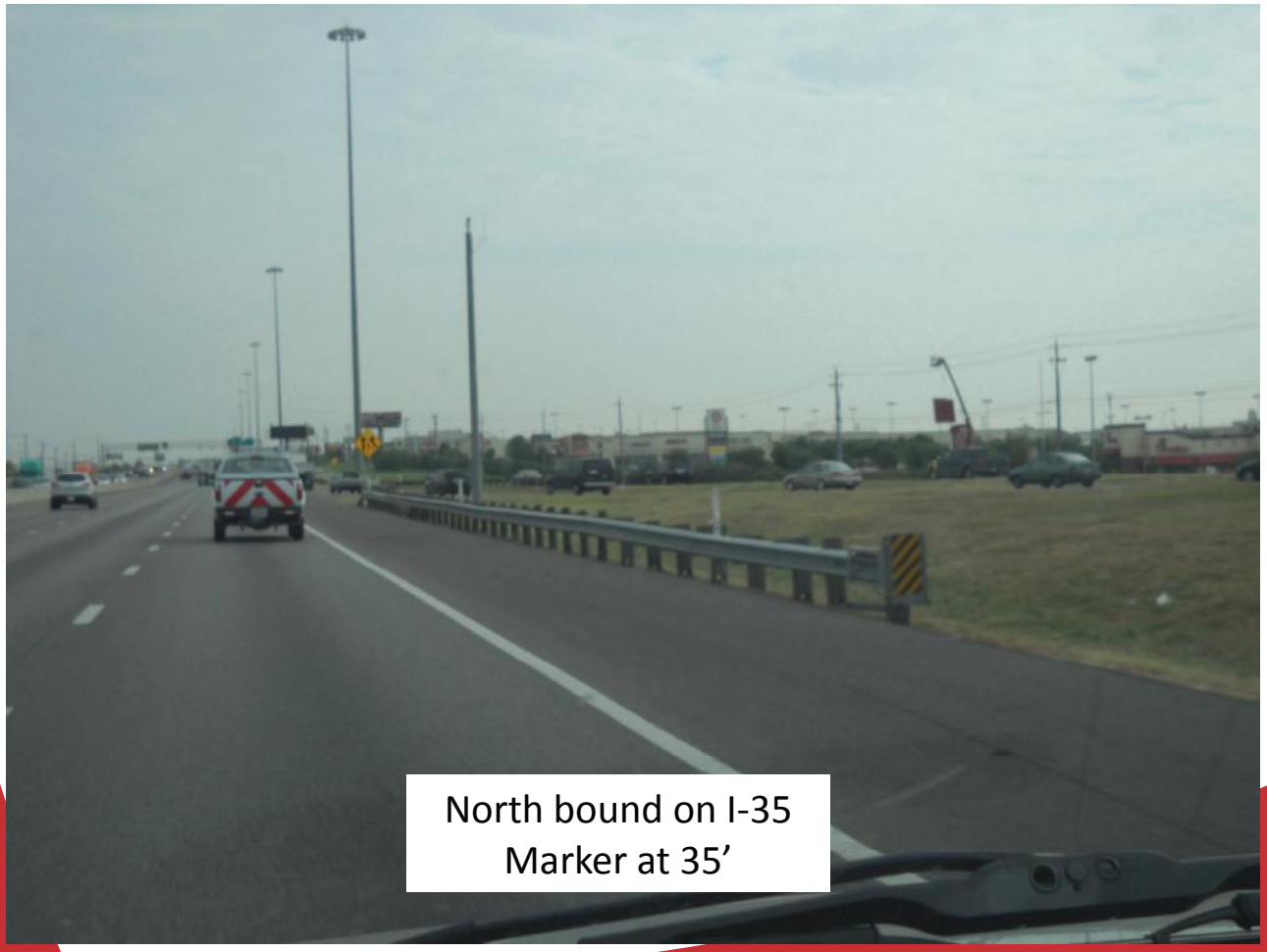
North bound on I-35
Marker at 35’



North bound on I-35
Marker at 35’



North bound on I-35
Marker at 35’



North bound on I-35
Marker at 35’

North bound on I-35
Marker at 35’

North bound on I-35
Marker at 35’

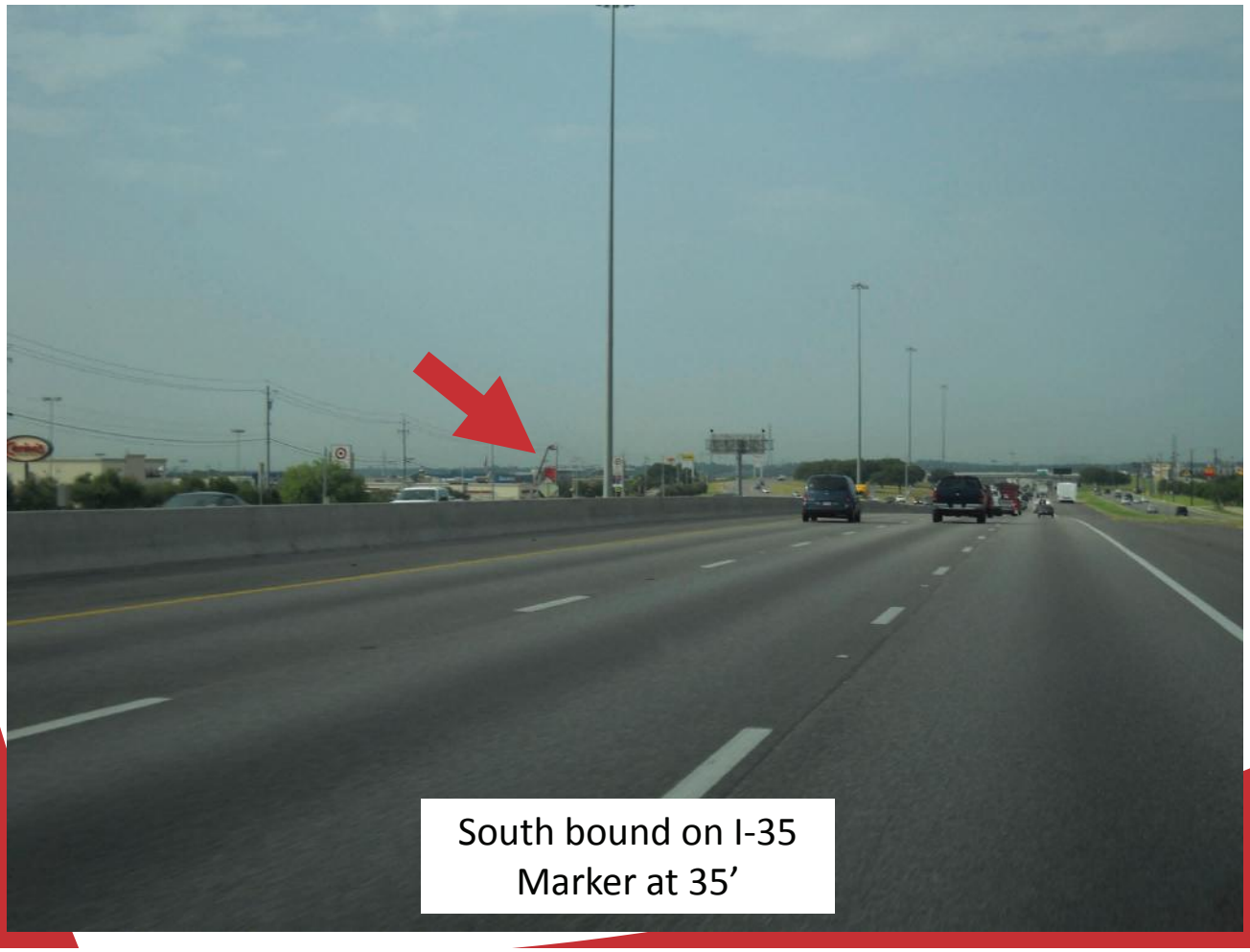
North bound on I-35
Marker at 35’

South bound on I-35
Marker at 35’

South bound on I-35
Marker at 35’

South bound on I-35
Marker at 35’

South bound on I-35
Marker at 35’

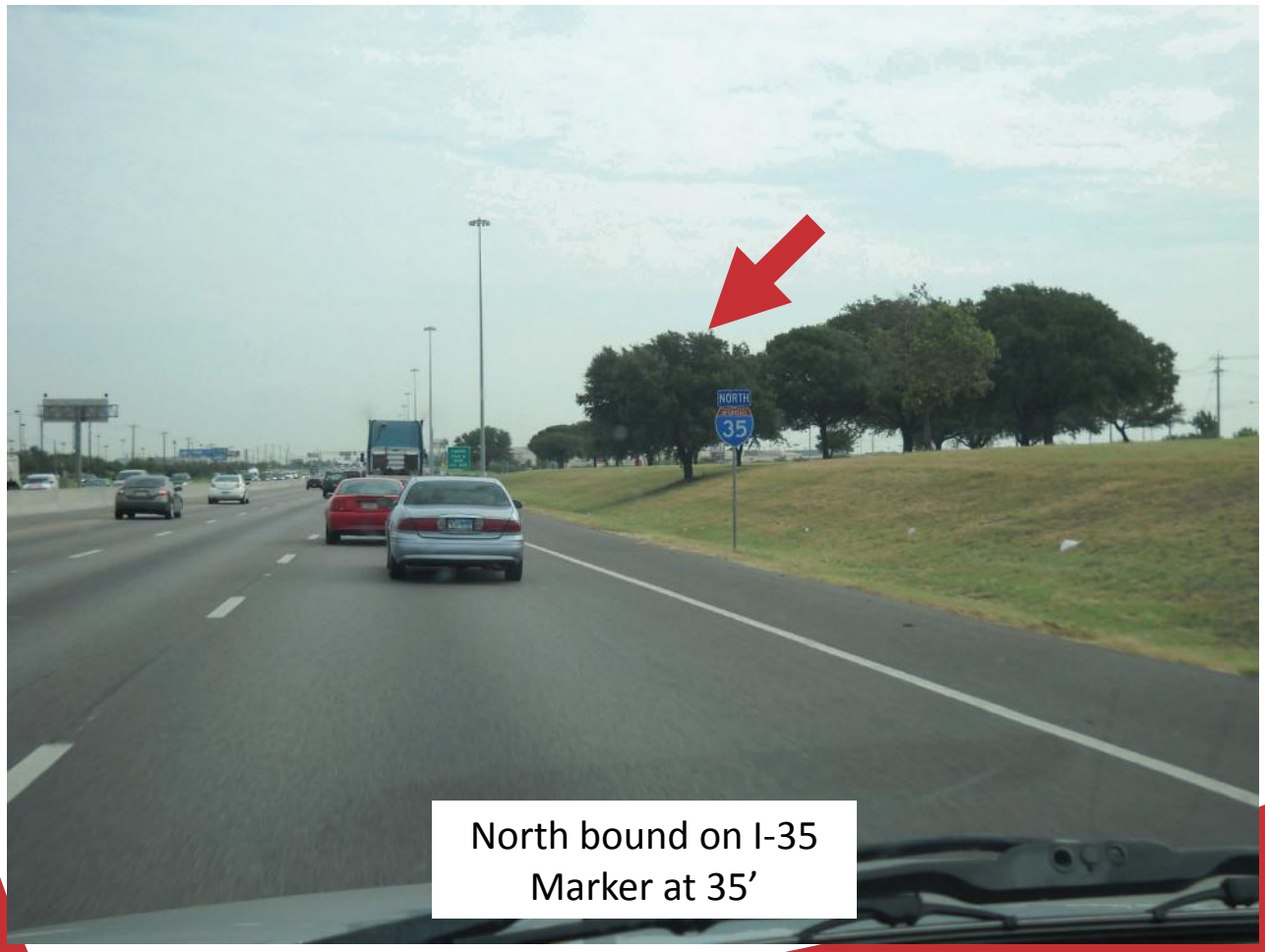


South bound on I-35
Marker at 35’

