

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet  
C-1**

**DATE: March 14, 2022**

**CASE NUMBER: C16-2022-0002**

☐ Y ☐ Thomas Ates  
☐ Y ☐ Brooke Bailey  
☐ Y ☐ Jessica Cohen  
☐ Y ☐ Melissa Hawthorne  
☐ - ☐ Barbara McArthur OUT  
☐ - ☐ Rahm McDaniel OUT  
☐ Y ☐ Darryl Pruet  
☐ Y ☐ Agustina Rodriguez  
☐ Y ☐ Richard Smith  
☐ - ☐ Michael Von Ohlen OUT  
☐ Y ☐ Nicholl Wade  
☐ Y ☐ Kelly Blume (Alternate)  
☐ - ☐ Carrie Waller (Alternate)  
☐ Y ☐ Marcel Gutierrez-Garza (Alternate)

**APPLICANT: Clay Hardman**

**OWNER: Campus Investors Austin, LP**

**ADDRESS: 2323 SAN ANTONIO ST**

**VARIANCE REQUESTED:** The applicant is requesting a sign variance(s) from the Land Development Code, Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) (H) to allow for illumination of a blade sign in order to provide signage for The Castilian in a "CS-1-NP & CS-NP", General Commercial Services - Neighborhood Plan zoning district. (West University Neighborhood Plan)

**Note:** *The Land Development Code sign regulations 25-10-133 University Neighborhood Overlay Zoning Districts Signs (H) states a sign may not be illuminated or contain electronic images or moving parts*

**BOARD'S DECISION:** **March 14, 2022 APPLICANT NO SHOW -Board Member Brooke Bailey motions to postpone to April 11, 2022; Board Member Melissa Hawthorne seconds on a 10-0 vote; POSTPONED TO APRIL 11, 2022.**

**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:

OR,

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

OR,

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

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:

  
Elaine Ramirez  
Executive Liaison

Diana Ramirez for  
\_\_\_\_\_  
Jessica Cohen  
Madam Chair

# BOA SIGN REVIEW COVERSHEET

**CASE:** C16-2022-0002

**BOA DATE:** March 14<sup>th</sup>, 2022

**ADDRESS:** 2323 San Antonio St

**COUNCIL DISTRICT:** 9

**OWNER:** Campus Investors Austin, LP

**AGENT:** Clay Hardman

**ZONING:** CS-1-NP, CS-NP (West University)

**LEGAL DESCRIPTION:** LOT 25-28 \*LESS N5 FT OLT 36 DIV D HORSTS LOUIS SUBD

**VARIANCE REQUEST:** illumination of a blade sign in order to provide signage for The Castilian

**SUMMARY:** illuminated signage

**ISSUES:** existing signage; recent code change

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-1-NP; CS-NP	Commercial Services
<i>North</i>	CS-NP	Commercial Services
<i>South</i>	CS-NP	Commercial Services
<i>East</i>	CS-CO-NP	Commercial Services
<i>West</i>	CS-NP ; MF-4-NP	Commercial Services; Multi-Family

## **NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 CANPAC (Central Austin Neigh Plan Area Committee)  
 Central Austin Community Development Corporation  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 My Guadalupe  
 Neighborhood Empowerment Foundation  
 Preservation Austin  
 SELTexas  
 Shoal Creek Conservancy  
 Sierra Club, Austin Regional Group  
 University Area Partners  
 West Campus Neighborhood Association

## 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: 2323 SAN ANTONIO AUSTIN, TEXAS 78705

Subdivision Legal Description:

Less N% FT OLT 36 DIV D Horsts Louis SUB D

Lot(s): 25-28

Block(s): 2300

Outlot: West University

Division: DIV D

Zoning District: CS-1-NP,CS-NP

Sign District: High- Density Mixed-Use Transportation

I/We HARDMAN SIGNS on behalf of myself/ourselves as  
authorized agent for AMERICAN CAMPUS COMMUNITIES 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: BLADE SIGN ILLUMINATED

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

25-10-133- University Neighborhood Overlay Zoning District Signs (H) A  
Sign may not illuminated or contain electronic images or moving parts



## 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:

We would like to add internal illumination to an existing blade sign that has been installed for years. By allowing this sign to be internally illuminating like other signs in the area and on the building, it will tie all signage together for this property and add a more appealing look for everyone, as well as making the sign more visible.

