



NOTIFICATIONS

CASE#: C16-2018-0002
LOCATION: 507 W 23rd Street



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY



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.

1" = 174'

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: 507 W 23rd Street. Austin. TX 78705

Subdivision Legal Description:

Lots 13, 14, 15 of Horst's Subdivision of Outlot 34, Division D in the City of Austin Travis County, Texas according to the Map or Plat of record in Volume Z, P.594 and Volume Z, P. 613

Lot(s): 13, 14, 15 Block(s): _____

Outlot: 34 Division: D

Zoning District: GO-CO-MP and GO-MP (inner University Neighborhood Overlay Zoning District)

Sign District: University Neighborhood Overlay

I/We Edward Johnson on behalf of myself/ourselves as authorized agent for 23 Nueces, LLC affirm that on Month February, Day 13, Year 2018, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

Erect Attach Complete Remodel Other: _____

Maintain Type of Sign: Three building identity signs

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

Section 25-10-133 (F)

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 blade is the only part of the building above Level 1 where we could meet the requirements that a sign be "engraved, cut into the building surface, or otherwise inaid to become a part of the building." 100% of the building envelope is glass or non engravable materials, except for the blade on the North side of the building. The other two signs cannot meet the new requirement due to the materials on the exterior of the building. The only other location for a sign in compliance with 25-10-133 would be on the 1st floor behind City required landscaping with trees and not visible.

—OR—

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

These signs would not change the character of the neighborhood or impact neighboring properties because there are many other signs on neighboring buildings and buildings within UNO that are similar in nature. These signs would not create any new precedent or lead to the proliferation of anything new in the surrounding neighborhood and UNO zoning district.

—OR—

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

They are building identity signs conforming to neighborhood standards and they were in compliance with this Section of the Land Development Code at the time of SDP and Building Permit approval, both of which contemplated and approved the structure and power for these signs. A sign permit application could not have been submitted prior to this code change because sign permits expire after 6 months, which would be sooner than the readiness for installation.

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:

Planned new developments are able to design buildings and building signs in compliance with the new code changes. Notification of this code change was not provided prior to its public hearing and City Council adoption. The new restrictions we are seeking a variance from were not in the proposed sign revisions submitted by City staff to the City Council. Our project was caught midstream in the process after the design, permitting, and actual construction of the sign structure, building envelope, & power installations. This can be avoided in the future by others.

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: [Signature] Date: 02/13/2018

Applicant Name (typed or printed): Edward Johnson

Applicant Mailing Address: 2612 E. Cesar Chavez, Suite 111

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 563-8426

Email (optional – will be public information): [Redacted]

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: [Signature] Date: 02/13/2018

Owner Name (typed or printed): 23 Nueces, LLC - Edward Johnson

Owner Mailing Address: 2612 E. Cesar Chavez, Suite 111

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 563-8426

Email (optional – will be public information): [Redacted]

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____





February 26, 2018

City of Austin Board of Adjustment
City of Austin – Development Assistance Center
505 Barton Springs Road
Austin, Texas 78704

RE: Sign Variance Application for the Skyloft Student Housing Project at 507 West 23rd St., Austin, Texas

To The Board of Adjustment Members and Whom it May Concern:

Johnson Trube & Associates, LLC, the sole manager of 23 Nueces, LLC that is the ownership of the Skyloft student housing project located at 507 West 23rd Street, Austin, Texas, hereby requests a variance from City Code Section 25-10-133 (F) (*University Neighborhood Overlay Zoning District Signs*), which currently states that, “No sign may be placed above the second floor of a building, except for a non-electric sign that is engraved, cut into the building surface, or otherwise inlaid to become a part of the building.”

Prior to August, 2017, the same paragraph of this section of City Code stated only that, “A sign is prohibited above the second floor of a building, except for a sign that displays only the building name.” On August 17, 2017, The City Council adopted the new ordinance with the additional restrictions now contained in the current code.

Because of the timing of this change, a hardship has been placed on our project because we had previously designed and permitted the project based on the code at the time. As such, our project was designed to include three building identity signs above the second floor that contained the name of the building only: “Skyloft.” Each sign was designed to be placed on the surface of the building envelope and illuminated for visibility with LED lighting.