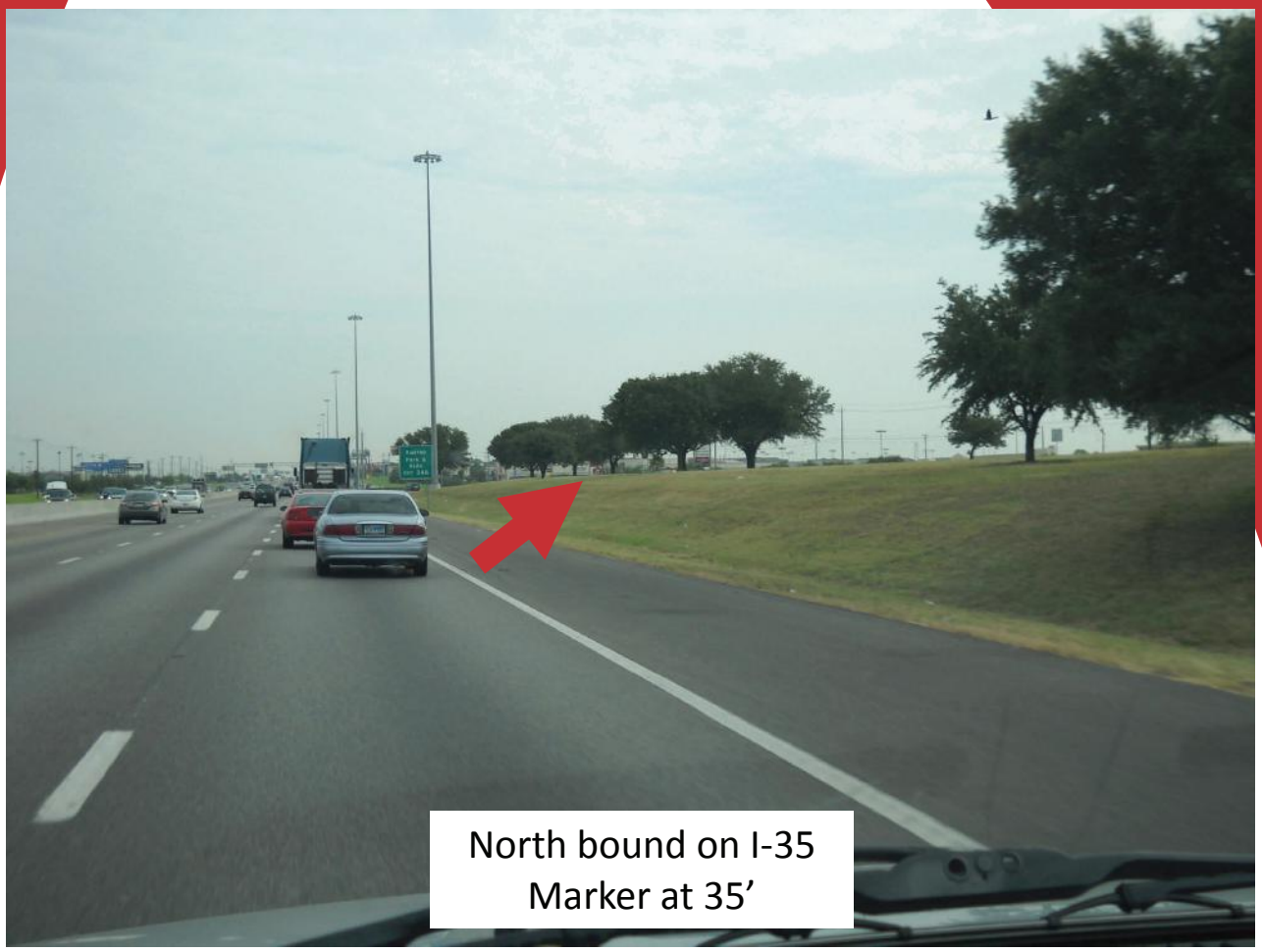
South bound on I-35
Marker at 35’

South bound on I-35
Marker at 35’

North bound on I-35
Marker at 35’



North bound on I-35
Marker at 35’



North bound on I-35
Marker at 35’

North bound on I-35
Marker at 35’

North bound on I-35
Marker at 35’

North bound on I-35
Marker at 35’

South bound on I-35
Marker at 42’

South bound on I-35
Marker at 42’

South bound on I-35
Marker at 42’

South bound on I-35
Marker at 42’

South bound on I-35
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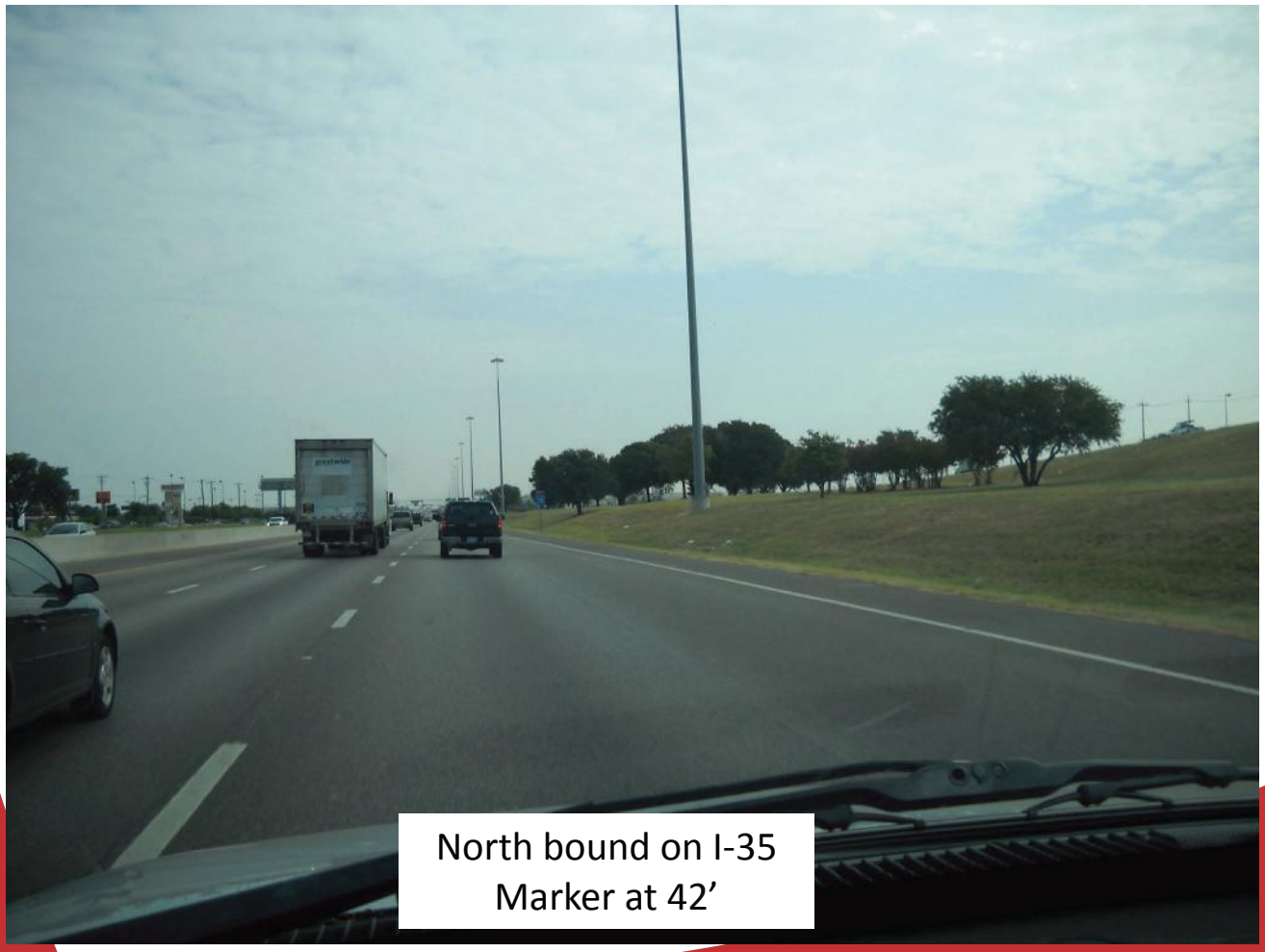
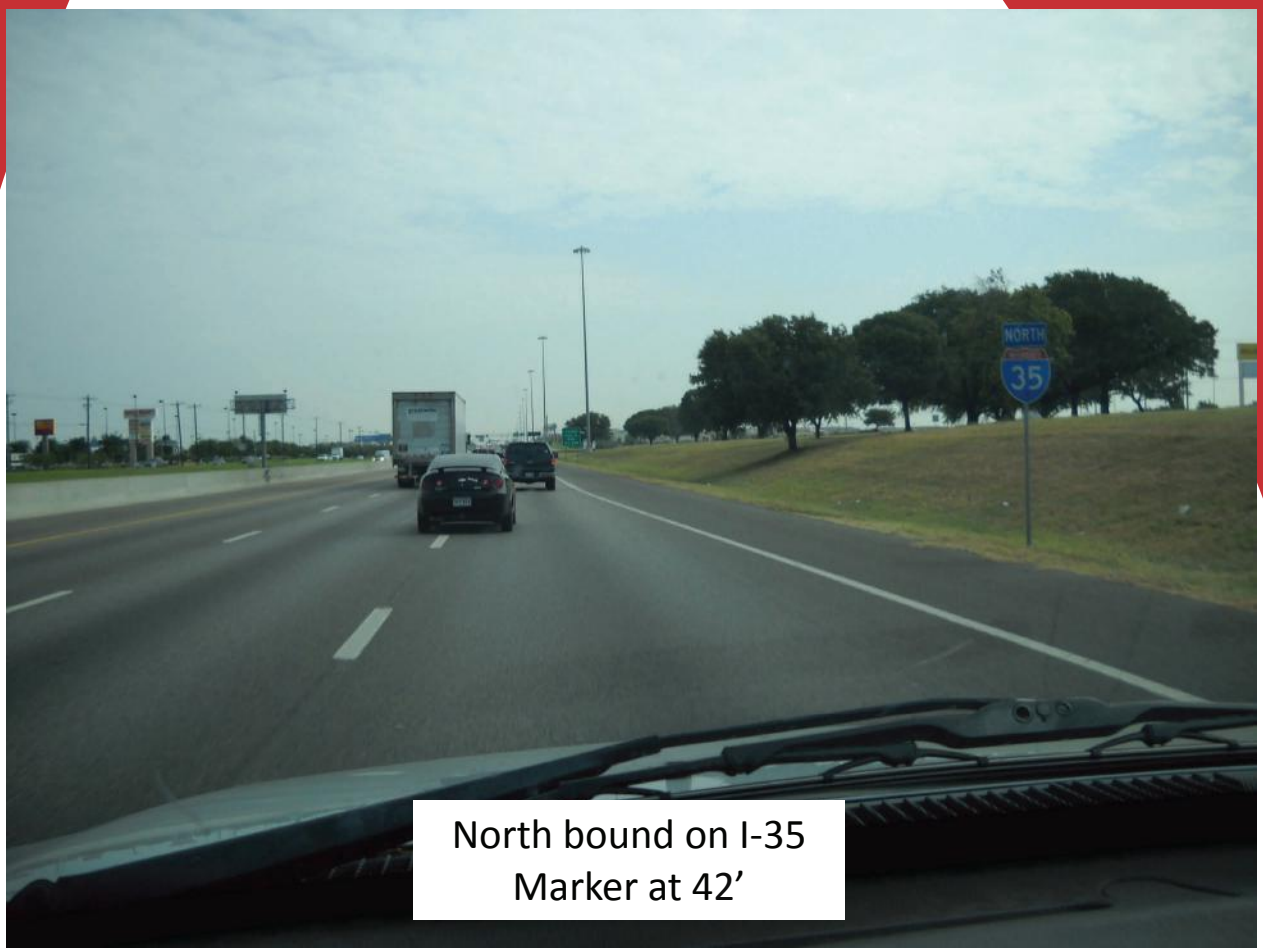
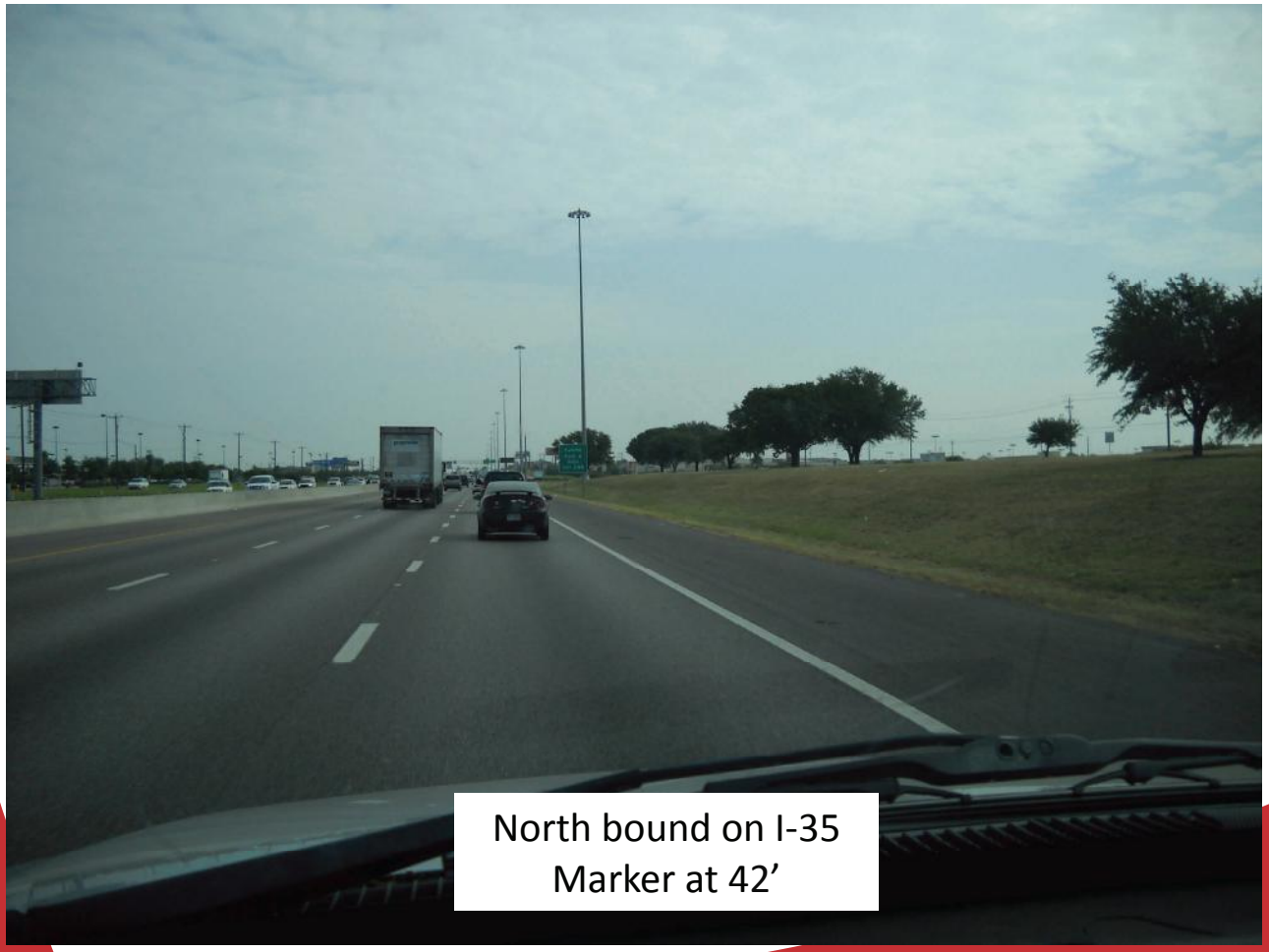
South bound on I-35
Marker at 42’