—OR—

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

Granting this variance will not adversely impact neighboring properties because it is of similar size and illumination of several neighboring properties signage. In fact, by adding internal illumination, it will more closely match the existing signage in the area.

—OR—

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

Codes have recently changed regarding internal illumination, however this property and this sign have been installed before the code changed. The client would like to add power to the sign so it will be more visible at night, much like other signs of this type in the area.

**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:

Granting this variance should not be considered a special privilege as many of the neighbors have internally illuminated signage similar to what we are asking for.

**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.

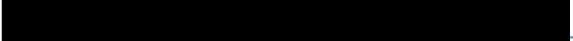
Applicant Signature:  Date: 1.31.22

Applicant Name (typed or printed): CLAY HARDMAN

Applicant Mailing Address: 9980 BMMEL N HOUSTON RD

City: HOUSTON State: TX Zip: 77086

Phone (will be public information): (713) 957-2324

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.

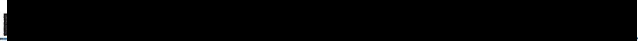
Owner Signature:  Date: 01/31/2022

Owner Name (typed or printed): CAMPUS INVESTORS AUSTIN, LP Brad Johnson

Owner Mailing Address: 12700 HILL COUNTRY BLVD, SUITE T-200

City: AUSTIN State: TX Zip: 78738

Phone (will be public information): (512) 732-1000

Email (optional – will be public information): 

**Section 5: Agent Information**

Agent Name: HARDMAN SIGNS

Agent Mailing Address: 9980 BMMEL N HOUSTON ROAD

City: HOUSTON State: TX Zip: 77086

Phone (will be public information): (713) 957-2324

Email (optional – will be public information): 

**SAVE**





NOTE: THE EXTERIOR WALLS OF THE PARKING GARAGE LEVELS ARE VERY CLOSE TO THE PROPERTY LINES, ANY OBJECT ATTACHED TO THE WALL WILL OVERHANG THE PROPERTY LINE, IT WAS NOTED AS SHOWN HEREON THAT THERE ARE LIGHTS, SIGNS, DRAIN AND EXHAUST PIPES OVERHANGING THE PROPERTY LINES.

TITLE COMMITMENT NOTE  
THIS SURVEY CONTAINS THE INFORMATION SHOWN IN SCHEDULE B OF FIRST AMERICAN  
TITLE COMPANY, TITLE REPORT GF# 03R17459, DATED JUNE 10, 2003, WITH  
THE FOLLOWING CLARIFICATIONS

10a. TERMS, CONDITIONS, AND PROVISIONS TO A TELECOMMUNICATIONS EASEMENT AS SET FORTH IN DOCUMENT# 2002108077, T.C.D.R. BLANKET TYPE AFFECTING PROPERTY.

LOT 1  
THE AMENDED PLAT OF LOTS 33 AND 34  
OF LOUIS HORST'S SUBDIVISION  
BOOK 95, PAGE 230  
T.C.P.R.