It is not the actual ordinance that imposes the hardship, but rather the timing of its adoption because our building had been previously designed and permitted for a building construction type that possesses unique physical features that do not allow compliance with the new code. As permitted, and now constructed, one hundred percent (100%) of our building envelope cannot accommodate engraving. Although we knew that a specific sign permit would be required prior to installation, our building contemplated requesting this permit within City Code at the time, and was therefore designed and permitted for the necessary structural and electrical power components to install signs that would have been in perfect compliance with the Code and sign permitting requirements prior to the change.

We respectfully submit to The Board that this hardship was not self-created. We had no prior knowledge of a change in code that would occur many months after our building was designed, and now subsequent to the code change, we have no ability to re-design and change our building construction and building signage plans. We believe this hardship is unique to our property in that projects being designed after the code change and all future projects can be designed to be in compliance with the current code.



Although our property is not undevelopable because of the change in sign requirements, we do believe that the new requirements prohibit a reasonable and significant use of our project, which is the ability to display our building identity, our building location, and wayfinding assistance.

We also respectfully submit to The Board that authorization of this variance would not alter the character of the area adjacent to the property and the surrounding areas, nor would it in any way impair the use of adjacent properties or properties in the surrounding areas. Currently, the "West Campus" area, specifically the area within the University Neighborhood Overlay, contains numerous properties with similar building identity signs, including illuminated electric signs. Allowing this variance would not establish any new precedent, cause the proliferation of any new elements not already a part of the neighborhood character, or exemplify anything unique or inconsistent with the neighborhood character.

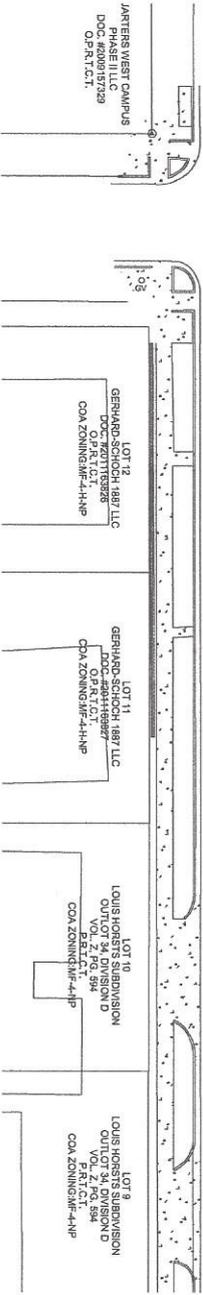
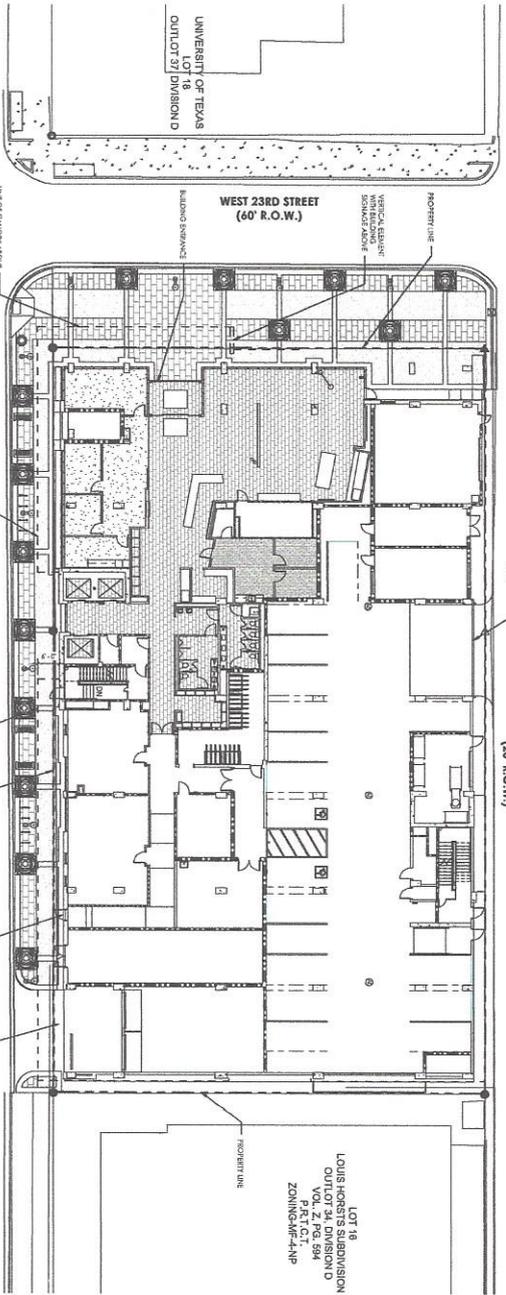
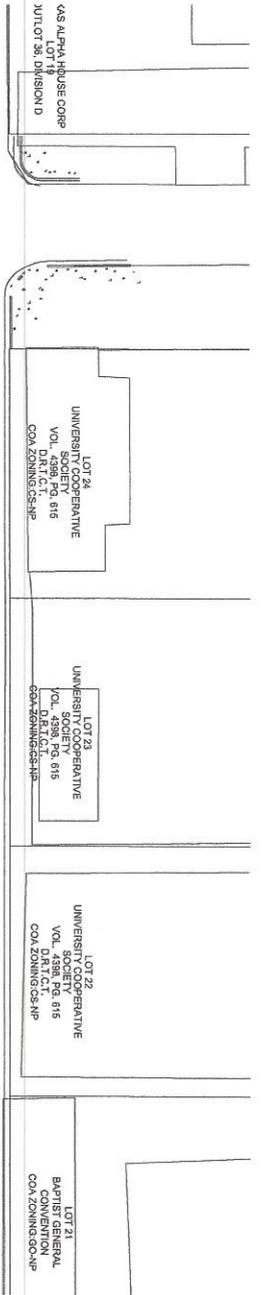
The sign code previously in effect for many years, to our knowledge, has not given rise to any complaints and has been enjoyed by the neighborhood, its property owners, its occupants, and its visitors. We have had the support of the neighborhood throughout this project and we continue to have that support today. Evidence of this support is contained in our application package to The Board.

