

From: [REDACTED]
Subject: C16-2018-0008/E. 414 Martin Luther King Jr Blvd
Date: Thursday, March 29, 2018 2:55:50 PM

Hi Leane,

We would like to request a one month postponement of case C16-2018-0008 (414 E Martin Luther King Jr Blvd) at the Board of Adjustment to May 14, 2018.

Thank you,
Lynn Ann

<p>Lynn Ann Carley, P.E. Senior Land Development Consultant Armbrust & Brown, PLLC 100 Congress Avenue, Suite 1300 Austin, Texas 78701-2744 (512) 435-2317 - Direct (512) 435-2360 - Facsimile [REDACTED] [REDACTED]</p>	 <p>The logo for Armbrust & Brown PLLC features a teal parallelogram above the company name. The name 'Armbrust & Brown' is in a bold, sans-serif font, with 'PLLC' in a smaller font to the right. A thin yellow horizontal line is positioned below the company name.</p>
---	--

THE INFORMATION CONTAINED IN THIS E-MAIL MESSAGE IS CONFIDENTIAL AND IS INTENDED ONLY FOR THE NAMED ADDRESSEE(S). THIS MESSAGE MAY BE PROTECTED BY ATTORNEY/CLIENT PRIVILEGE. IF THE READER OF THIS E-MAIL MESSAGE IS NOT AN INTENDED RECIPIENT (OR THE INDIVIDUAL RESPONSIBLE FOR THE DELIVERY OF THIS E-MAIL MESSAGE TO AN INTENDED RECIPIENT), BE ADVISED THAT ANY REUSE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS E-MAIL MESSAGE IS PROHIBITED. IF YOU HAVE RECEIVED THIS E-MAIL MESSAGE IN ERROR, PLEASE NOTIFY THE SENDER AND DELETE THE MESSAGE. THANK YOU.



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C16-2018-0003

LOCATION: 414 W MLK & 1901,1903 San Antonio St.

1" = 167'

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.





CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking 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. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

For Office Use Only

Case # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 414 Martin Luther King Jr Boulevard, 1901, 1903, and 1905 San Antonio Street

Subdivision Legal Description:

Louis Horsts Subdivision, Volume Z, Page 594 deed records of Travis County, Texas

Lot(s): 35, 36, and 37 Block(s): _____

Outlot: 22 Division: D

Zoning District: CS-NP and GR-NP, within the University Neighborhood Overlay District (UNO)

I/We Richard T. Suttle, Jr with Armbrust & Brown, PLLC on behalf of myself/ourselves as authorized agent for Washoe Company affirm that on Month March, Day 9, Year 2018, 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 Structure: signs

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

- 1) Section 25-10-133(F) to allow signs above the second floor of the building to be affixed and electrical; and
- 2) Section 25-10-133(G)(2) to allow three projecting signs to exceed 35 square feet in size.

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. 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.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

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

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because;

See attached.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

See attached.

b) The hardship is not general to the area in which the property is located because:

See attached.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

See attached.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

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: 7.10.2015

Applicant Name (typed or printed): White Lodging Services Corporation

Applicant Mailing Address: 701 East 83rd Avenue

City: Merrillville State: IN Zip: 46410

Phone (will be public information): (219) 472-2900

Email (optional – will be public information): _____

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: 3-10-2014

Owner Name (typed or printed): Washoe Company

Owner Mailing Address: P.O. Box 988 2086

City: ~~Pene~~ Austin State: ~~NV~~ TX Zip: ~~89504~~ 78769

Phone (will be public information): (512) 435-2300 512 478 0885 x-216

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Richard T. Suttle, Jr. Ambrust & Brown, PLLC