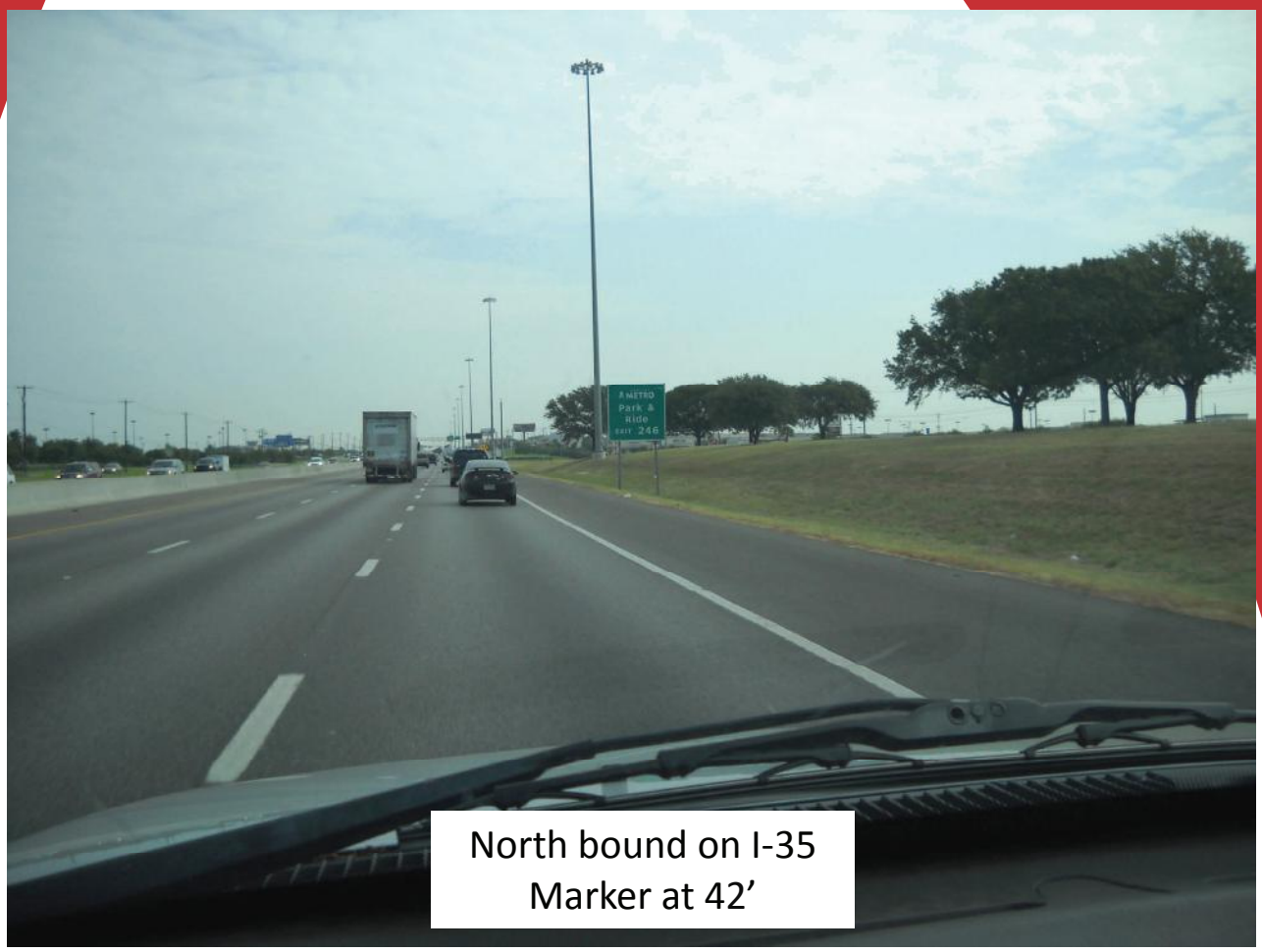
North bound on I-35
Marker at 42’



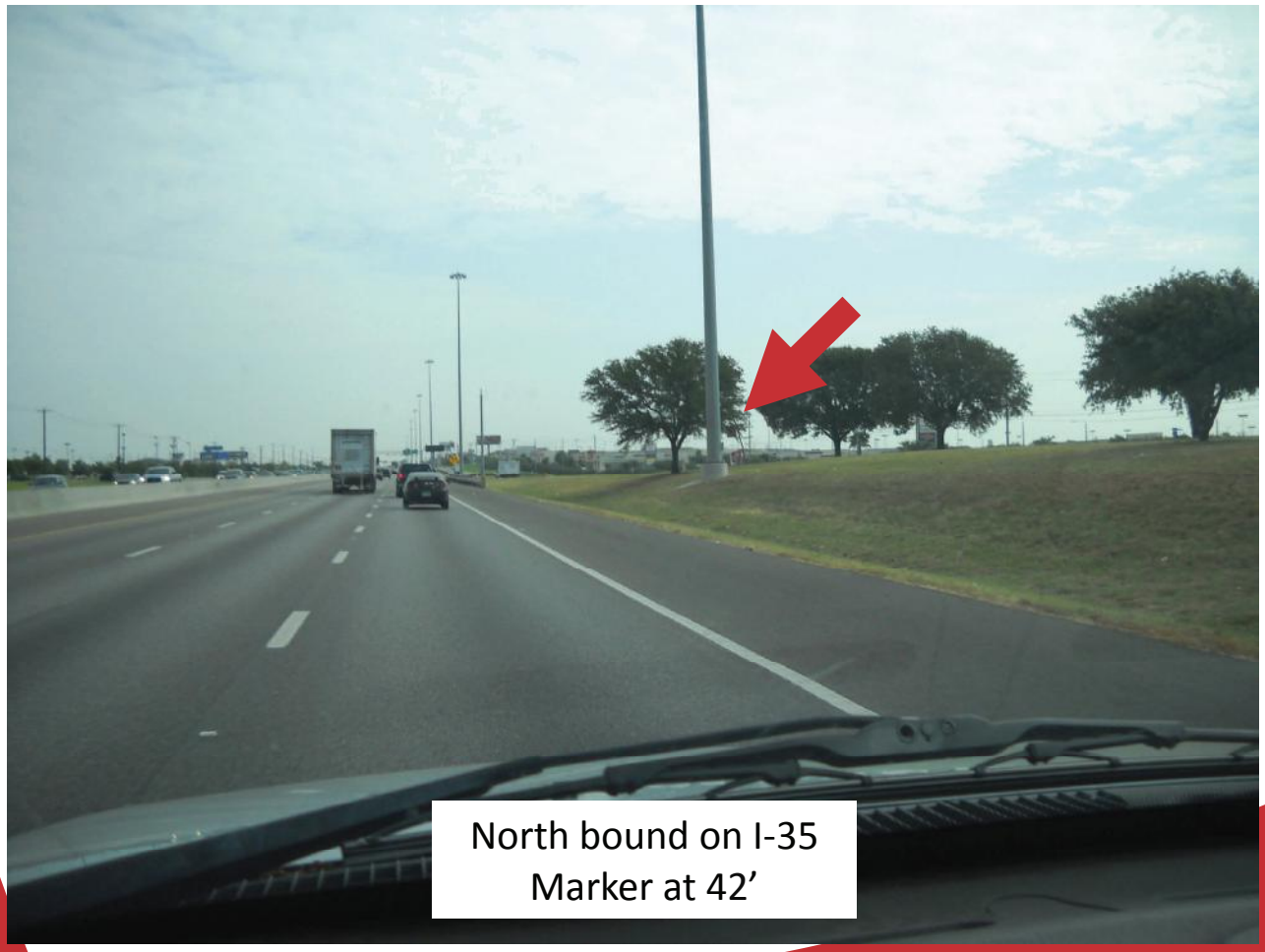
North bound on I-35
Marker at 42’



North bound on I-35
Marker at 42’



North bound on I-35
Marker at 42’

