

# AE REPORT



August 29, 2019

Will Marsh on behalf of  
USL2 Austin 901 East 6<sup>th</sup> Street LP  
901 E 6th St  
Austin TX, 78702

Property Description: LOT 16-18 & W 38FT OF LOT 15 BLK 2 OLT 1 DIV A CONNERS ADDN

**Re: C16-2019-0004**

Dear Will,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from;

**Section 25-10-133 (University Neighborhood Overlay Zoning District Sign) (F);**

to allow for three electrical wall signs to be placed on the fifth floor of the building in order to provide signage for a Mixed-Use building in a "TOD-CURE-CO-NP", Transit Oriented District/Plaza Saltillo – Central Urban Redevelopment – Combined Overlay – Neighborhood Plan zoning district. (East Cesar Chavez)

Austin Energy does not oppose requested variance for the three electrical wall signs, provided all proposed and existing improvements follow AE clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners/applicants' expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

[https://library.municode.com/tx/austin/codes/utilities\\_criteria\\_manual?nodeId=S1AUENDECR\\_1.10.0CLSARE](https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE)

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

**Eben Kellogg, Property Agent**

Austin Energy  
Public Involvement | Real Estate Services  
2500 Montopolis Drive  
Austin, TX 78741  
(512) 322-6050