We respectfully submit this request for a variance, and the unique nature of our situation, for your consideration. We appreciate your time and your careful and thoughtful review.

Sincerely,

A handwritten signature in blue ink, appearing to read "Edward Johnson". The signature is stylized and cursive.

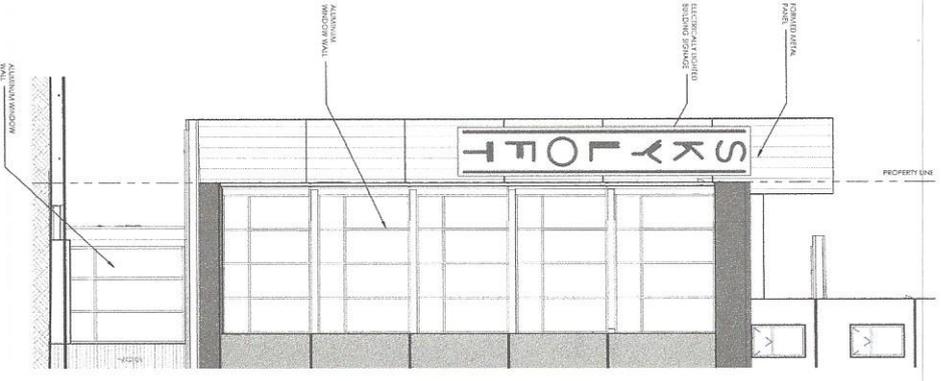
Edward Johnson, Manager
Skyloft



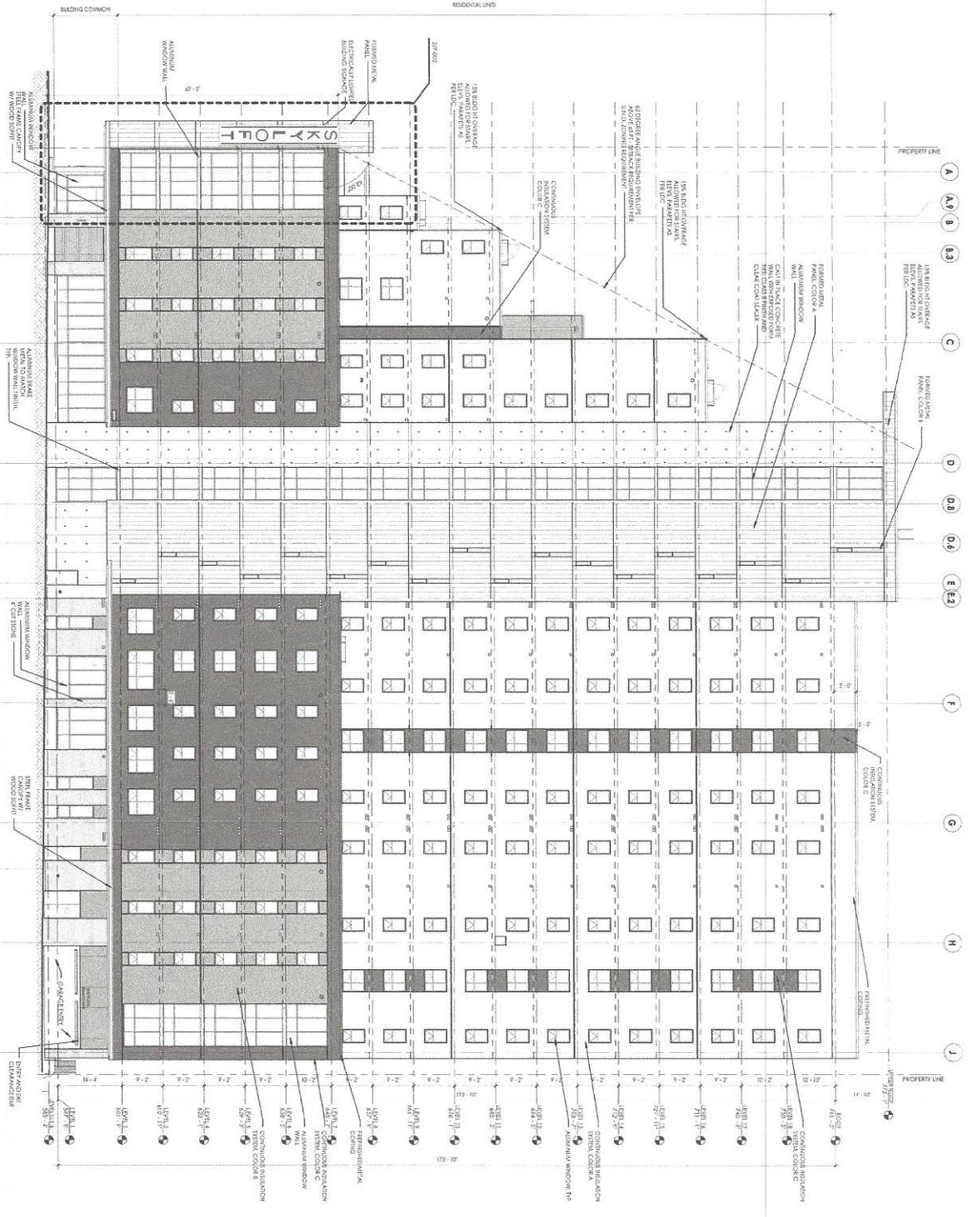
1 SITE REFERENCE PLAN
1/16" = 1'-0"

Not for regulatory approval, permitting, or construction.
Supplemental to the main plan.