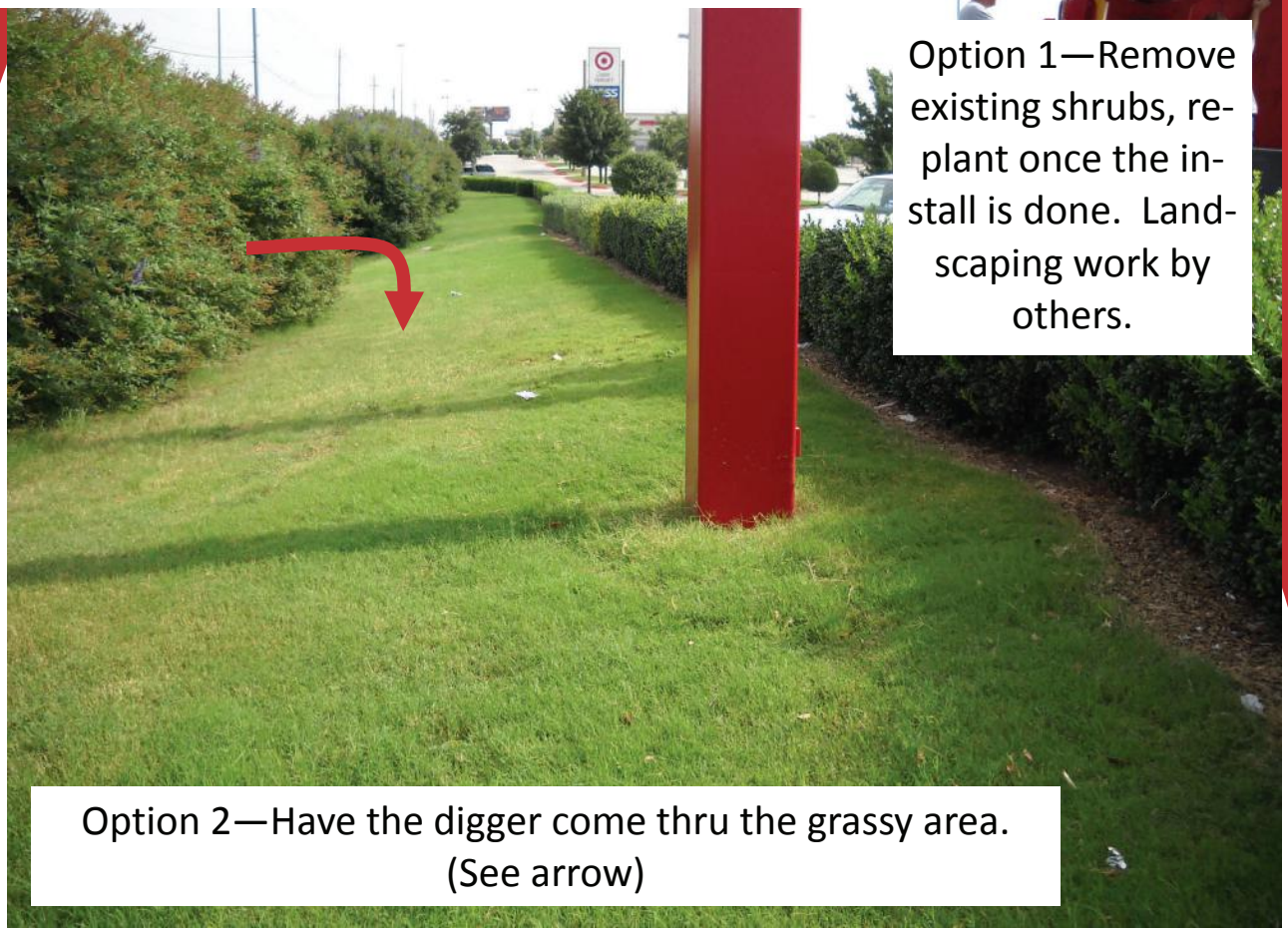


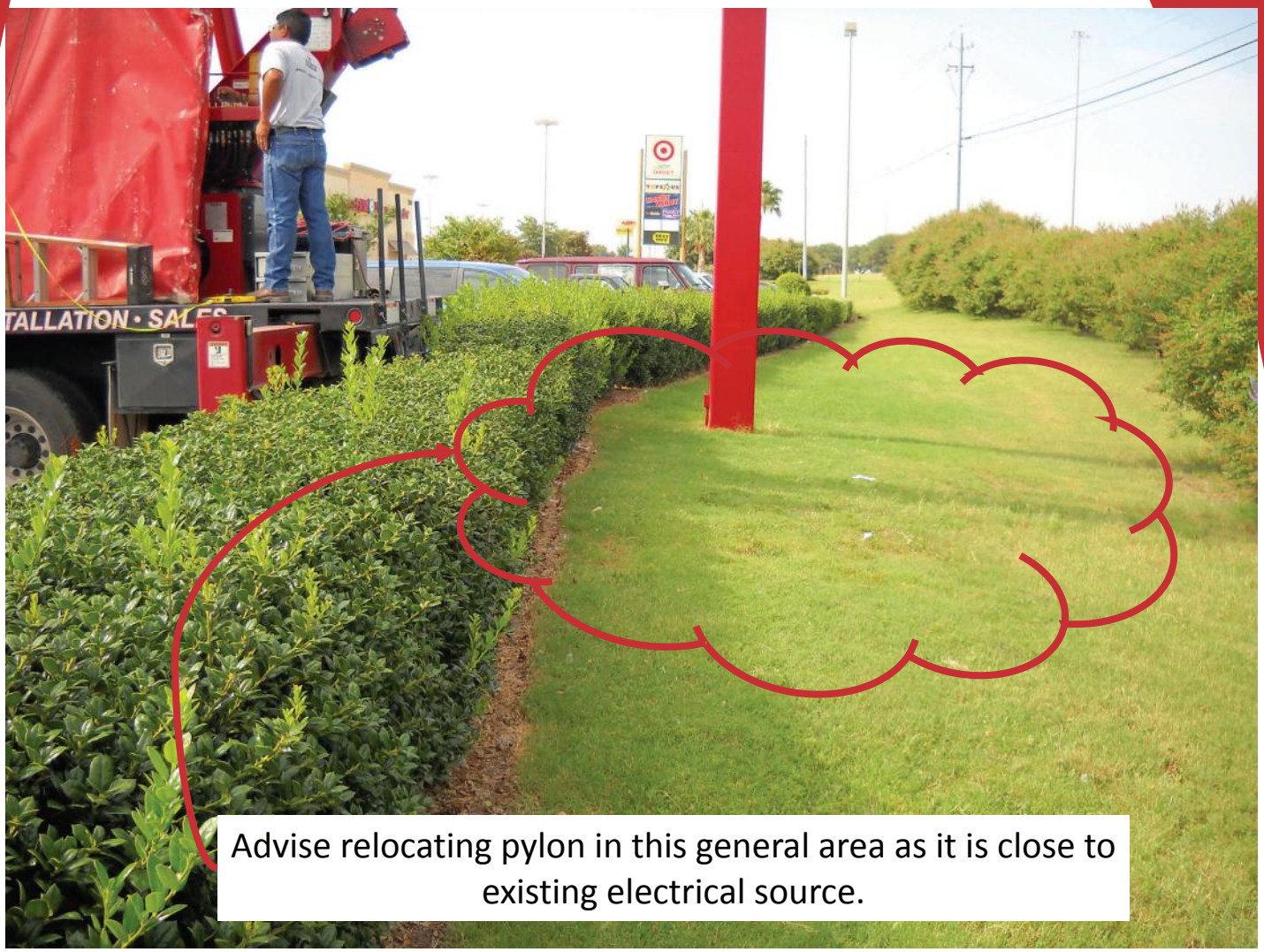
North bound on I-35
Marker at 42’

North bound on I-35
Marker at 42’

North bound on I-35
Marker at 42’

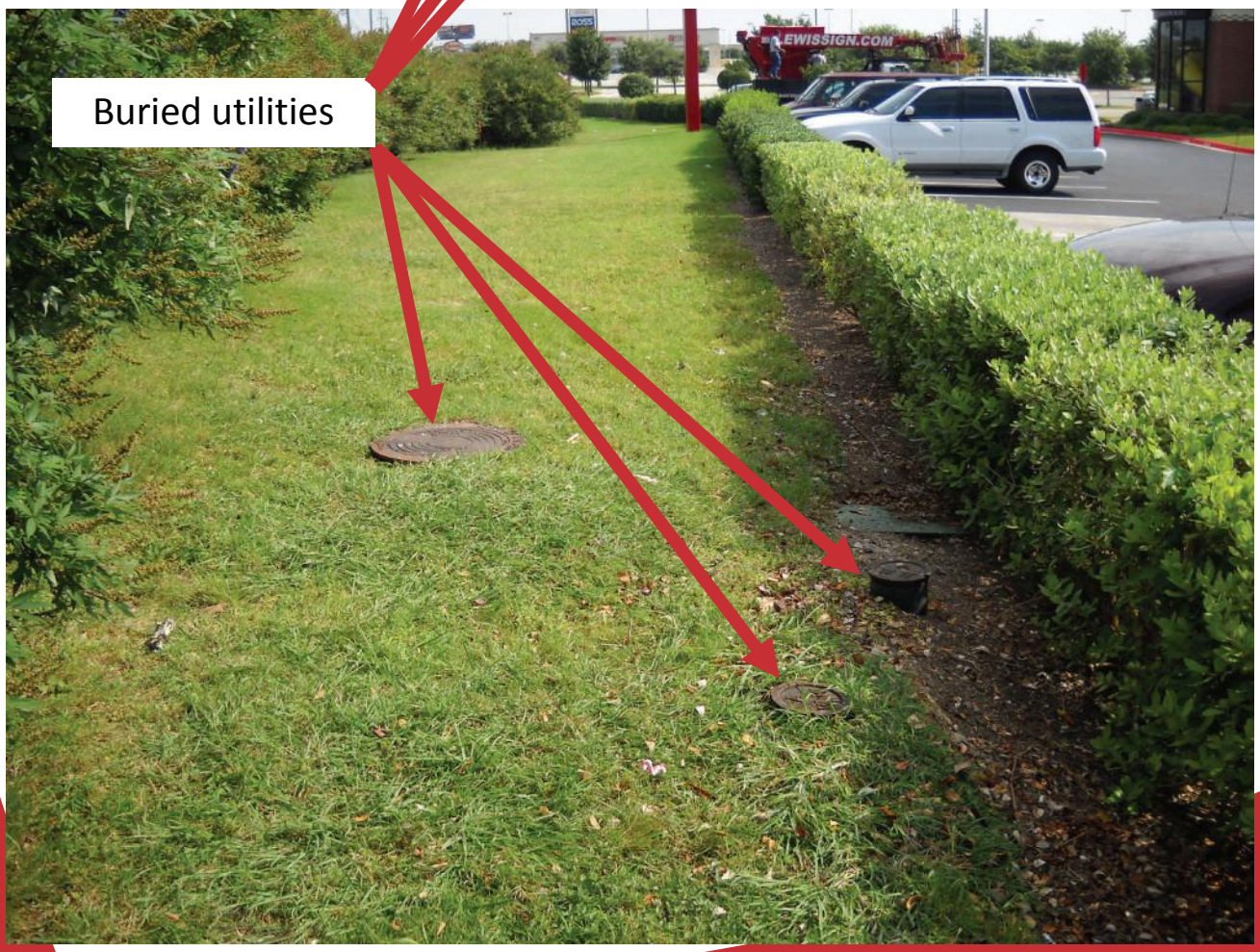
Hole digger access will be difficult for this location.





Advise relocating pylon in this general area as it is close to existing electrical source.

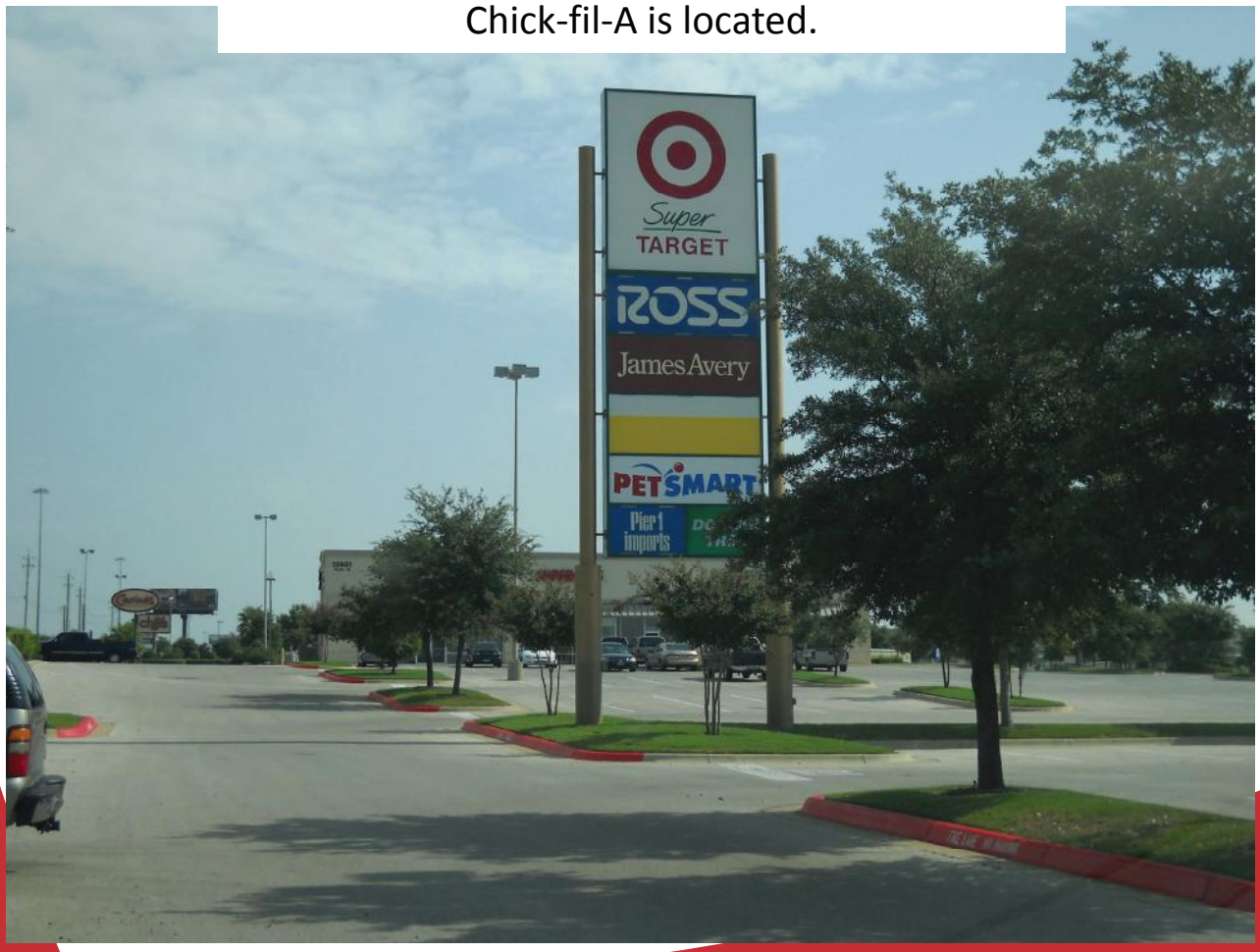
Chick-fil-A
LEWISSIGN.COM


Buried utilities
LEWISSIGN.COM

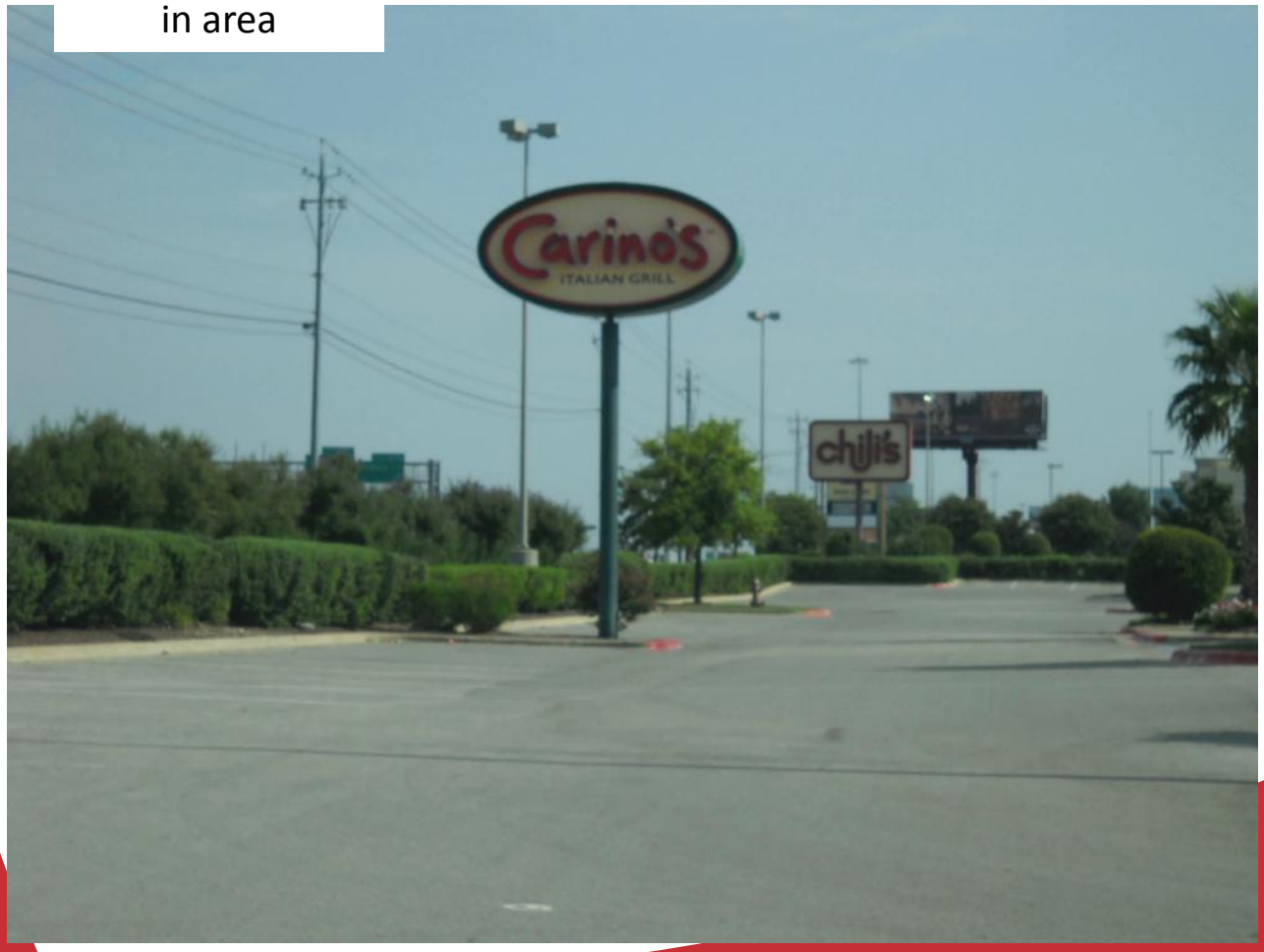
Chick-fil-A
LEWISSIGN.CO
SIGN MAINTENANCE • INSTALLATION • SALES