# BOA REVIEW COVERSHEET

# C-2/1

**CASE:** C16-2019-0004

**BOA DATE:** Sept. 9, 2019

**ADDRESS:** 901 E. 6<sup>th</sup> St

**COUNCIL DISTRICT:** 3

**OWNER:** USL2 Austin 901 E. 6<sup>th</sup> St L.P.

**AGENT:** Will Marsh

**ZONING:** TOD-CURE-CO-NP

**LEGAL DESCRIPTION:** W42FT LOT 14 & LOT 15-18 BLK 2 OLT 1 DIV A CONNERS ADDN

**VARIANCE REQUEST:** allowance of sign above second floor

**SUMMARY:** erect a sign

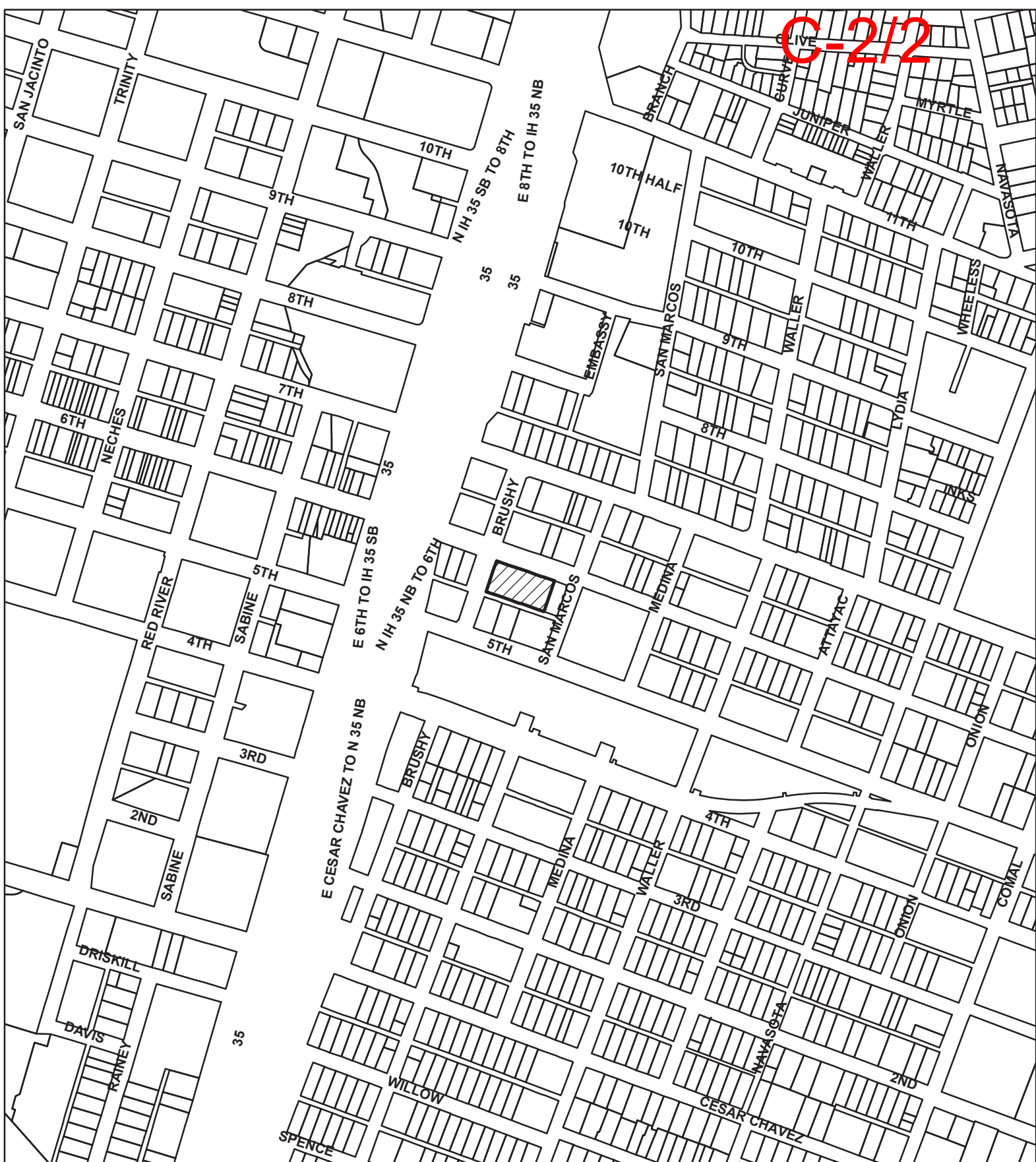
**ISSUES:** visibility of sign

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	TOD-CURE-CO-NP	Transit-Oriented Development; Central Urban Redevelopment
<i>North</i>	TOD-NP	Transit-Oriented Development
<i>South</i>	TOD-NP	Transit-Oriented Development
<i>East</i>	TOD-NP	Transit-Oriented Development
<i>West</i>	TOD-NP	Transit-Oriented Development

## **NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
Austin Lost and Found Pets  
Austin Neighborhoods Council  
Barrido Unido Neighborhood Assn.  
Bike Austin  
Black Improvement Association  
Capital Metro  
Claim Your Destiny Foundation  
Del Valle Community Coalition  
East Austin Conservancy  
East Cesar Chavez Neighborhood Association  
East Cesar Chavez Neighborhood Plan Contact Team  
East Sixth IBIZ District  
El Concilio Mexican-American Neighborhoods  
Friends of Austin Neighborhoods  
Greater East Austin Neighborhood Association  
Guadalupe Association for an Improved Neighborhood  
Guadalupe Neighborhood Development Corporation  
Homeless Neighborhood Association  
Neighborhood Empowerment Foundation  
Neighbors United for Progress  
Plaza Saltillo TOD Staff Liaison  
Preservation Austin  
SEL Texas  
Sierra Club, Austin Regional Group  
Tejano Town  
United East Austin Coalition  
Waller Creek Conservancy

C-2/2



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## NOTIFICATIONS

CASE#: C16-2019-0004

LOCATION: 901 E 6TH STREET



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" = 500'

# Board of Adjustment Sign Variance Application

C-2/3

**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: 901 East 6th Street

Subdivision Legal Description:

see attached legal

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: TOD-CURE-CO-NP

Sign District: UNO

I/We Will Marsh on behalf of myself/ourselves as

authorized agent for USL2 Austin 901 E. 6th St. L.P. affirm that on

Month August, Day 13, Year 2019, 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: Building Sign

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

25-10-133(F): Sign above 2nd floor - Three Building Signs located on 5<sup>th</sup> Floor of the building. Two of the three signs on the West facade facing IH-35. One sign on western most corner of the south facade oriented/visible to IH-35



## 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:

A variance is necessary because (i) the ordinance was not written to address this part of town, (ii) to allow signage of appropriate size/location to be seen by vehicles passing by on IH35 at speeds and volumes, & (iii) to allow signs to be visible from the elevated lanes of IH35, which are higher than the 2nd floor of our building. This is a unique condition within UNO sign district.