**ALLEY**  
LUPE STREET AND SAN ANTONIO STREET  
CORDED IN VOLUME "2", PAGE 813  
T.C.D.R.

EXISTING ILLUMINATED  
WALL SIGN- FX.3A


EXISTING CHANNEL  
LETTERS - EX.2

**CHART FOR PARKING SPACES IN THE PARKING GARAGE**

18 REGULAR PARKING SPACES  
33 REGULAR PARKING SPACES  
33 HANDICAP PARKING SPACES  
33 REGULAR PARKING SPACES  
33 COMPACT PARKING SPACES  
33 REGULAR PARKING SPACES  
2 HANDICAP PARKING SPACES  
33 COMPACT PARKING SPACES  
35 REGULAR PARKING SPACES  
33 COMPACT PARKING SPACES  
33 REGULAR PARKING SPACES  
2 HANDICAP PARKING SPACES  
33 COMPACT PARKING SPACES  
35 REGULAR PARKING SPACES  
33 COMPACT PARKING SPACES  
33 REGULAR PARKING SPACES  
2 HANDICAP PARKING SPACES  
33 COMPACT PARKING SPACES  
33 REGULAR PARKING SPACES  
28 REGULAR PARKING SPACES  
33 HANDICAP PARKING SPACES  
9 COMPACT PARKING SPACES  
10TH LEVEL BLOCKED OFF  
SIGN READS  
"PARK AT YOUR OWN RISK"  
"OVERHEAD, SEWAGE LINES, MAY

EXISTING SIGN-  
EX.1

KEY

 = SIGN FOR BOA REVIEW  
 = EXISTING SIGNAGE

**TOTAL PARCEL AREA 30,532 SQUARE FEET**  
GROUND LEVEL BUILDING 27,069 SQUARE FEET

EXISTING WALL SIGN WITH  
CHANNEL LETTERS- EX3.B

5' FROM SIGN FACE TO  
NEAREST CURB

10' FROM SIGN FACE  
TO NEAREST CURB

EXIST  
SIGN-  
EX.1

7' FROM  
SIGN FACE  
TO NEAREST  
CURB

3.5' FROM SIGN FACE  
TO NEAREST CURB

EXISTING BLADE SIGN TO  
BE REPLACED WITH NEW

THE UNDERSIGNED HEREBY CERTIFIES, AS OF JUNE 26, 2003, TO WACHOWIA BANK, NATIONAL ASSOCIATION AND ITS SUCCESSORS AND ASSIGNS AND REPUBLIC TITLE OF TEXAS, INC., AND CASTILIAN PARTNERS, L.P., THAT HE IS A DULY REGISTERED LAND SURVEYOR OF THE STATE OF TEXAS; THAT THIS PLAT OF SURVEY IS A PLAT OF SURVEY OF THE STATE OF TEXAS, MINIMUM ESTABLISHED BY SAID STATE FOR SURVEYS AND LAND SURVEYORS AND WITH THE MINIMUM DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS AS ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION; THAT THE SURVEY CONFORMS TO THE MINIMUM DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS AS ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION; THAT THE SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PREMISES; AND THAT, EXCEPT AS SHOWN, THERE ARE NO VISIBLE EASEMENTS OR RIGHTS OF OTHER ADJOINING PREMISES OR OTHER ADJOINING EASEMENTS, RIGHTS OF WHICH THE UNDERSIGNED HAS BEEN ADVISED, NO PARTY WALLS, NO ENCROACHMENTS INTO ADJOINING PREMISES, STREETS OR ALLEYS BY ANY OF SAID BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS, AND NO ENCROACHMENTS INTO SAID PREMISES BY ANY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES.

NO PORTION OF THE PROPERTY SHOWN HEREON LIES WITHIN THE 100 YEAR FLOOD PLAIN  
OR ANY AREA SUBJECT TO SPECIAL FLOOD HAZARDS AS DESIGNATED BY THE FEDERAL EMERGENCY  
MANAGEMENT AGENCY, THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,  
OR THE FLOOD INSURANCE ADMINISTRATION EXCEPT PROPERTY LIES IN ZONE "X" BY THE FEDERAL  
EMERGENCY MANAGEMENT AGENCY ON FLOOD INSURANCE RATE MAP NO. 48453C0165 E, WITH A  
DATE OF IDENTIFICATION OF JUNE 16, 1993 FOR COMMUNITY NO. 480624, IN TRAVIS COUNTY,  
STATE OF TEXAS.