Chick-fil-A

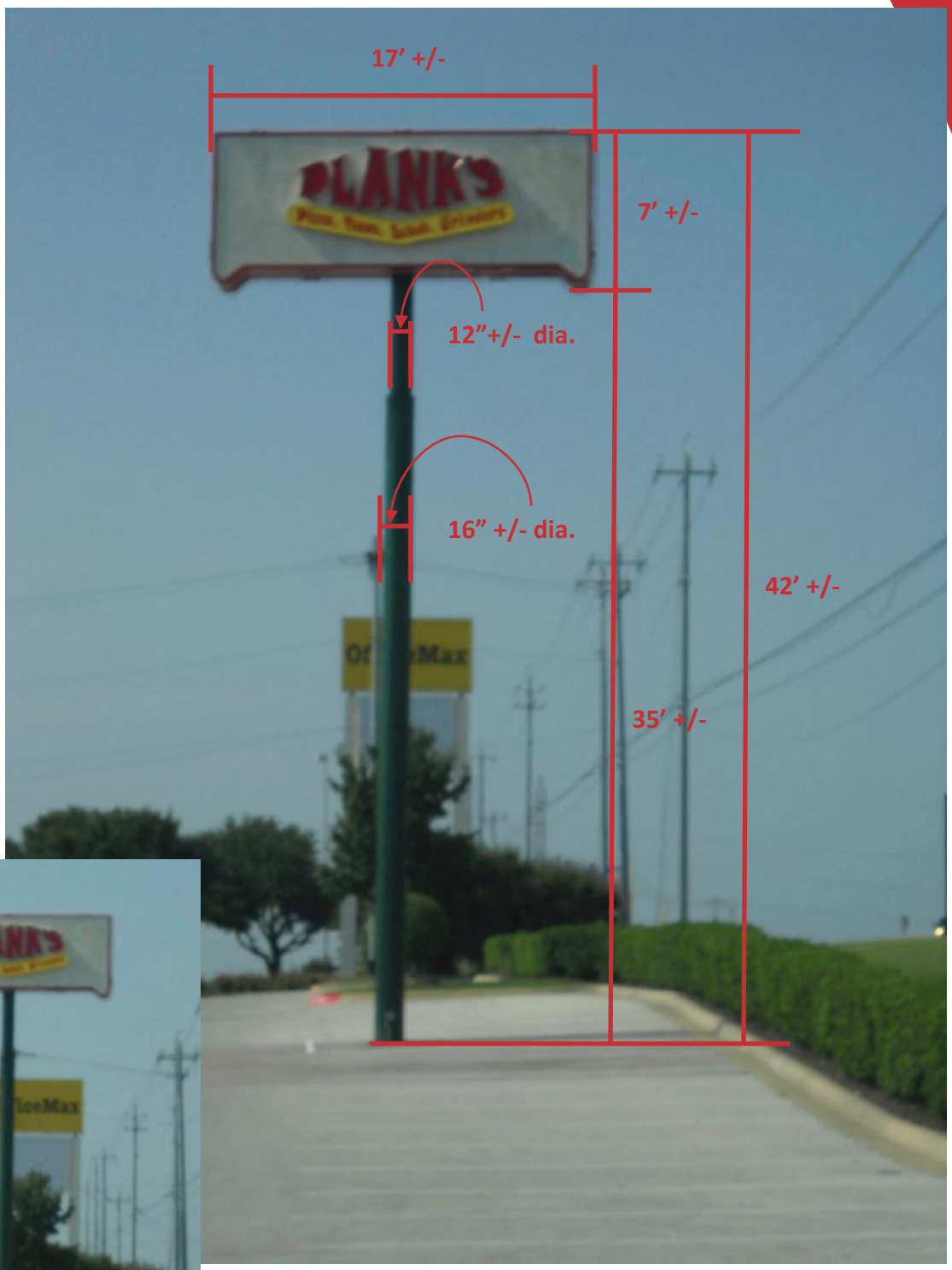
Multitenant pylon sign at shopping center where Chick-fil-A is located.

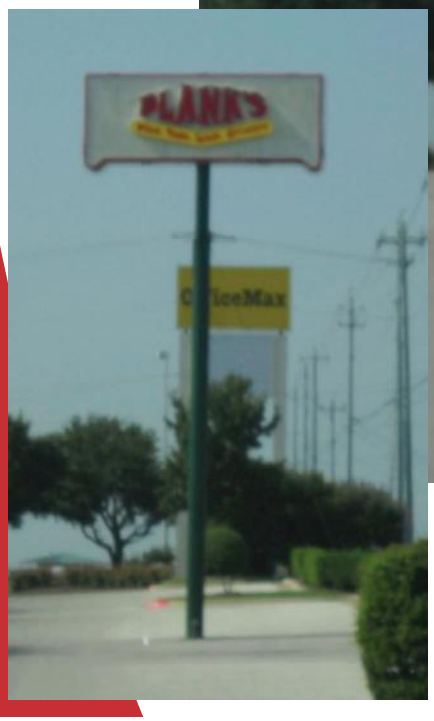


Other pylon signs in area



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.





B01/44

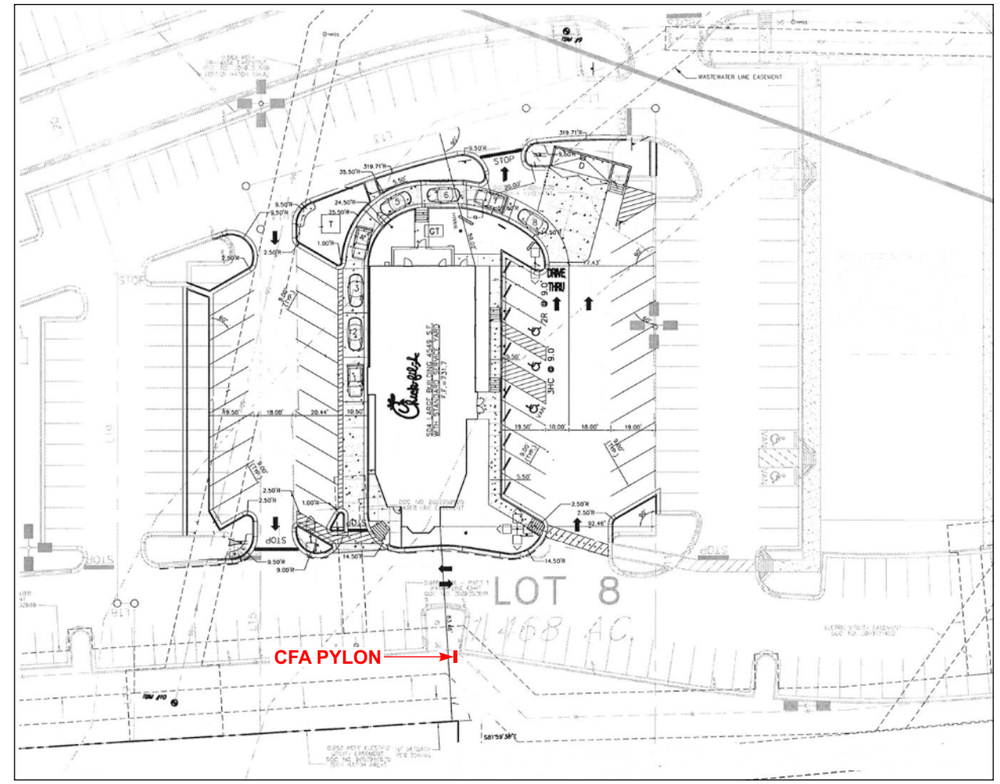
VICINITY MAP

N.T.S.

NORTH

AERIAL VIEW

N.T.S.



ARCHITECTURAL SITE PLAN

SCALE: 1/64" = 1'-0"

NORTH

KRISTEN HAMILTON - 678-725-8852
KHamilton@chandlersigns.com

SCARLETT QUINTERO - 210-349-3804
SQuintero3@chandlersigns.com

Design #	0615746AR3
Sheet	1 of 4
Location	#1720
Address	12901 I-35 N SERVICE RD. BLDG 14 AUSTIN, TX. 78753
Acct. Rep.	KRISTEN HAMILTON
Coordinator	SCARLETT QUINTERO
Designer	JULIA ESTRADA
Date	05/16/17

Approval / Date	
Date	
Sales	
Estimating	
Art	
Engineering	
Landlord	

Revision / Date

R1(06-05-17)JE: UPDATED PYLON O.A.H. TO 42". ADDED ADDITIONAL PROPOSED PHOTOS TO SHOW LIMITED VISIBILITY.

R2(12-11-17)JE: ADDED SITE PLAN TO ART.

R3(12-28-17)JE: MOVED PYLON LOCATION. CHANGED CABINET SIZE TO 11' MAKING IT 121 SQ. FT.

Chandler Signs
Brand Image Begins Here.

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3201 Manor Way, Dallas, TX 75235, 214-902-2000, Fax 214-902-2044
17319 San Pedro, Ste 200, San Antonio, TX 78232, 210-349-3804, Fax 210-349-8724
963 Baxter Avenue, Ste 200, Louisville, KY 40204, 502-479-3075, Fax 502-412-0013
2584 Sand Hill Point Circle, Davenport, FL 33837, 863-420-1100, Fax 863-424-1160
37 Waterfront Park Court, Dawsonville, GA 30534, 800-851-7062, Fax 210-349-8724
P.O. Box 125 206 Doral Drive, Portland, TX 78374, 361-563-5599, Fax 361-643-6533
3220 Executive Ridge Drive, Ste 250, Vista, CA 92081, 760-734-1708, Fax 760-734-3752

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL BEAR UL LABEL(S).

FINAL ELECTRICAL CONNECTION BY CUSTOMER

Chick-fil-A

AERIAL VIEW

B01/45

A REMOVE D/F CFA PYLON

N.T.S.

ONE (1) ITEM TO BE REMOVED

REMOVE AND DISCARD EXISTING D/F CFA PYLON AND CONCRETE FOOTER AS REQUIRED.

RE-USE EXISTING ELECTRICAL FOR NEW CFA PYLON.

Design #
0615746AR3

Sheet 2 of 4

Location
#1720

Address
12901 I-35 N SERVICE RD. BLDG 14
AUSTIN, TX.
78753

Acct. Rep. KRISTEN HAMILTON
Coordinator SCARLETT QUINTERO

Designer JULIA ESTRADA

Date 05/16/17

Approval / Date

Date	
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FINAL ELECTRICAL CONNECTION BY CUSTOMER

Chick-fil-A

A

B01/46

SPECIFICATIONS:

D/F MAIN ID CABINET
FABRICATED D/F ALUM. CABINET WITH SIGNCOMP RETRO FLAT BLEED FRAME AND COVER, WITH .063" ALUM. FILLER, PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS.

INTERNALLY ILLUMINATED WITH T-8/CW VOLTARC TRILIGHT MAX LAMPS, SPACED EVENLY.

FLEX FACES
WHITE BLEED 3M PANOGRAPHIC FLEX FACES DECORATED WITH 3M #3630-53 TRANSLUCENT CARDINAL RED VINYL APPLIED FIRST SURFACE.
WHITE SHOW THRU GRAPHICS.

PAINT INTERIOR OF CABINETS MATTE WHITE.

POLE SUPPORT
STEEL POLES, PAINTED DARK BRONZE, WITH MATCH PLATES.
ONE (1) 3'-6" DIA. x 9'-9" DEEP CONCRETE SUPPORT PIER REQUIRED.

WEATHERPROOF POWER BOX PROVIDED and INSTALLED by CUSTOMER.
PRIMARY ELECTRICAL by G.C.

NOTE:
STEEL AND FOUNDATION FOR SIGN TO BE DETERMINED BASED ON SITE-SPECIFIC BASIS, LOCAL SOIL CONDITIONS AND WIND-LOAD REQUIREMENTS.