—OR—

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

Other nearby properties have existing signs of similar size and height, our requested signage size & height would not be unique to this property, nor set a precedent that does not already exist. The UNO sign district only applies within the University Neighborhood Overlay & TOD districts; few if any properties affected by the UNO sign district are adjacent to IH35 & the CBD.

—OR—

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

Granting the variances will provide (i) architecturally pleasing design in the right size & scale, (ii) wayfinding in a safe manner, (iii) enhancement to the functionality of the project, & (iv) signage addressing the project being located in the auto and retail dominant corridor of IH35, 5th St., & the rail line, & the bikeway all in keeping with the stated purpose of the ordinance.

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 signage regulations & standards are intended to permit signs that through their design, numeration, & location will optimize communication, promote a sound, healthy environment for housing & commerce while preserve the architectural character of the city. Granting the variances gives the signage proper scale for both pedestrian & vehicle traffic & does not confer any special privilege. By granting the variances, justice will be done since we will be afforded the same rights enjoyed by similar projects in the immediate area.

**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: 08/13/2019

Applicant Name (typed or printed): Will Marsh

Applicant Mailing Address: 500 W 5th Street, Ste. 700

City: Austin State: Texas Zip: 78701

Phone (will be public information): (512) 682-5500

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: 08/13/2019

Owner Name (typed or printed): USL2 Austin 901 E. 6th St. L.P.

Owner Mailing Address: 712 Main Street, Ste. 2500

City: Houston State: Texas Zip: 77002

Phone (will be public information): (713) 533-5860

Email (optional – will be public information): \_\_\_\_\_

**Section 5: Agent Information**

Agent Name: Will Marsh

Agent Mailing Address: 500 W 5th Street, ste. 700

City: Austin State: Texas Zip: 78701

Phone (will be public information): (512) 682-5500

Email (optional – will be public information): \_\_\_\_\_

**SAVE**

**LEGAL DESCRIPTION OF LAND – 901 E. 6<sup>th</sup> Street**

**TRACT 1:** The west 42' of Lot 14 and the east 8' of Lot 15, Block 2, of Conner's Subdivision, a subdivision out of Outlot No. 1, Division "A", in the City of Austin, Travis County, Texas, according to the map or plot thereof recorded in Volume V, Page 449, of the Deed Records of Travis County, Texas.

**TRACT 2:** Lots 16, 17 and 18 and the west 38' of Lot 15, Block 2, of Conner's Subdivision, a subdivision out of Outlot No. 1, Division "A", in the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume V, Page 449, of the Deed Records of Travis County, Texas.

August 13, 2019

City of Austin Staff & Board of Adjustments  
Austin, Texas

RE: Sign Variance Request  
901 E. 6<sup>th</sup> Street – Office Building  
Austin, Texas 78702

Dear City of Austin Staff and Board of Adjustment Members,

Please accept this letter and attached documents as our application requesting approval of a variance to the UNO signage guidelines at the 901 E. 6<sup>th</sup> Street Office Building project. The project is located in the Plaza Saltillo TOD and recently completed construction.

The project started construction in January 2017. The first tenant opened for business in the building in May 2019. The project consists of:

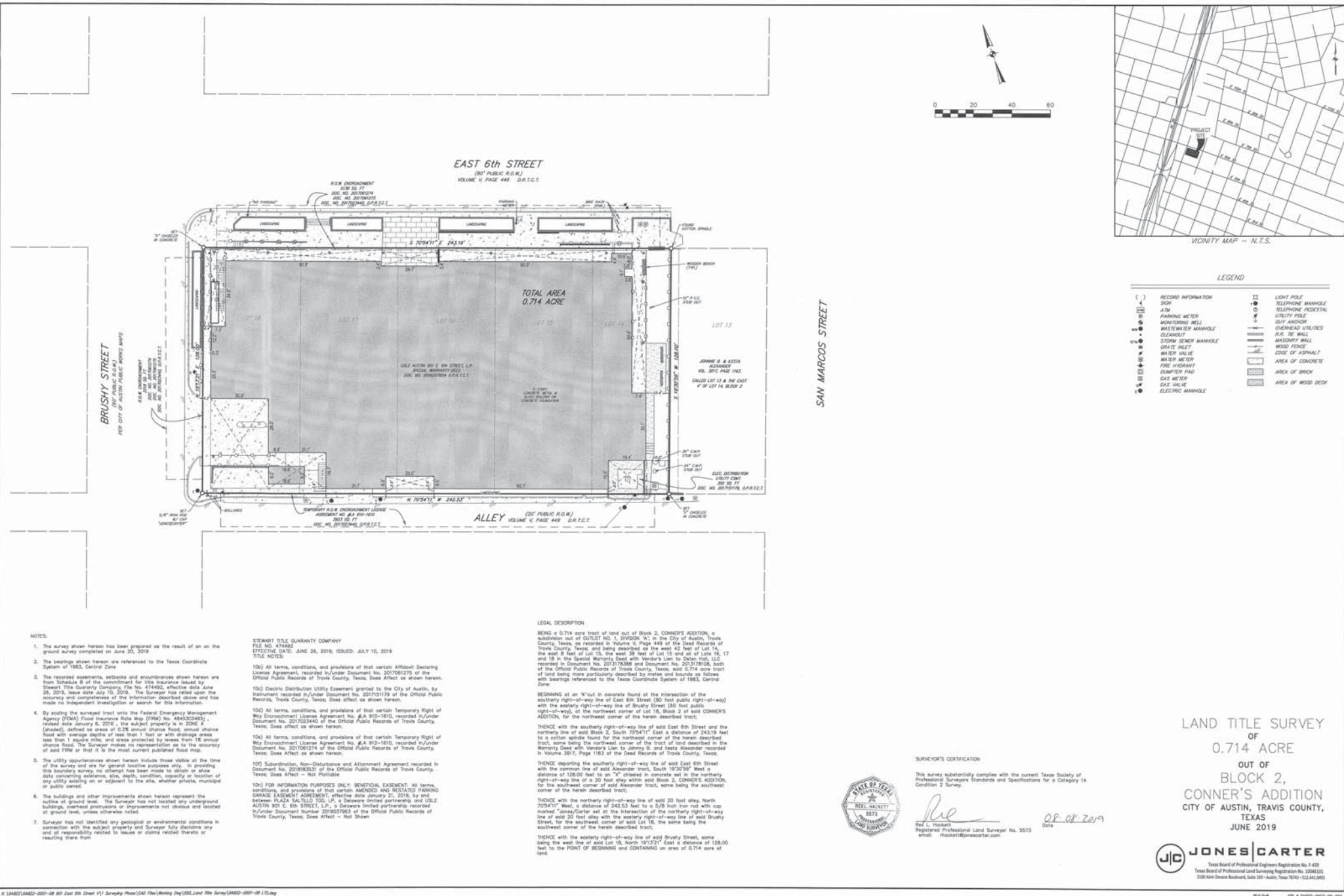
- **Five levels of office space above grade – 129,500 square feet**
- **All parking constructed for the project is located below grade**

Proper building signage oriented towards the IH-35 side of the building is needed so that visitors approaching the building from IH-35 or the Austin Central Business District can locate the project and its tenants. To that end, the requested variance applies to three sign areas: Two sign areas located on the western façade of the building, and One sign area located on the westernmost corner of the south façade.

#### Office Building Signs

- The Office Building Sign Areas require a variance to one code section:
  - Section 25-10-133(F) – Signage cannot be placed above the 2<sup>nd</sup> floor of a building
- The Office Building Sign Areas will display the office building name or tenant signage
- Each Sign Area requested will be no larger than 100 square feet
- All three Sign Areas will be located on the 5<sup>th</sup> Floor of the building
- The signage is proposed to be internally illuminated
- The project's proximity to IH-35 elevated main travel lanes, IH-35 frontage roads and IH-35's high speed traffic requires elevated signage in order to create safe visibility and safe wayfinding to the office building and its tenants.