Agent Mailing Address: 100 Congress Avenue, Suite 1300

City: Austin State: TX Zip: 78701

Phone (will be public information): (512) 435-2300

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

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

**SECTION 2: VARIANCE FINDINGS FOR 414 MARTIN LUTHER KING JR BLVD,
1901, 1903, AND 1905 SAN ANTONION STREET**

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

- 1) Section 25-10-133(F) of the signage regulations for UNO were revised through ordinance no. 20170817-072 and have only been in effect since August 28, 2017. The restriction of electrical signage and requirement that signage must be "engraved, cut into the building surface, or otherwise inlaid to become part of the building" were added as part of this code amendment. Therefore, most other high rise buildings in UNO already have signs above the second floor of their buildings which are affixed and electrical. Please see attachment for photos of other buildings in UNO with illuminated signage affixed to their buildings above the second floor.
- 2) Section 25-10-133(G)(2) limits projecting signs to 35 square feet. Many hotel guests will be arriving by vehicle. The three wall and projecting signs we are requesting a size variance for are proposed to be located along Martin Luther King Jr Boulevard to increase visibility and safety for those drivers.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

- 1) This project is for a hotel use, in which new guests come with frequency and may be unfamiliar with the area. Most other high rise buildings in this area are a multifamily use, in which residents locate their home once and then stay for long periods of time. New hotel guests will use the signage above the second floor to be able to locate the building. Hotels guests arrive both during the day and at night. For safety reasons, it is beneficial to have lighting which can be seen easily at night.
- 2) Hotel guests will be traveling along a four lane divided roadway. The larger sign size for the three wall and projecting signs would greatly assist with visibility.

b) The hardship is not general to the area in which the property is located because:

- 1) The restriction of electrical signage and requirement that signage must be "engraved, cut into the building surface, or otherwise inlaid to become part of the building" became effective on August 28, 2017. Therefore, most other high rise buildings in UNO already have signs above the second floor of their buildings which are affixed and electrical.

Please see attachment for photos of buildings with illuminated signage affixed to their buildings above the second floor.

2) Many of the buildings within the UNO district have patrons which are pedestrians. The hotel use will facilitate more driving guests.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

- 1) Most other high rise buildings in UNO already have signs above the second floor of their buildings which are affixed and electrical. This variance does not propose to locate any electrical signage on the west side of the property, which faces the closest single family uses.
- 2) The south side of Martin Luther King Jr Boulevard is governed by primarily the commercial sign district, which allows wall and projecting signs to be based on the size of the building. Therefore, they can allow for greater sized signs.



Babendure Design Group
8140 Walnut Hill Ln. #950
Dallas, Texas 75231
214.265.1960
214.265.5552 (fax)
www.babendure.com