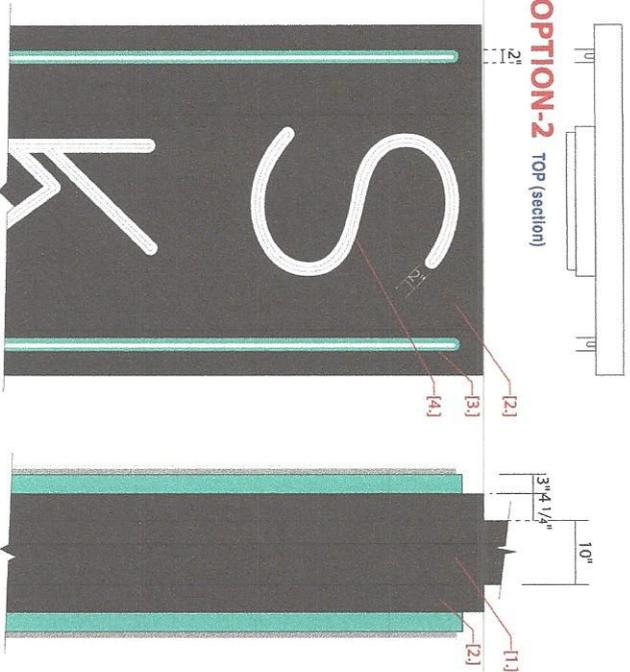
2
WEST ELEVATION - Callout 2
3/16" = 1'-0"



1
WEST ELEVATION
3/32" = 1'-0"

NOT for regulatory approval, permitting or construction.
Requires stamped seal from SEA

OPTION-2 TOP (section)



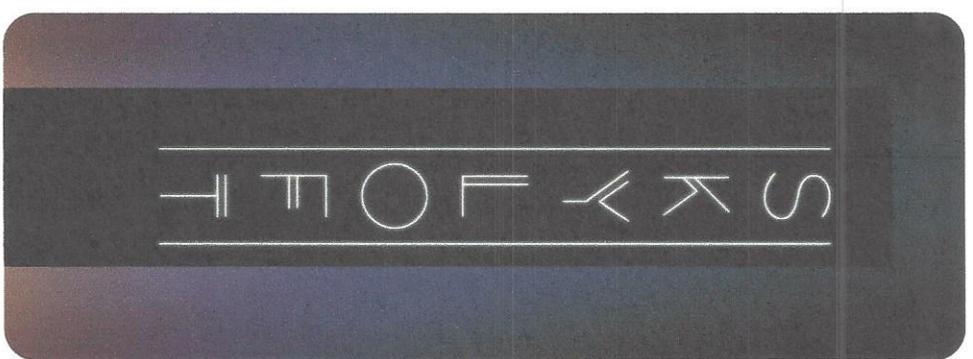
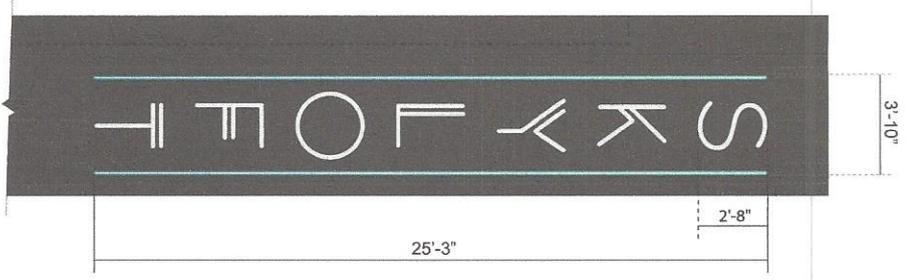
END

- [1.] BLDG. STRUCTURE
- [2.] BACKER CABINET
- FACE TYPE: .125 ALUM. PAINTED P2.
- FILLER: ALUM. PAINTED P2.
- [3.] (VERTICAL BARS) OPEN FACE CHANNEL.
- INTERIOR: ALUM. PAINTED P3.
- EXTERIOR: ALUM. PAINTED P3.
- ILLUMINATION: WHITE PLEXINEON.
- <https://googl/dav5sh>
- MOUNTING: FLUSH TO WALL.
- [4.] DIMENSIONAL LETTER "SKYLOFT™"
- FACE TYPE: .125 ALUM. PAINTED P1.
- RETURNS: ALUM. PAINTED P1.
- ILLUMINATION: WHITE PLEXINEON.
- <https://googl/dav5sh>
- MOUNTING: FLUSH TO WALL.