Additional considerations related to these variances needed to ensure the project has proper, safe wayfinding signage are summarized below:

- The UNO signage regulations were created for use in the University Neighborhood Overlay area and not for use in the downtown area or areas fronting along the primary transit corridor in the Austin MSA (IH-35) adjacent to the Central Business District
- UNO guidelines do allow for increased sign sizes along major UNO streets such as MLK and Guadalupe; MLK and Guadalupe Streets are minor, less commercial streets compared with IH-35.
  - On a vehicle trip per day basis; IH-35 carries roughly 10 times more traffic than Guadalupe or MLK streets.
  - Traffic speeds also vary greatly; the speed limit along IH-35 in this location is 60 mph compared with 30 mph on MLK and Guadalupe within the UNO district.
- The surrounding context includes signage located on buildings above the 2<sup>nd</sup> floor, rooftop signage, and very tall, highway style pylon signs.

We appreciate your review of this variance request and application. Should there be any questions or comments, please do not hesitate to reach out.

Sincerely,

Will Marsh (Applicant)  
Endeavor Real Estate Group  
512-682-5500



**901 E. 6th Street  
EXTERIOR SIGNAGE**

DEVELOPER: Endeavor Real Estate  
PREPARED FOR: City Board of Adjustment  
PREPARED BY: TB/DS  
DATE: 05/08/2019

SHEET INDEX	
1	COVER PAGE
2	SITE CONTEXT
3	SITE PLAN
4	SOUTH ELEVATION
5	WEST ELEVATION
6	SIGNAGE PRECEDENTS





**DOWNTOWN AUSTIN**

A close-up photograph of a yellow evidence marker placed on a concrete sidewalk. Three black arrows point from the right side of the frame towards the marker, indicating its location relative to the surrounding area.