Marriott AC/The Otis Hotel
1901 San Antonio Street
Austin, Texas

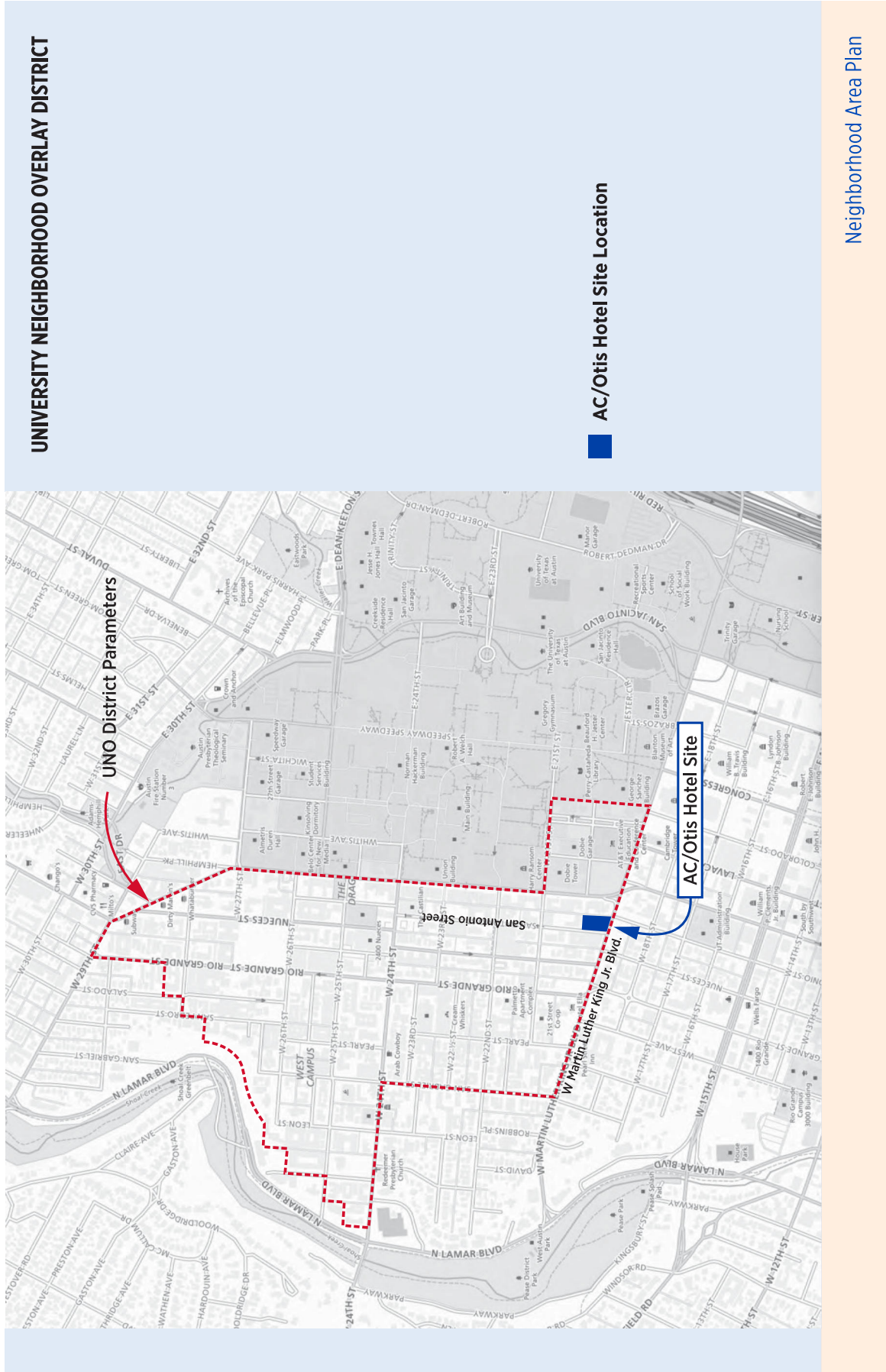
Building Signage Presentation
for Variance Request

April 9, 2018



B D G

Babendure Design Group
8140 Walnut Hill Ln. #950
Dallas, Texas 75231
214.265.1960
214.265.5552 (fax)
www.babendure.com





B D G

Babendure Design Group
8140 Walnut Hill Ln. #950
Dallas, Texas 75231
214.265.1960
214.265.5552 (fax)
www.babendure.com

MARRIOTT AC/THE OTIS SIGN MATRIX - UNO DISTRICT				
EAST		Sign Type	Master Plan Requested Area in Sq. Ft. Quantity	Location Elevation
2	*	Autograph (The Otis) Wall Sign - Internally Illuminated Channel Letters	134 1	East Level 10
3	*	AC Hotels Wall Sign - Internally Illuminated Box	196 1	East Level 10
EAST ELEVATION TOTAL:			330	

MARRIOTT AC/THE OTIS SIGN MATRIX - UNO DISTRICT				
NORTH		Sign Type	Master Plan Requested Area in Sq. Ft. Quantity	Location Elevation
4	*	AC Hotels Wall Sign - Internally Illuminated Box	196 1	North Level 10
NORTH ELEVATION TOTAL:			196	