B D/F PYLON SIGN

SCALE: 3/16" = 1'-0"

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

121 SQ. FT.

Design #
0615746AR3

Sheet 3 of 4

Location
#1720

Address
12901 I-35 N SERVICE RD. BLDG 14
AUSTIN, TX.
78753

Acct. Rep. KRISTEN HAMILTON
Coordinator SCARLETT QUINTERO

Designer JULIA ESTRADA

Date 05/16/17

Approval / Date

Date	
Sales	
Estimating	
Art	
Engineering	
Landlord	

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FINAL ELECTRICAL CONNECTION BY CUSTOMER

Chick-fil-A

B

B01/47

LARGE HILL LIMITS VISIBILITY

CFA D/F PYLON (AFTER)

N.T.S.

Design #
0615746AR3
Sheet 4 of 4
Location
#1720
Address
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Acct. Rep. KRISTEN HAMILTON Coordinator SCARLETT QUINTERO
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FINAL ELECTRICAL CONNECTION BY CUSTOMER

Chick-fil-A

PHOTOS

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

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
SIGN VARIANCE

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 requeste 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

N

SUBJECT TRACT

ZONING BOUNDARY

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

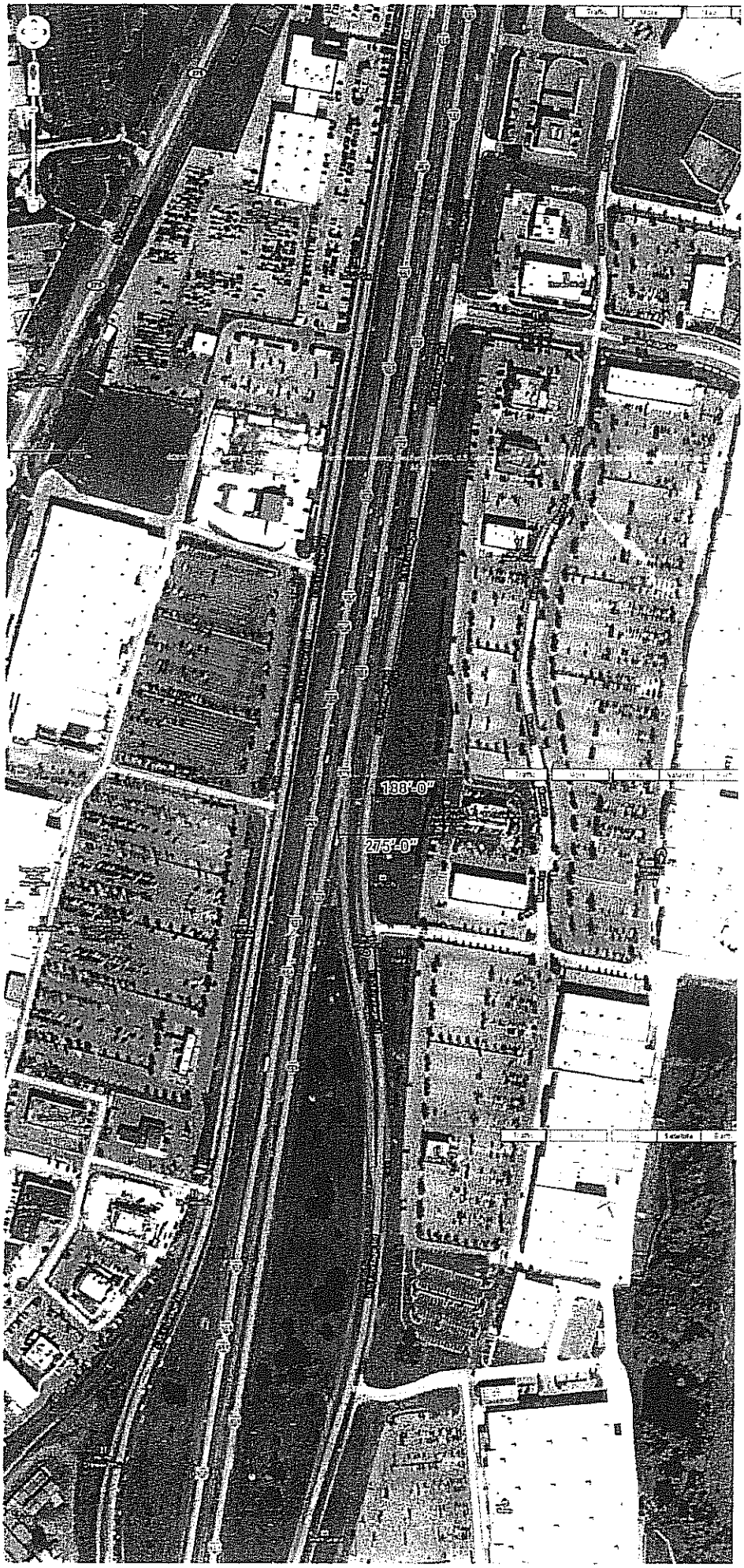
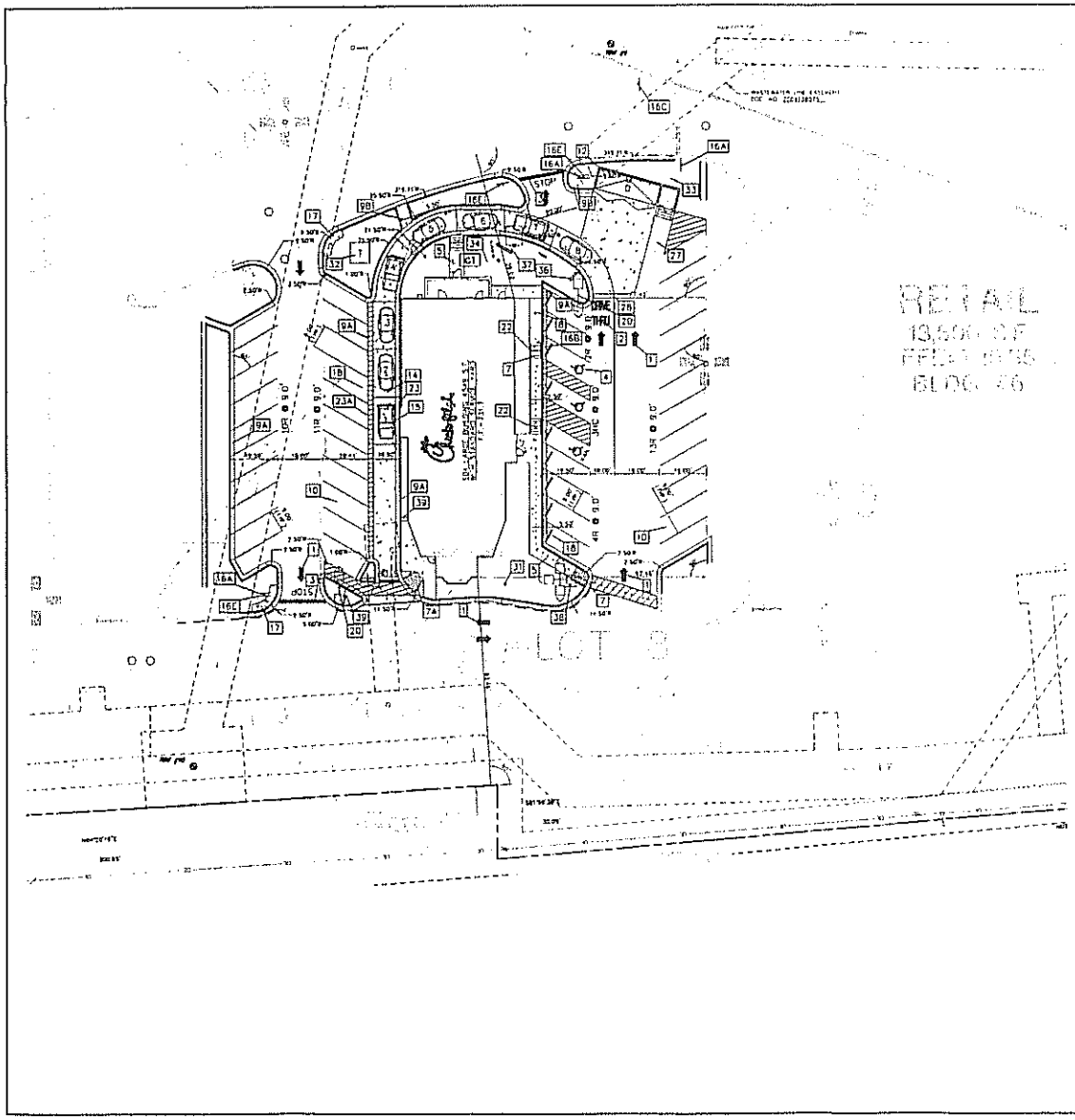


Exhibit B

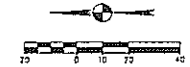
Reference with Variance Request for Chick-fil-A at I-35 and Parmer Ln.

Restaurant	Sign Setback From Frontage Rd	Sign Setback From 1st Lane of North Bound I-35	Distance from 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



SITE PLAN DESIGN NOTES & KEY PLAN

- 1 DIRECTIONAL ARROW
- 2 DRIVE-THRU DRIVEWAY
- 3 STOP LINE DRAWING
- 4 PAINTED HANDICAP PARKING STRIPES
- 5 CONCRETE SIDEWALK
- 6 CURBED HANDICAP RAMP
- 7 SIDEWALK HANDICAP RAMP
- 7A HANDICAP RAMP W/ FLARED SIDES
- 8 SIDEWALK WITH CURB & GUTTER
- 9 24" CONCRETE CURB AND GUTTER
- 9A SPILLING SECTION
- 9B EXPOSING SECTION
- 10 STANDARD PARKING STALL (9'x18')
- 11 REFUSE ENCLOSURE FOUNDATION (NOT USED)
- 12 REFUSE ENCLOSURE W/ DRAINAGE
- 13 REFUSE ENCLOSURE FOUNDATION (N/T) (NOT USED)
- 14 DRIVE THRU PLAN
- 15 DRIVE-THRU ISOMETRIC
- 16 DIRECTIONAL SIGNAGE
  - ALL SIGNS SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE U.S. DEPARTMENT OF TRANSPORTATION.
- 16A STOP SIGN
- 16B HANDICAP SIGN
- 16C "CIRCLE BUILDING FOR DRIVE THRU SERVICE"
- 16D "FRONT PLANE ONLY" SIGN (NOT USED)
- 16E "ONE WAY" SIGN (USE APPLICABLE SPECIFICS)
- 17 LANDSCAPE & IRRIGATION PROTECTION
- 18 CONCRETE WHEEL STOP
- 19 SERVICE LINE DRAWING
- 20 TYPICAL LIGHT POLE BASE
- 21 HANDICAP DIRECTION
  - (NOT USED ON SITE'S WHERE DRIVEWAY IS ADJACENT BUILDING)
- 22 TYPICAL ADA RAMP AND HANDICAP
- 23 BIKE BARRIER POST
- 23A AUTOMOBILE PARKING BARRIER POST
- 24 TYPICAL PAVEMENT SECTION
- 25 TRANSVERSE & LONGITUDINAL CONTRACTION JOINT (SEE SHEET C-1.0)
- 26 TRANSVERSE & LONGITUDINAL SCRATCH COAT JOINT (SEE SHEET C-1.0)
- 27 CONCRETE APRON & TRASH ENCLOSURE
- 28 CONCRETE PAVING @ DRIVE THRU LANE
- 29 EXPANSION JOINT (SEE SHEET C-1.0)
- 30 CONTRACTION JOINT (SEE SHEET C-1.0)
- 31 FLAGPOLE
  - ICE SLINGS 30 FEET FLAG POLE PACKAGE, BY APPROVED VENDORS. USE FLAG COMPRISED OF ALLIED FLAGS.
- 32 TRANSFORMER
- 33 REFUSE/DUMPSTER BUILDING (SEE ARCHITECT PLANS)
- 34 GREASE TRAP
- 35 CHECK-FILL-A "DRIVE SIGN
- 36 PRE-SELL MENUBOARD
- 37 MENU BOARD & LANGUE ORDERING STATION
- 38 CHECK-FILL-A "STOP" SIGN
- 39 CHECK-FILL-A "EXIT" SIGN



LEGEND

EXISTING	PROPOSED	
B		PROPERTY LINE & LINE
F		FENCE POST
F		FENCE POST
G		GAS SERVICE
G		GAS VALVE
G		GAS METER
G		GAS MARKER
H		HYDRANT
H		WATER VALVE
H		WATER METER
H		WATER MARKER
T		TELEPHONE PEDESTAL
T		CABLE TV PEDESTAL
T		ELECTRIC BOX
T		ELECTRIC METER
T		GAS METER
T		GAS VALVE
T		TRAFFIC CONTROL BOX
T		TRAFFIC SIGNAL POLE
T		GRATE INLET
T		CURB INLET (TYPE UNKNOWN)
T		MAIL BOXES
T		UNKNOWN ELECTRIC
		EXISTING WATER VALVE (NOT SHOWN)
		EXISTING WATER VALVE (NOT SHOWN)
		MAIN CONDUITS
		CURB & GUTTER
		FIRE LANE DESIGNATION
		PARKING AT ANGLE POINT
		SIGNAGE W/ ARROWS
		SIGN
		INSPECTION
		WALKWAY
		PARKING EQUAL PATTERN (W SPACES)
		PARKING EQUAL PATTERN (# SPACES)
		HANDICAP SPACE
		LIGHT POLES