**SATILLO**

E 7TH ST

E 6TH ST

E 5TH ST

E 4TH ST

SAN MARCOS ST

BRUSHY ST

MEDINA ST

WALLER ST

**METRORAIL**

ATTAYAC ST

NOINO

COMAL ST

PLAZA SALTILLO STATION

ST

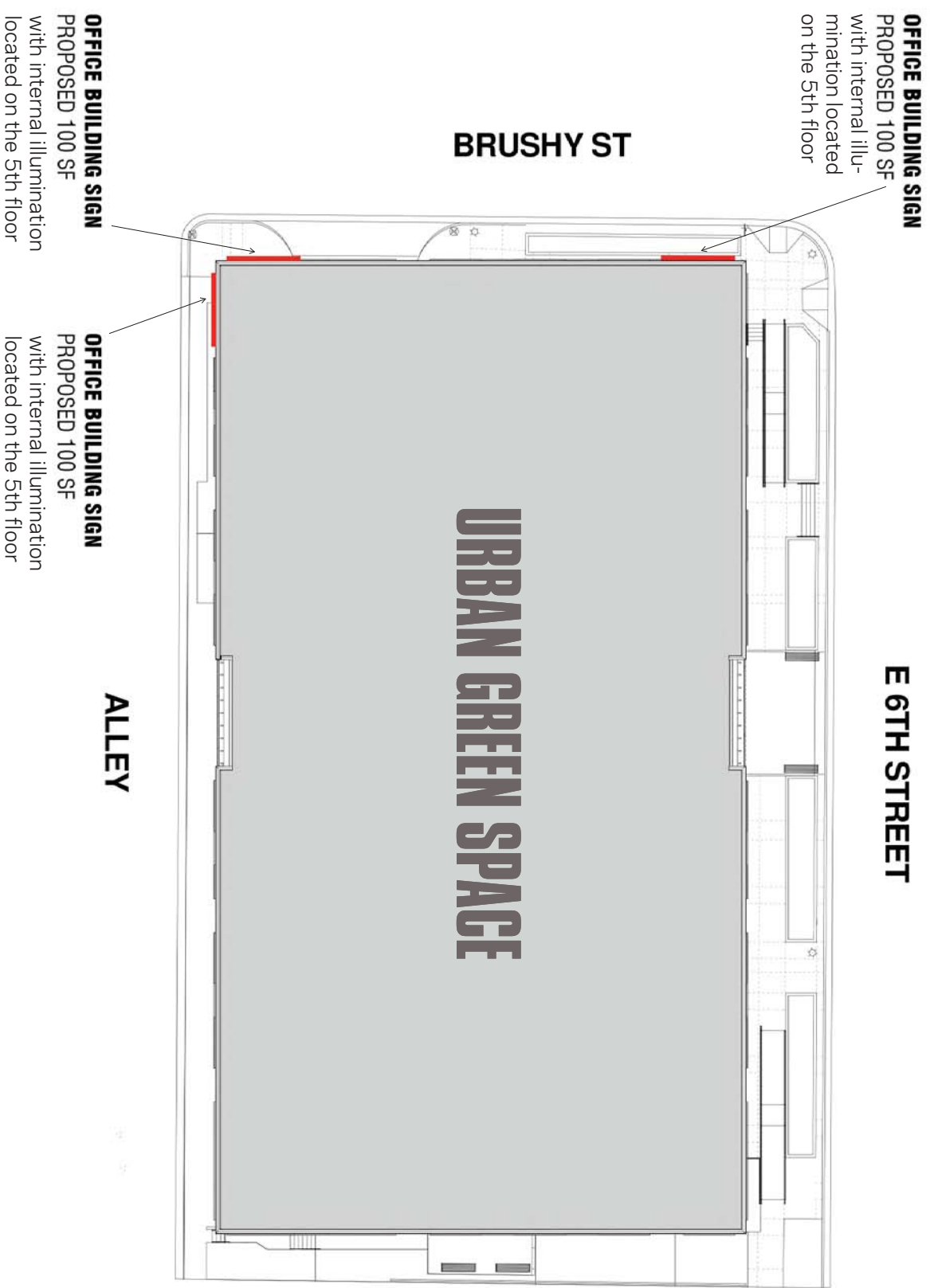
\*VEHICLES PER DAY ON IH-35 - 178,000

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## SITE CONTEXT