1b DIMENSIONAL LETTERS WITH LED
SCALE: 3/4" = 1'-0"

QTY = 2

1b OVERALL SIGN ELEVATION (EAST)
SCALE: 1/4" = 1'-0"



NIGHT

SWIFT

23 Nuaces
Austin, TX 78748

JOB INFORMATION

NUMBER: 814-SPEC3
SALES REP.: DENISE

DESIGNER: GING

CLIENT APPROVAL

DATE:

X

[P1]

[P2]

[P3]

MAP/NAME: PMS Black / PMS 772
BRIDGE/DX: Bridgton Dk
(Bronze)

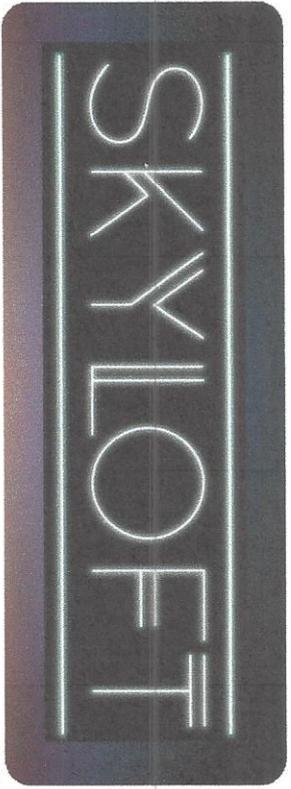
Always in this document are considered only as a visual representation of the actual size and specified materials. Real world materials and finishes may vary from the visual representation.

Note: For proposed electrical signs, the sign is intended to be installed in accordance with the applicable electrical code and other applicable local codes. This includes proper grounding and bonding.

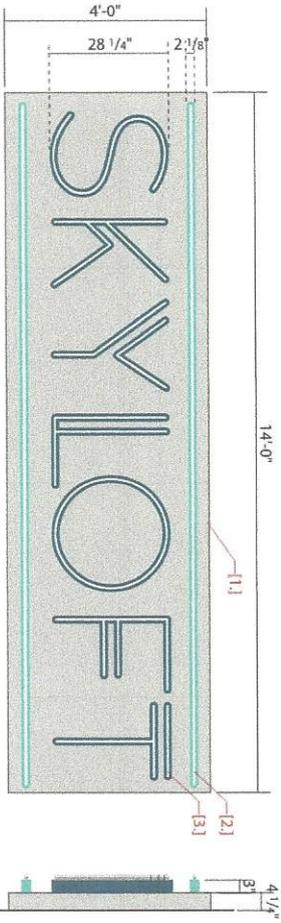


1733 Dugan Lane
Austin, TX 78754
info@csign.com
www.csign.com





NIGHT

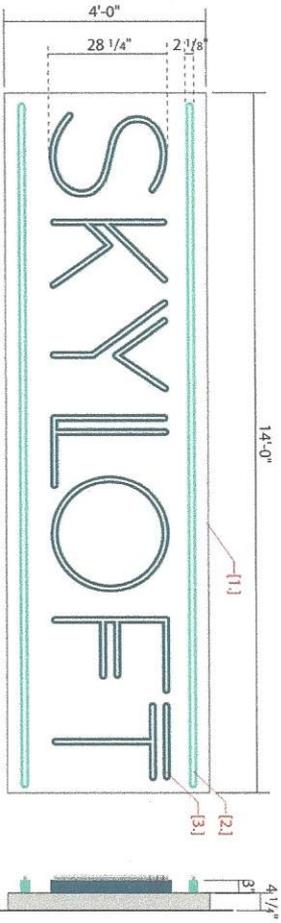


2b WALL SIGN
SCALE: 1/2" = 1'-0"

QTY = 1

END

- [1.] **BACKER CABINET**
FACE TYPE: ALUM. PAINTED P2
RETURNS: ALUM. PAINTED P2
- [2.] **(HORIZONTAL BARS) OPEN FACE CHANNEL**
INTERIOR: ALUM. PAINTED P3
EXTERIOR: ALUM. PAINTED P3
ILLUMINATION: WHITE FLEXNEON,
<https://go.gladw5bh>
MOUNTING: FLUSH TO WALL
- [3.] **DIMENSIONAL LETTER**
FACE TYPE: .125 ALUM. PAINTED P1
RETURNS: ALUM. PAINTED P1
ILLUMINATION: WHITE FLEXNEON,
<https://go.gladw5bh>
MOUNTING: FLUSH TO WALL