THERE IS NO FAULT LINE ON ANY PORTION OF THE PREMISES AS DISCLOSED BY VISUAL INSPECTION OF THE SUBJECT PROPERTY OR AS INDICATED BY THE MOST RECENT MAP OF FAULT LINES IN THE COUNTY IN WHICH THE SUBJECT PROPERTY IS LOCATED, WAB BY FISHER, W.L., 1981, GEOLOGIC ATLAS OF TEXAS, AUSTIN SHEET: UNIV. TEXAS, AUSTIN, BUREAU OF ECONOMIC GEOLOGY.

ENCROACHMENTS AS USED HEREIN INCLUDE ENCROACHMENTS OR PROTRUSIONS ONTO THE SUBJECT PROPERTY BY IMPROVEMENTS ON ADJACENT PROPERTY, RIGHTS-OF-WAY OR EASEMENTS AND ENCROACHMENTS OR PROTRUSIONS ONTO ADJACENT PROPERTY, RIGHTS-OF-WAY, EASEMENTS OR BUILDING SETBACKS BY ANY IMPROVEMENTS ON THE SUBJECT PROPERTY AND ANY CONFLICTS OR OVERLAPS OF THE METES AND BOUNDS CALLS OF THE SUBJECT PROPERTY AND THOSE OF ADJACENT PROPERTY, EASEMENTS, OR RIGHTS-OF-WAY.

THE SUBJECT PROPERTY HAS INGRESS AND EGRESS TO AND FROM WEST 24TH STREET AND SAN ANTONIO STREETS AND SUCH STREETS ARE PAVED, DEDICATED PUBLIC RIGHTS-OF-WAY MAINTAINED BY THE CITY OF AUSTIN.

DATE:

DEAN A. WOODLEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5086



**LIVE OAK  
SURVEYING**  
12421 WYCLIFF LANE  
AUSTIN, TX 78727  
(512) 837-1018

**BOUNDARY SURVEY OF**  
30,352 SQUARE FEET (0.701 ACRES) TRACT OF LAND  
BEING ALL OF THAT 30,352 SQUARE FEET TRACT RECORDED IN VOLUME 6887, PAGE 2191  
OF THE TRAVIS COUNTY DEED RECORDS, AND BEING A PORTION OF LOT 25, AND ALL OF  
LOTS 26, 27 AND 28 OF THE HIGHLAND PARK SUBDIVISION, THIRD TRACT AND  
DIVISION "B", IN THE CITY OF AUSTIN, AS RECORDED IN VOLUME 2, PAGE 613, OF THE  
TRAVIS COUNTY DEED RECORDS, AND BEING A PORTION OF THAT TRACT OF LAND DESIGNATED  
AS FIRST TRACT AND ALL OF THAT TRACTS DESIGNATED SECOND TRACT, THIRD TRACT AND  
FOURTH TRACT AS RECORDED IN VOLUME 3146, PAGE 1871 OF THE TRAVIS COUNTY DEED RECORDS.

Scale: 1"=10' Date: 04-14-2003

Diek:	Boek:	9
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Drawn by: D W

FILE: 20201031.d BWC

	A	L	BW
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Approved by: SW  
Date: 007-01-05

SHEET

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OF 1



Written comments must be submitted to the contact person listed on the notice before 9 a.m. the day of the public hearing to be added to the Late Back-up and viewed by the Board the night of the meeting. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

**Case Number:** C16-2022-0002

**Contact:** Elaine Ramirez; [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)

**Public Hearing:** Sign Review Board; March 14<sup>th</sup>, 2022

KUCHIMANCHI KRISHNA  
Your Name (please print)

☐ I am in favor  
☒ I object

915 W 22 1/2 Street Apt #302 AUSTIN TX  
Your address(es) affected by this application

[Signature]  
Signature

MARCH 6<sup>th</sup> 2022  
Date

Daytime Telephone: 512 934 7405

Comments: This residential area. Bright lights all night shine through to all apartments keeping all students residents awake. There is a reason this code is in place stop making this commercial Las Vegas.

**If you will be using this form to comment, please return it via e-mail to:**

Elaine Ramirez; 512-974-2202

Scan & Email to: [Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)