**Requested Variance:**



**SITE PLAN**

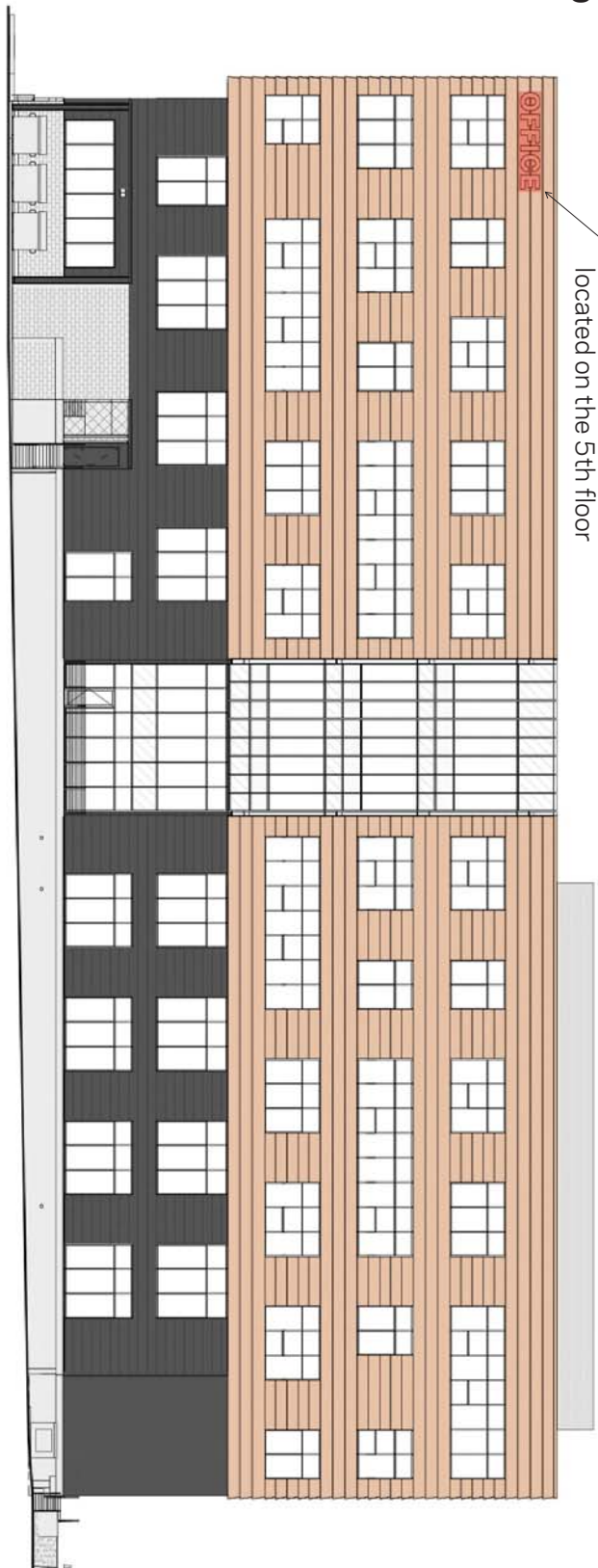
**Requested Variance:**  
**C-2/13**

IH-35/CBD

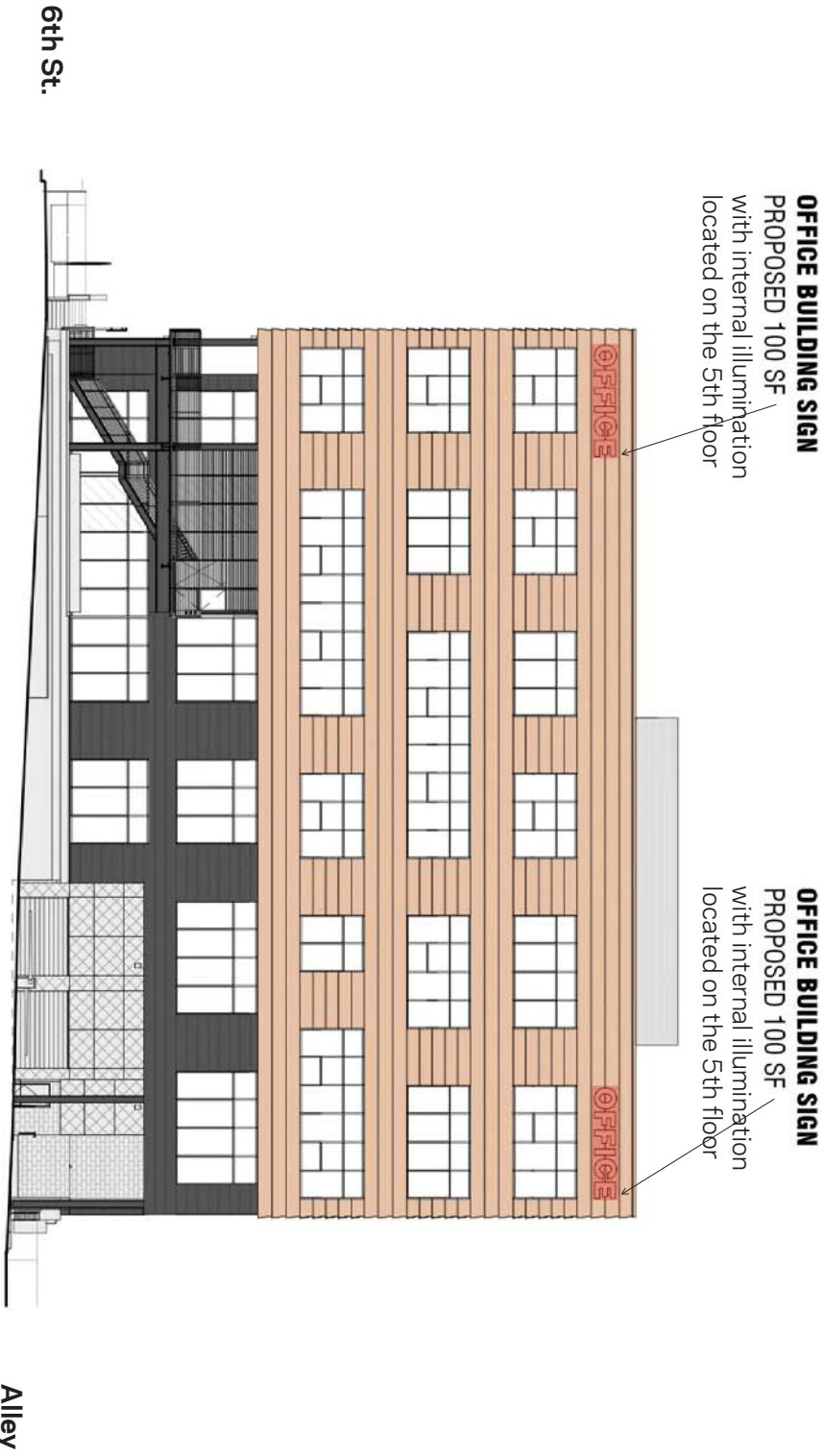
**OFFICE BUILDING SIGN**  
PROPOSED 100 SF  
with internal illumination  
located on the 5th floor