3b WALL SIGN
SCALE: 1/2" = 1'-0"

QTY = 1

END

- [1.] **BACKER CABINET**
FACE TYPE: ALUM. PAINTED P4
RETURNS: ALUM. PAINTED P4
- [2.] **(HORIZONTAL BARS) OPEN FACE CHANNEL**
INTERIOR: ALUM. PAINTED P3
EXTERIOR: ALUM. PAINTED P3
ILLUMINATION: WHITE FLEXNEON,
<https://go.gladw5bh>
MOUNTING: FLUSH TO WALL
- [3.] **DIMENSIONAL LETTER**
FACE TYPE: .125 ALUM. PAINTED P1
RETURNS: ALUM. PAINTED P1
ILLUMINATION: WHITE FLEXNEON,
<https://go.gladw5bh>
MOUNTING: FLUSH TO WALL

SIGNOFF
23 Nuances
Austin, TX 78748

JOB INFORMATION

NUMBER: S514-SPEC3
SALES REP.: DENNISE
DESIGNER: O&G

CLIENT APPROVAL

DATE:

X

P1	P2	P3
MP 35342 COC, PARISH SALIN	MP 35343 COC, PARISH CHRY T.B.D.	PUS 3472

P4
MP 35343
COC, PARISH
SALIN
7023 Tobe
Wend Redo

Attention: In this document, we considered only the most common and standard materials and sizes specified. That we did not mention and size specification was precedence over any visual representation.

Note: We request approval from the client to proceed to be installed in accordance with the requirement of safety sign of the national electrical code under other applicable local codes. This includes proper grounding and bonding.

1703 Bryant Lane
Austin, TX 78754
512.374.1800
www.cscsign.com

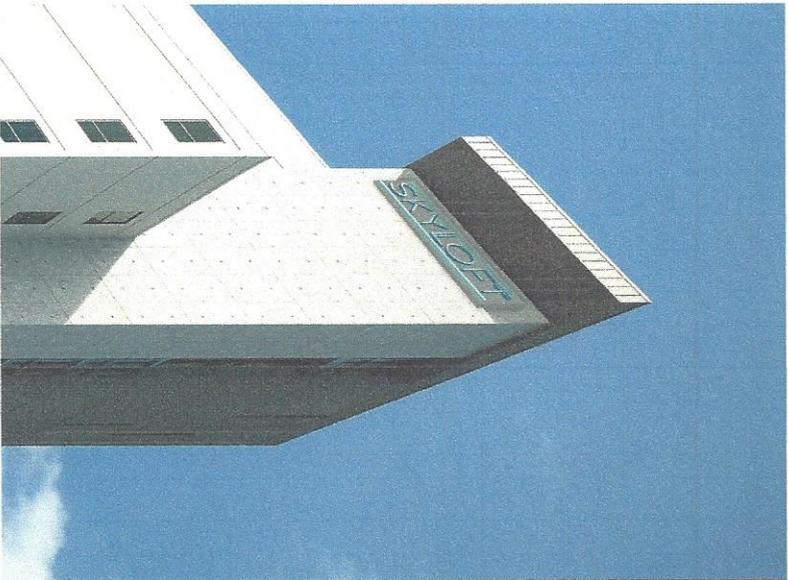
CSC SIGN

UL LISTED



1 NORTHWEST PERSPECTIVE
3/8" = 1'-0"

180 regulatory approval, permitting & construction.
180 construction & commissioning.



2 NORTHWEST PERSPECTIVE - ENLARGED
3/8" = 1'-0"

23 Nuces
02/14/18 PERSPECTIVE



1 SOUTHEAST PERSPECTIVE
1/2" = 10'

NOT FOR CONSTRUCTION. GENERAL PERMITTING OR CONSTRUCTION.
KAPLAN+SHAW.COM/SKYLIFT



2 SOUTHEAST PERSPECTIVE - ENLARGED
1/2" = 10'