NOTES

1. ALL ON-SITE CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CITY OF AUSTIN SPECIFICATIONS.
2. ALL CONSTRUCTION IN CITY STREET OR WAYS AND/OR EASEMENTS SHALL BE IN ACCORDANCE WITH CITY STANDARD SPECIFICATIONS.
3. ALL ON-SITE CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY STANDARD SPECIFICATIONS.
4. PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL HAVE OBTAINED ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED AND CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS REVIEWED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER INFORMATION AS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
5. THE CONTRACTOR SHALL GIVE THE CITY A MINIMUM OF 48 HOURS NOTICE BEFORE BEGINNING EACH PHASE OF CONSTRUCTION.
6. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES DURING THE CONSTRUCTION OF THIS PROJECT.
7. IF CONTRACTOR CAUSES A BREAKDOWN WITH THE TCP OR OTHER OPERATIONS, THE PARTIES WHICH THE TCP SHALL CONTACT THE CONSTRUCTION MANAGER/SUPERVISOR IMMEDIATELY.
8. CONTRACTOR SHALL PROPERLY ALL DEBRIS/WASTE AND PROPERLY DISPOSE/REMOVE AND THEY SHALL NOT BE REUSE, AS THE CASE OFTEN, DEBRIS/WASTE AND DISPOSE/REMOVE DEBRIS/WASTE PRIOR TO CONSTRUCTION.
9. IF CONTRACTOR REQUESTS THE USE OF A DEBRIS/WASTE, THE WRITTEN REQUEST OF THE DEBRIS/WASTE SHALL BE SENT TO A TRIBUNAL OF TYPE 77.
10. ALL DEBRIS/WASTE WITHIN AND TO EXTS OF CURB RAMP, OR ON DRIVEWAY AREAS.
11. REFER TO ARCHITECTURAL PLANS FOR DETAILED BUILDING DIMENSIONS.
12. EACH STANDARD PARKING SPACE/AREA SHALL BE MARKED "SMALL CAR ONLY".
13. ALL EXISTING TREES ON THE SITE ARE TO BE PROTECTED BEYOND THE TREE PROTECTION FENCE DURING CONSTRUCTION.
14. ALL EXISTING PAVEMENT/SIDEWALKS ARE TO BE ON THE BACK OF THE CURB UNLESS OTHERWISE NOTED.
15. ALL DIMENSIONS TO CURBS ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.
16. WATER AND WASTEWATER SERVICE WILL BE PROVIDED BY THE CITY OF AUSTIN.
17. CURB AND GUTTER/SIDEWALK/ETC. WILL BE CONSTRUCTED WITH THE APPROPRIATE WIDTH AND MARKING.
18. CURB SPACES OR DRIVING AREAS NOT ADJACENT WITH PARKING SPACES MARKED WHITE TRAFFIC PAINT INDICATE DIRECTION OF TRAFFIC FLOW.

BENCHMARK LIST:

FROM THE SQUARE CUT AT CENTERLINE OF WALL, 11320 FEET SOUTH OF INTERSECTION OF CENTER RAMP LANE AND INTERSTATE HIGHWAY NO. 35, 1.5 FEET EAST OF EASTERN RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 35, 100 FEET NORTH AND 1.0 FEET EAST OF THE SOUTHWESTERN CORNER OF LOT 8, PARMER SOUTH SUBDIVISION.

ELEVATION = 1720

FROM THE SQUARE CUT AT CENTERLINE OF WALL, 11120 FEET SOUTH OF INTERSECTION OF CENTER RAMP LANE AND INTERSTATE HIGHWAY NO. 35, 1.5 FEET EAST OF THE EASTERN RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 35, 475 FEET EAST AND 130 FEET NORTH OF THE NORTHWESTERN CORNER OF LOT 8, PARMER SOUTH SUBDIVISION.

ELEVATION = 1723.50

THE LOCATION OF EXISTING UNDERGROUND AND OVERHEAD UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

Bury+Partners
Consulting Engineers and Surveyors
[illegible]

5700 Dallington Rd
Atlanta Georgia
30349-2998

Revisions:

Mark	Date	By

Mark	Date	By

Mark	Date	By

Seal

IH-35 AND PARMER LANE LOT 8, BLOCK "A"
AUSTIN, TEXAS

STORE
504-167
IH-35 AND
PARMER LANE
AUSTIN, TEXAS

SHEET TITLE
SITE PLAN

DWG EDITION
☐Preliminary
☐80% Submittal
☐For Construction

Job No: 861-11
Store: 1720
Date: 05/18/04
Drawn By: RH/BY
Checked By: JMC

SHEET
C-2.0

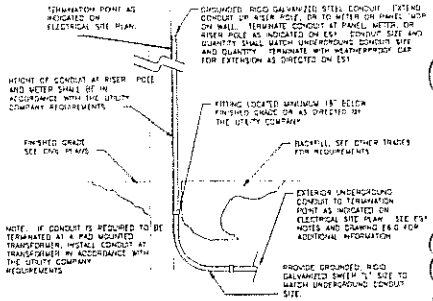
B01/53

ELECTRICAL SYMBOLS

SYMBOL	DESCRIPTION (UNLESS OTHERWISE NOTED ON PLANS)
T	UTILITY COMPANY TRANSFORMER, (208 VOLT 3 PHASE 4 WIRE SECONDARY)
	S P & T LIGHT SWITCH (SEAL AC QUIET TYPE)
GF	DUPLEX RECEPTACLE GROUND FAULT CIRCUIT INTERRUPTER
	CONDUIT HOMERUN TO PANEL
○	JUNCTION BOX (EXPOSE DANG STEEL WHERE WALL MOUNTED, 4"SQ STEEL WHERE CEILING MOUNTED, UNLESS NOTED OTHERWISE)
	CONDUIT BURIED BELOW GRADE
	POLE MOUNTED SITE LIGHTING FIXTURE

ELECTRICAL SITE NOTES:

1. APPROXIMATE LOCATION OF PRIMARY UNDERGROUND ELECTRICAL UTILITY LINES
2. APPROXIMATE LOCATION OF PAD MOUNTED TRANSFORMER FURNISHED BY ELECTRICAL UTILITY COMPANY. ELECTRICAL CONTRACTOR SHALL PROVIDE:
   a. PROVIDE TWO 4", SCH. 40 PVC CONDUITS TO UTILITY POLE FOR UTILITY PROVIDED PRIMARY CONDUCTORS, AT MINIMUM 30" BELOW FINISHED GRADE AND IN ACCORDANCE WITH UTILITY COMPANY REQUIREMENTS. COORDINATE ALL REQUIREMENTS WITH THE UTILITY COMPANY PRIOR TO BID.
   b. SECONDARY SERVICE LATERAL FROM SECONDARY OF UTILITY TRANSFORMER TO PANEL 'MDP' VIA THE CURRENT TRANSFORMER CABINET, SEE AS REQUIRED BY SHEET E-6.0, "SINGLE-LINE DIAGRAM". REFER TO "ELECTRICAL SERVICE LATERAL CONDUIT DETAIL", SHEET E-1.1 FOR ADDITIONAL INFORMATION
   c. CONCRETE PAD FOR UTILITY TRANSFORMER IN ACCORDANCE WITH UTILITY COMPANY REQUIREMENTS
   d. METERING CONDUIT, SEE NOTE 14
3. APPROXIMATE LOCATION OF TERMINATION OF SECONDARY SERVICE LATERAL AT PANEL 'MDP'. REFER TO "SINGLE-LINE DIAGRAM", SHEET E-6.0, FOR ADDITIONAL INFORMATION
4. PROVIDE TWO 3" SCH. 40 PVC CONDUIT, MINIMUM 24" BELOW FINISHED GRADE, FOR TELEPHONE SERVICE FROM TELEPHONE UTILITY POLE TO JUNCTION BOX IN MECHANICAL CLOSET. REFER TO SHEET E-2.0 FOR LOCATION OF JUNCTION BOX IN CLOSET. REFER TO "TELEPHONE SERVICE CONDUIT DETAIL", SHEET E-1.1 FOR ADDITIONAL INFORMATION. COORDINATE EXACT LOCATION OF UTILITY POLE WITH TELEPHONE UTILITY. TERMINATE CONDUITS AT UTILITY POLE AS REQUIRED BY THE UTILITY COMPANY.
5. LOCATION OF DUMPSTER. REFER TO "REFUSE ENCLOSURE PLAN - ELECTRICAL", SHEET E-3.0 FOR ELECTRICAL REQUIREMENTS IN THIS AREA
6. REFER TO SHEETS E-1.0 AND E-3.0 FOR ELECTRICAL REQUIREMENTS AT MENU BOARD, DRIVE THROUGH CANOPY, AND PREBELL MENU BOARD
7. REFER TO SHEETS E-7.0, E-7.1 & E-7.2.0 FOR ELECTRICAL SPECIFICATIONS PERTAINING TO ELECTRICAL WORK DESCRIBED ON THIS SHEET
8. REFER TO SHEET E1.1 FOR LIGHTING FIXTURE SCHEDULE.
9. PROVIDE UNDERGROUND CONDUIT TO JUNCTION BOX IN OFFICE FOR POLE MOUNTED SECURITY CAMERA. REFER TO SHEET E-2.0 FOR LOCATION OF JUNCTION BOX IN OFFICE AND REQUIRED SIZE OF CONDUIT. COORDINATE EXACT CAMERA LOCATION WITH OWNER'S REPRESENTATIVE PRIOR TO ROUGH-IN.
10. CONNECT SITE LIGHTING CIRCUITS TO TERMINAL BLOCKS LOCATED IN THE "D" & "E" CONTROL PANEL (TYPICAL). SEE PANEL SCHEDULES ON SHEETS E-6.1. COORDINATE LOCATIONS OF ALL SIGNS WITH OWNER'S REPRESENTATIVE PRIOR TO BID AND PRIOR TO CONDUIT INSTALLATION
11. CONNECT BITE SIGNAGE CIRCUITS TO TERMINAL BLOCKS LOCATED IN THE "D" & "E" CONTROL PANEL (TYPICAL). SEE PANEL SCHEDULES ON SHEETS E-6.1. COORDINATE LOCATIONS OF ALL SIGNS WITH OWNER'S REPRESENTATIVE PRIOR TO BID AND PRIOR TO CONDUIT INSTALLATION
12. PROVIDE GFCI TYPE WEATHERPROOF RECEPTACLE MOUNTED ON MAIN SIGN SUPPORT 48" A.F.G. THIS RECEPTACLE SHALL NOT BE SWITCHED VIA THE SITE SIGNAGE CONTACTOR OR SIGN DISCONNECT SWITCH.
13. PROVIDE WEATHERPROOF 20A SPST TOGGLE SWITCH 12" A.F.G. AND CONNECTION TO MAINTENANCE DISCONNECT SWITCH FOR MAIN ID SIGN
14. APPROXIMATE LOCATION OF BUILDING MOUNTED ELECTRICAL UTILITY METER. METER BASE AND CURRENT TRANSFORMER CABINET SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR. CONTRACTOR SHALL FURNISH AND INSTALL A 1" THK RIGID GALVANIZED CONDUIT BETWEEN METER BASE AND CURRENT TRANSFORMER COMPARTMENT. COORDINATE LOCATIONS AND REQUIREMENTS WITH ELECTRIC UTILITY COMPANY PRIOR TO BID
15. REFER TO BUILDING DRAWING E-4.0 FOR LAYOUT OF THE SERVICE YARD AREA. COORDINATE LOCATIONS OF ALL ITEMS AT THE SERVICE YARD AREA PRIOR TO ROUGH-IN OF ANY ITEMS INSTALLED ON OR NEAR THE SERVICE YARD. COORDINATE EXACT LOCATIONS OF SECURITY SYSTEM EQUIPMENT WITH OWNER'S REPRESENTATIVE PRIOR TO ROUGH-IN.