Brushy St.

Alley



**SOUTH ELEVATION**



WEST ELEVATION

C-2/15  
Neighboring Signs:







View of 901 E. 6th Street from the IH-35 Frontage Road:





August 22, 2019

City of Austin  
Board of Adjustments  
Attn: Elaine Ramirez  
Development Services Department  
Development Assistance Center  
PO Box 1088  
Austin, Texas 78767

RE: Sign Variance Request  
901 E. 6<sup>th</sup> Street Office Building  
Austin, Texas  
Case Number: C16-2019-0004

Dear Board of Adjustment Members:

As the owner of the properties at 501 North I 35, 902 East Fifth, 906 East Fifth Street and 500 San Marcos St. and neighbor of the 901 E. 6<sup>th</sup> office building development, I support the requested sign variance for the IH 35 facing signage at the 901 East 6<sup>th</sup> Street Office Building to include the following signs:

- Three Office Building Signs:
  - Two building sign areas up to 100 square feet each, with internal illumination, on the 5th floor of the west facing (IH-35 side) building façade – Variance to Section 25-10-133 (F)
  - One building sign area up to 100 square feet, with internal illumination, on the 5th floor of the south facing building façade - located at the western corner – Variance to Section 25-10-133 (F)

I support the requested variance as I believe that the signage requested does not negatively impact my property nor my neighbors or neighborhood. I believe the proposed signage is appropriate for signs facing and oriented towards IH 35 and is similar to existing signage that our property and others in our immediate neighborhood already have installed by the date of this request. I support the proposed signage both as a neighbor to the project and citizen of Austin and encourage approval of the requested variance.

Sincerely,



President, Pegalo Properties Inc.





August 22, 2019

City of Austin  
Board of Adjustments  
Attn: Elaine Ramirez  
Development Services Department  
Development Assistance Center  
PO Box 1088  
Austin, Texas 78767

RE: Sign Variance Request  
901 E. 6<sup>th</sup> Street Office Building  
Austin, Texas  
Case Number: C16-2019-0004

Dear Board of Adjustment Members:

As a property owner of Plaza Saltillo located immediately to the south of the 901 E. 6<sup>th</sup> Street Office Building development property along 5<sup>th</sup> St., I support the requested sign variance for the IH 35 facing signage at the 901 East 6<sup>th</sup> Street Office Building to include the following signs:

- Three Office Building Signs:
  - Two building sign areas up to 100 square feet each, with internal illumination, on the 5th floor of the west facing (IH-35 side) building façade – Variance to Section 25-10-133 (F)
  - One building sign area up to 100 square feet, with internal illumination, on the 5th floor of the south facing building façade - located at the western corner – Variance to Section 25-10-133 (F)

I support the requested variance as I believe that the signage requested does not negatively impact my property nor my neighbors or neighborhood. I believe the proposed signage is appropriate for signs facing and oriented towards IH 35 and is similar to existing signage that my property and our neighbors' properties already have installed by the date of this request. I support the proposed signage both as a neighbor to the project and citizen of Austin, and encourage approval of the requested variance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Thumlert', with a long horizontal flourish extending to the right.

Jason Thumlert  
Plaza Saltillo TOD, LP