MARRIOTT AC/THE OTIS SIGN MATRIX - UNO DISTRICT				
WEST		Sign Type	Master Plan Requested Area in Sq. Ft. Quantity	Location Elevation
5		Hotel Parking/Garage Projecting Sign - Internally Illuminated Garage Identity	3.2 1	West Level 1 (perpendicular to street)
6		Hotel Parking/Garage Wall Sign - Internally Illuminated Corner Box Identity	3.5 1 (L-shape)	West Level 1
7		AC Hotels Wall Sign - Internally Illuminated Corner Box	4.5 1 (L-shape)	West Level 3
8A		AC Hotels Canopy Projecting Sign - Internally Illuminated Channel Letters	9.25 1	West Level 1 (perpendicular to street)
8B		AC Hotels Canopy Projecting Sign - Internally Illuminated Channel Letters	9.25 1	West Level 1 (perpendicular to street)
9		Building Address Projecting Sign - Non-Illuminated Letterforms on Canopy side	1.1 1	West Level 1
10		Autograph (The Otis) Projecting Sign - Internally Illuminated Hotel Identity	16 1	West Level 1 (perpendicular to street)
A1		AC Bar/Lounge Wall Sign (West Face) Internally Illuminated Corner Box Identity	35 1	West Level 2
WEST ELEVATION TOTAL:			81.8	

MARRIOTT AC/THE OTIS SIGN MATRIX - UNO DISTRICT				
SOUTH		Sign Type	Master Plan Requested Area in Sq. Ft. Quantity	Location Elevation
1	*	Autograph (The Otis) Wall Sign - Internally Illuminated Linear Logo	61 1	South Level 10
A2	*	AC Bar/Lounge Wall Sign (South Face) Internally Illuminated Corner Box	39 1	South Level 2
B	*	Restaurant Menu Display - Non-Illuminated Changeable Poster Cabinet	8 1 (not part of code allowance)	South Level 1
C	*	Restaurant Projecting Sign - Internally Illuminated Double Sided Identity	46 1	South Level 2 (perpendicular to street)
D	*	Restaurant Identity Wall Sign - Internally Illuminated Channel Letters	50 1	South Level 1
E		Restaurant Identity Wall Sign - Internally Illuminated Channel Letters	28 1	South Level 1
F		Restaurant Menu Display - Non-Illuminated Changeable Poster Cabinet	8 1 (not part of code allowance)	South Level 1
G		Restaurant Identity - Non-Illuminated Canopy Letterforms	18 3 @ 6 sq.ft. each	South Level 1
H		Restaurant Projecting Sign - Internally Illuminated Double Sided Identity	35 1	South Level 2 (perpendicular to street)
SOUTH ELEVATION TOTAL:			277	

MARRIOTT AC/THE OTIS SIGN MATRIX SUMMARY - UNO DISTRICT				
Orientation	Linear Feet of Elevation x 15 x .2	Allowable Sq Ft	Total Sign Area	Plus / Minus Allowable
EAST	268 x 15 x .2	804	330	Under by 474 sq.ft.
NORTH	117 x 15 x .2	351	196	Under by 155 sq.ft.
WEST	242 x 15 x .2	726	81.8	Under by 644.2 sq.ft.
SOUTH	120 x 15 x .2	360	277	Under by 83 sq.ft.

* Signs 1, 2, 3 and 4 are requesting a variance from Section 25-10-133(F) to allow signs above the second floor of a building to be affixed to the building and electrical.

* Signs A2, C and D are requesting a variance from Section 25-10-133(G)(2) to allow the sign area of a projecting sign to exceed 35 square feet.