2 EXTERIOR CONDUIT TURN UP DETAIL
NO SCALE

GENERAL ELECTRICAL NOTES:

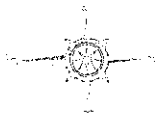
(APPLY TO SECTION 26)

1. VERIFY WITH LOCAL AUTHORITIES AND UTILITIES THAT OWNER'S SIGNS, POLES, AND THEIR APPURTENANCES ARE NOT LOCATED ON OR OVER ANY EASEMENT OR MUNICIPAL RIGHT OF WAY.
2. SITE WORK, UTILITY, AND ROADWAY INFORMATION ARE TAKEN FROM BOUNDARY AND TOPO SURVEY SITE PLANS. REFER TO C-DRAWINGS
3. MINIMUM CONDUIT SIZE SHALL BE 3/4"□. MINIMUM CONDUCTOR SIZE SHALL BE #12AWG COPPER UNLESS OTHERWISE NOTED
4. REFER TO BUILDING ELECTRICAL DRAWINGS (E SERIES) FOR EXTERIOR LIGHTING CONTROL.
5. FOR WORK UNDER THIS DIVISION, ELECTRICAL CONTRACTOR SHALL PROVIDE AND INSTALL ONLY NEW AND ALL LABELED ELECTRICAL EQUIPMENT, UNLESS INDICATED OTHERWISE BY THE CONTRACT DOCUMENTS.
6. FOR WORK UNDER THIS DIVISION, ELECTRICAL CONTRACTOR SHALL CONTACT ALL UTILITIES FOR VERIFICATION AND CERTIFICATION OF ALL UNDERGROUND RUNS, PRIOR TO SITE TRENCHING ("CALL BEFORE YOU DIG")
7. FOR WORK UNDER THIS DIVISION, ELECTRICAL CONTRACTOR SHALL PERFORM ALL WORK IN STRICT ACCORDANCE WITH THE CURRENT EDITION OF THE NATIONAL ELECTRIC CODE (NFPA 70), AND THE OFF SAFETY CODE (NFPA 101), AS ADOPTED AND/ OR AMENDED BY STATE AND LOCAL AUTHORITIES HAVING JURISDICTION
8. FOR WORK UNDER THIS DIVISION, ELECTRICAL CONTRACTOR SHALL COORDINATE AND FIELD VERIFY LOCATIONS OF ALL UTILITY SERVICE RUNS, ORIGINATIONS, TERMINATIONS AND ANY INSTALLATION REQUIREMENTS (i.e. ELECTRICAL, TELEPHONE, WATER, GAS, SEWAGE, ETC.) AS RELATED TO THIS JOB, ON THEIRS EFFECTED

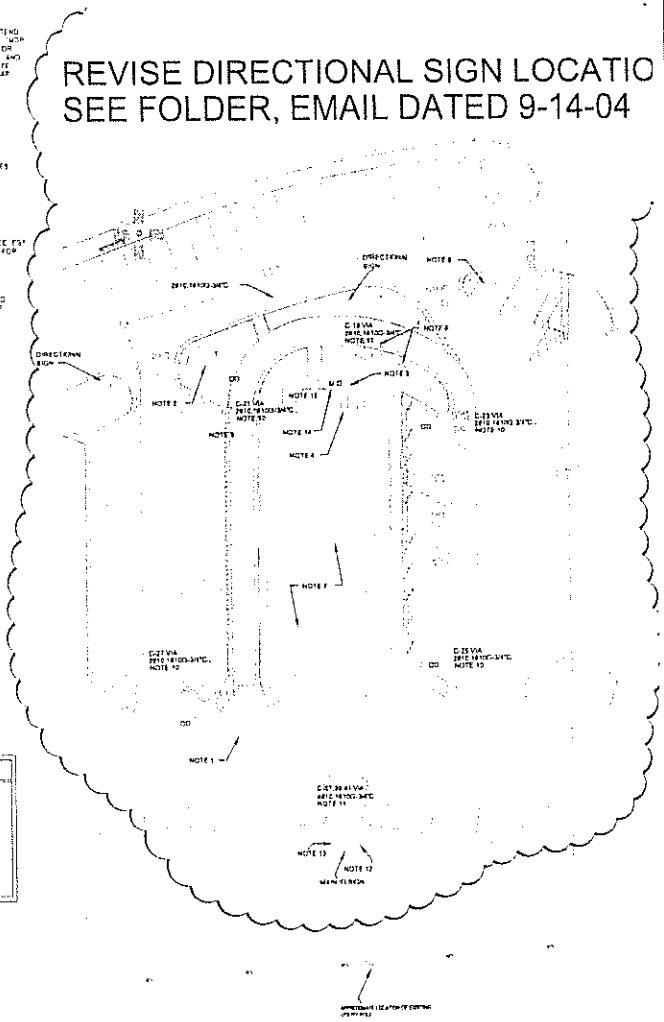
POWER/TELEPHONE UTILITIES

ELECTRICAL UTILITY

TELEPHONE UTILITY



1 ELECTRICAL SITE PLAN
SCALE: 1"=20'-0"



825 THIRD AVENUE SOUTH
Nashville, Tennessee 37210
Telephone: (615) 255-5253
Fax: (615) 255-5207
Email: mail@wycmake.com

SERIES 04-162
12901 N. IH 35
AUSTIN, TX

Electrical Site Plan

ES1.0

B01/54

City of Austin
Austin's Community-Owned Electric Utility www.austinenergy.com
Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

September 8, 2010

Abel Obregon
Austin, Texas
aobregon@chandlersigns.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,

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

Austin Energy has reviewed this plan for 12 90N-135 and approves/disapproves the variance requested by the Board of Adjustment. Any changes to this plan must be approved by Austin Energy.

AUSTIN ENERGY

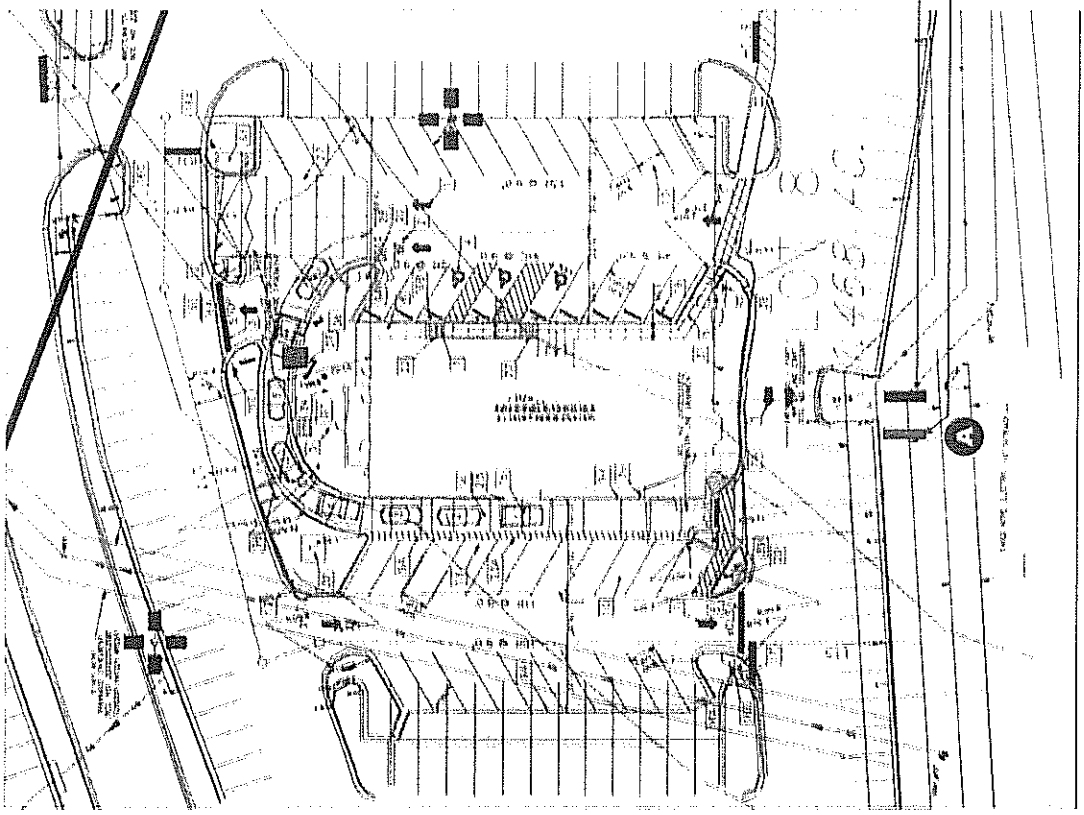
By: [signature]

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.

EXITING SIGN LOCATION

PROPOSED NEW LOCATION



Chief-Ell-Ac

Design # 10-1029

Sheet 1 of 3

Location

Address 12901 N. I-35 SERVICE RD & PALMER BUILDING 14 AUSTIN TX

Acct. Rep. KRISTEN RENFROE

Coordinator LEILI TOWNSEND

Designer I. HERRASTI

Date 7/20/10

Approval / Date

Client

Sales

Estimating

Art

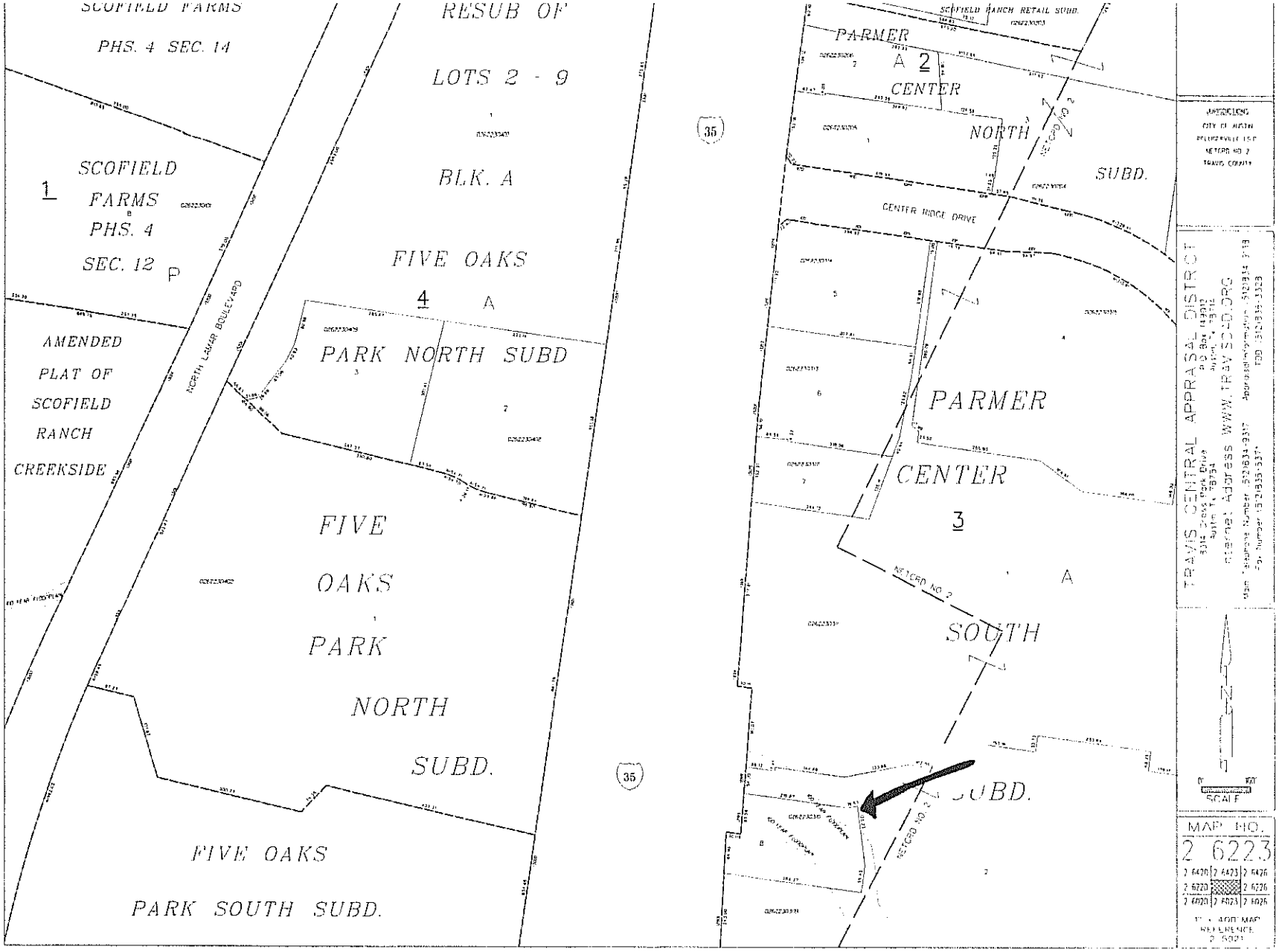
Engineering

Landlord

Revision / Date

Chandler Signs

FINAL ELECTRICAL CONNECTION BY CUSTOMER


SCOFIELD FARMS
PHS. 4 SEC. 14
RESUB OF
LOTS 2 - 9
BLK. A
FIVE OAKS
4
A
SCOFIELD
FARMS
PHS. 4
SEC. 12
1
P
AMENDED
PLAT OF
SCOFIELD
RANCH
CREEKSIDE
NORTH LAMAR BOULEVARD
PARK NORTH SUBD
FIVE
OAKS
PARK
NORTH
SUBD.
FIVE OAKS
PARK SOUTH SUBD.
35
35
SCOFIELD RANCH RETAIL SUBD.
PARMER
A 2
CENTER
NORTH
SUBD.
CENTER RIDGE DRIVE
PARMER
CENTER
3
A
SOUTH
SUBD.
MAP NO.
2 6223
TRAVIS CENTRAL APPRAISAL DISTRICT
SCALE

B01/57

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

DATE: October 11, 2010 **CASE NUMBER: C16-2010-0006**

____N___ Jeff Jack
____Y___ Michael Von Ohlen **Motion to GRANT**
____Y___ Nora Salinas
____Y___ Bryan King
____Y___ Leane Heldenfels, Chairman
____Y___ Clarke Hammond, Vice Chairman
____N___ Heidi Goebel
____Y____Cathy French **2nd the motion**

APPLICANT/OWNER: Trisha Regan

ADDRESS: 12901 IH 35 SVRD NB

VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum height of a freestanding sign requirement of Section 25-10-123 (B) (3) from 35 feet in height to 45 feet in height in order to erect a freestanding sign in a "CS-CO", Commercial Services – Conditional Overlay zoning district.

BOARD'S DECISION: Board Member Jeff Jack motion to Deny, Board Member Heidi Goebel second on a 2-6 vote (Board Members Von Ohlen, Salinas, Hawthorne, Heldenfels, Hammond, French nay), and Motion failed for lack of 5 affirmative votes.
The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Cathy French second on a 6-2 vote (Board Members Heidi, Jack nay); GRANTED

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: the sign setback from the frontage road and expressway inhibits the visibility of the sign at its present height, the property is located at the lowest point on this site

OR,

2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because: the property is in the lowest point on this site, other restaurant does not have the setback and topographic issues as illustrated in the exhibits.

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 topographic issues

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: chick-fil-a is at a disadvantage due to the setback and topographic impact

Susan Walker
Executive Liaison

Leane Heldenfels
Chairman