Sign Matrix

Marriott AC/ The Otis Hotel
Austin, Texas
Exterior Signage

April 9, 2018

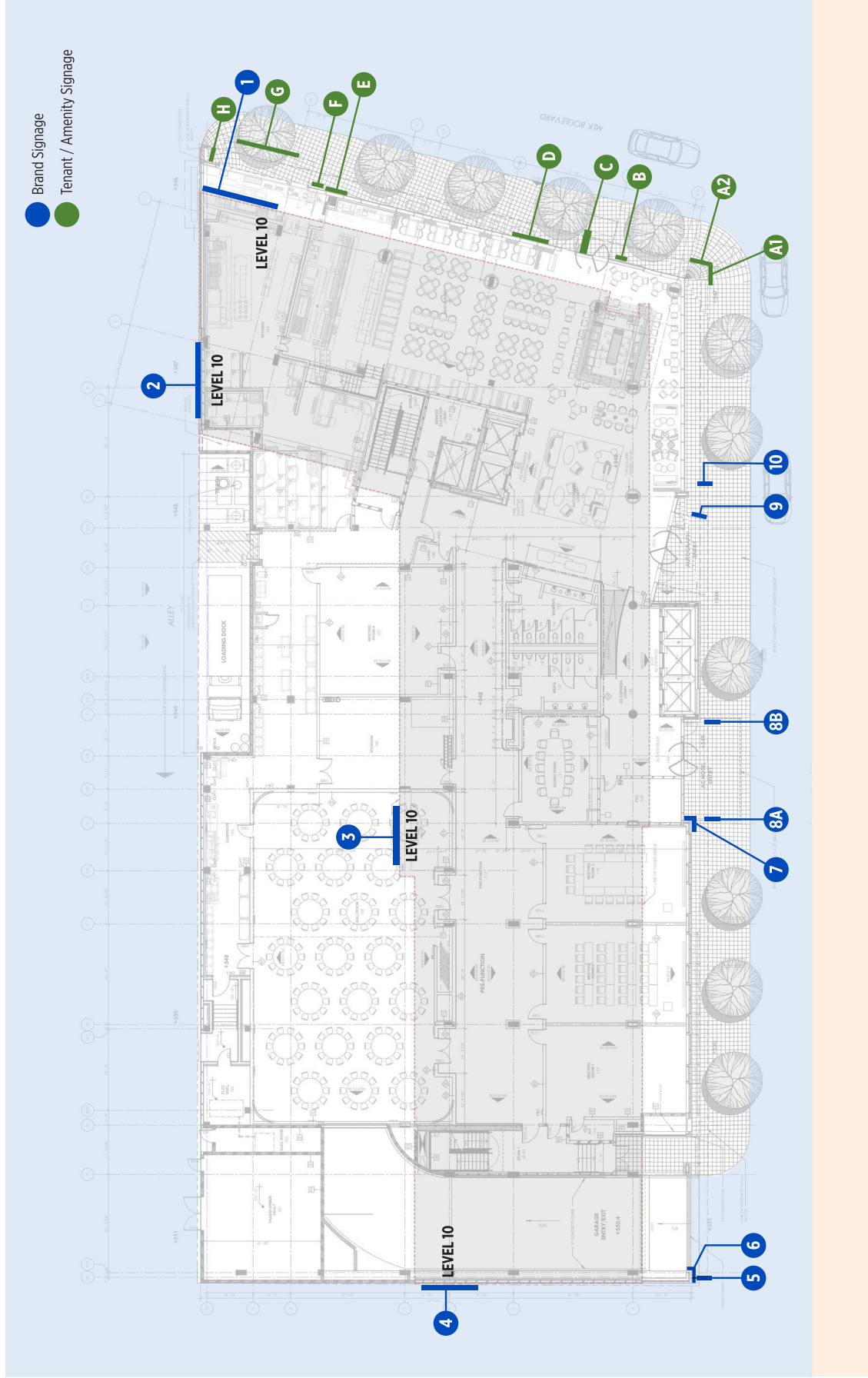
5

B01/11



B01/12

April 9, 2018





B D G

Babendure Design Group
8140 Walnut Hill Ln. #950
Dallas, Texas 75231
214.265.1960
214.265.5552 (fax)
www.babendure.com



Architects Rendering • Southeast Corner



BDG

Babendure Design Group
8140 Walnut Hill Ln. #950
Dallas, Texas 75231
214.265.1960
214.265.5552 (fax)
www.babendure.com

B01/14

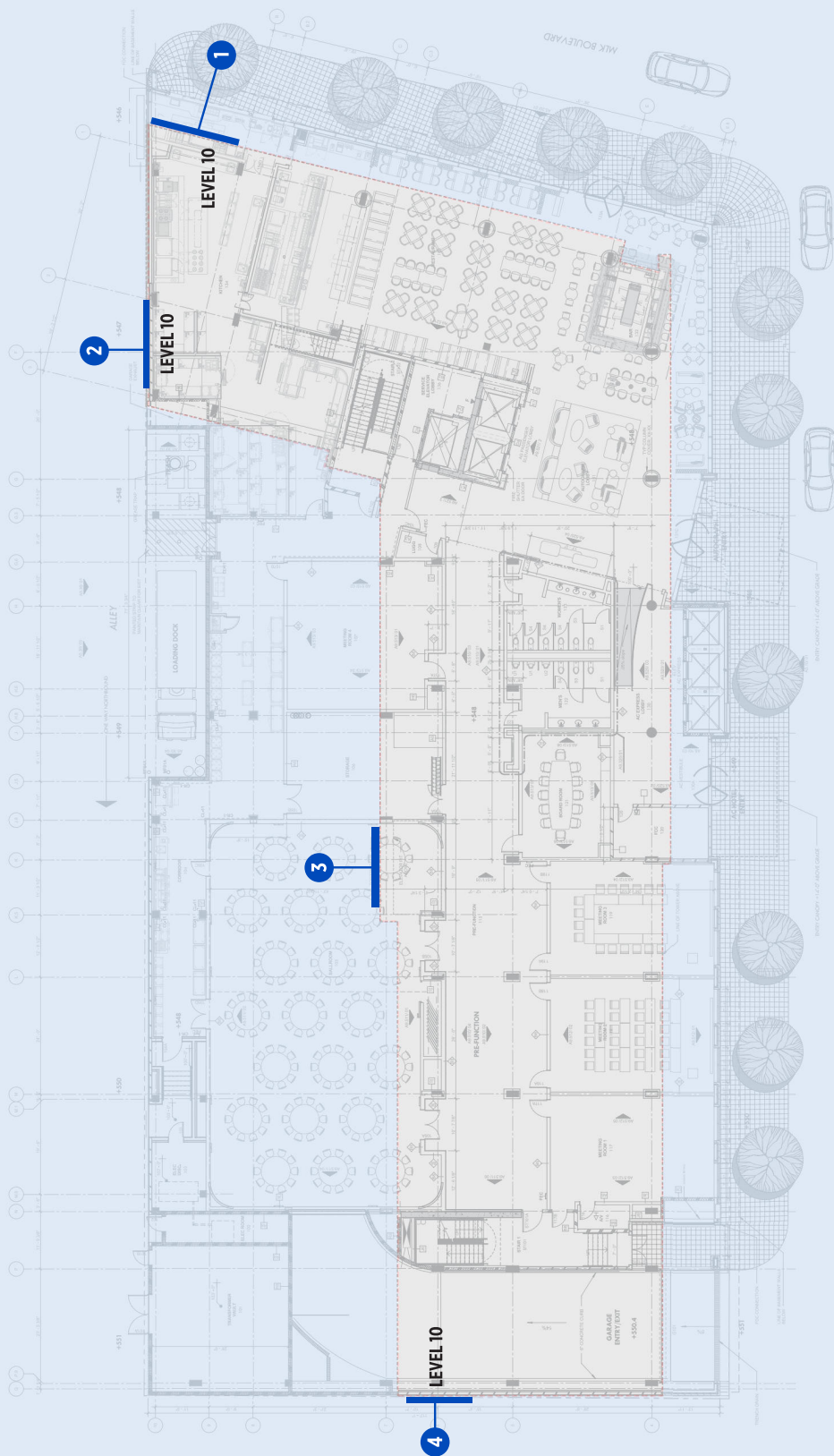
**High Level Brand
Sign Location Plan**

Marriott AC/ The Otis Hotel
Austin, Texas
Exterior Signage

April 9, 2018

6

● Brand Signage



High Level Sign Location Plan