

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

**DATE: March 14, 2022**

**CASE NUMBER: C16-2022-0001**

☐ Y ☐ Thomas Ates  
☐ Y ☐ Brooke Bailey  
☐ Y ☐ Jessica Cohen  
☐ Y ☐ Melissa Hawthorne  
☐ - ☐ Barbara Mcarthur OUT  
☐ - ☐ Rahm McDaniel OUT  
☐ Y ☐ Darryl Pruett  
☐ 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: Esteban Arrieta**

**OWNER: Eames Gilmore**

**ADDRESS: 10107 RESEARCH BLVD SVRD**

**VARIANCE REQUESTED:** The applicant is requesting a sign variance(s) from the Land Development Code, Section 25-10-123 (Expressway Corridor Sign District Regulations) (B) (3), to exceed sign height of 35 feet (maximum allowed) to 45 feet (requested) in order to complete signage for Target store in a "NBG-NP", North Burnet Gateway-Neighborhood Plan zoning district. (Gateway Neighborhood Plan)

**Note:** The Land Development Code sign regulations 25-10-123 Expressway Corridor Sign Regulations

(B) This subsection prescribes regulations for freestanding signs. (3) The sign height may not exceed the greater of: (a) 35 feet above frontage street pavement grade; or (b) 20 feet above grade at the base of the sign.

**BOARD'S DECISION:** POSTPONED TO MARCH 14, 2022 (AE DENIAL); March 14, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Darryl Pruett 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

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

**DATE: February 14, 2022**

**CASE NUMBER: C16-2022-0001**

\_\_\_\_ Thomas Ates  
 \_\_\_\_ Brooke Bailey  
 \_\_\_\_ Jessica Cohen  
 \_\_\_\_ Melissa Hawthorne  
 \_\_\_\_ Barbara McArthur  
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(B) This subsection prescribes regulations for freestanding signs. (3) The sign height may not exceed the greater of: (a) 35 feet above frontage street pavement grade; or (b) 20 feet above grade at the base of the sign.

**BOARD’S DECISION: POSTPONED TO MARCH 14, 2022 (AE DENIAL)**

**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

 for \_\_\_\_\_  
Jessica Cohen  
Chair





February 15, 2022

Esteban Vilchez  
10107 Research Blvd SvrD Nb  
Austin TX, 78759

Property Description: LOT 1 BLK A 183/ GREAT HILLS TRAIL SUBD

**Re: C16-2022-0001**

Dear Esteban,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from City Code Chapter 25-10.

Austin Energy does not oppose the request, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing facilities will be at the owner's/applicant's 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.

**Cody Shook, Planner II**

Austin Energy  
Public Involvement | Real Estate Services  
2500 Montopolis Drive  
Austin, TX 78741  
(512) 322-6881

# BOA SIGN REVIEW COVERSHEET

**CASE:** C16-2022-0001

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

**ADDRESS:** 10107 Research Blvd SVRD NB **COUNCIL DISTRICT:** 7

**OWNER:** Eames Gilmore

**AGENT:** Esteban Arrieta

**ZONING:** NBG-NP (Gateway)

**LEGAL DESCRIPTION:** LOT 1 BLK A 183/ GREAT HILLS TRAIL SUBD

**VARIANCE REQUEST:** exceed sign height of 35 feet (maximum allowed) to 45 feet (requested)

**SUMMARY:** complete a free-standing sign for Target

**ISSUES:** trees

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	NBG-NP	Commercial Services
<i>North</i>	NBG-NP	Commercial Services
<i>South</i>	NBG-NP	Commercial Services
<i>East</i>	NBG-NP	Commercial Services
<i>West</i>	CS; CS-1	Commercial Services

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District

Austin Lost and Found Pets

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

North Burnet/Gateway Neighborhood Plan Staff Liaison

SELTexas

Sierra Club, Austin Regional Group

TNR BCP – Travis County Natural Resources

## 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 # C16-2022-0001 ROW # 12856313 Tax # 0254000202

### Section 1: Applicant Statement

Street Address: 10107 Research Blvd Austin, TX 78759

Subdivision Legal Description:

PERSONAL PROPERTY COMMERCIAL TARGET STORE T2409

Lot(s): 1 Block(s): A

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

Zoning District: CS; GR

Sign District: \_\_\_\_\_

I/We Esteban Arrieta on behalf of myself/ourselves as  
authorized agent for Walton Sinage affirm that on  
Month December, Day 10, Year 2021, 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 Monument

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

LDC, Section 25-10-123 - EXPRESSWAY CORRIDOR SIGN DISTRICT REGULATIONS

(3) To exceed the height the greater of (a)35' above frontage street pavement grade to 45'

## 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:

It will save the vegetation in the area as well as provide a marker for traffic on Great Hills Trl. As shown in the Flag test, the signs are not clearing any tree lines and would therefore be useless in their current positions and would provide no clear markers for traffic. We would also have remove the trees that would within its clearance which we plan to avoid

—OR—

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

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—OR—

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

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**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:

We are simply following the code for hardships when it comes to the existing landscaping of the site.

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**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: Esteban Vilchez Date: 12/10/2021

Applicant Name (typed or printed): Esteban Arrieta

Applicant Mailing Address: 7201 Baker Blvd Bldg C

City: Richland Hills State: TX Zip: 76118

Phone (will be public information): (808) 754-9020

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: 12.23.21

Owner Name (typed or printed): Eames Gilmore

Owner Mailing Address: 1000 Nicollet Mall

City: Minneapolis State: MN Zip: 55403

Phone (will be public information): (612) 761-1585

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

**Section 5: Agent Information**

Agent Name: Esteban Arrieta

Agent Mailing Address: 7201 Baker Blvd Bldg C

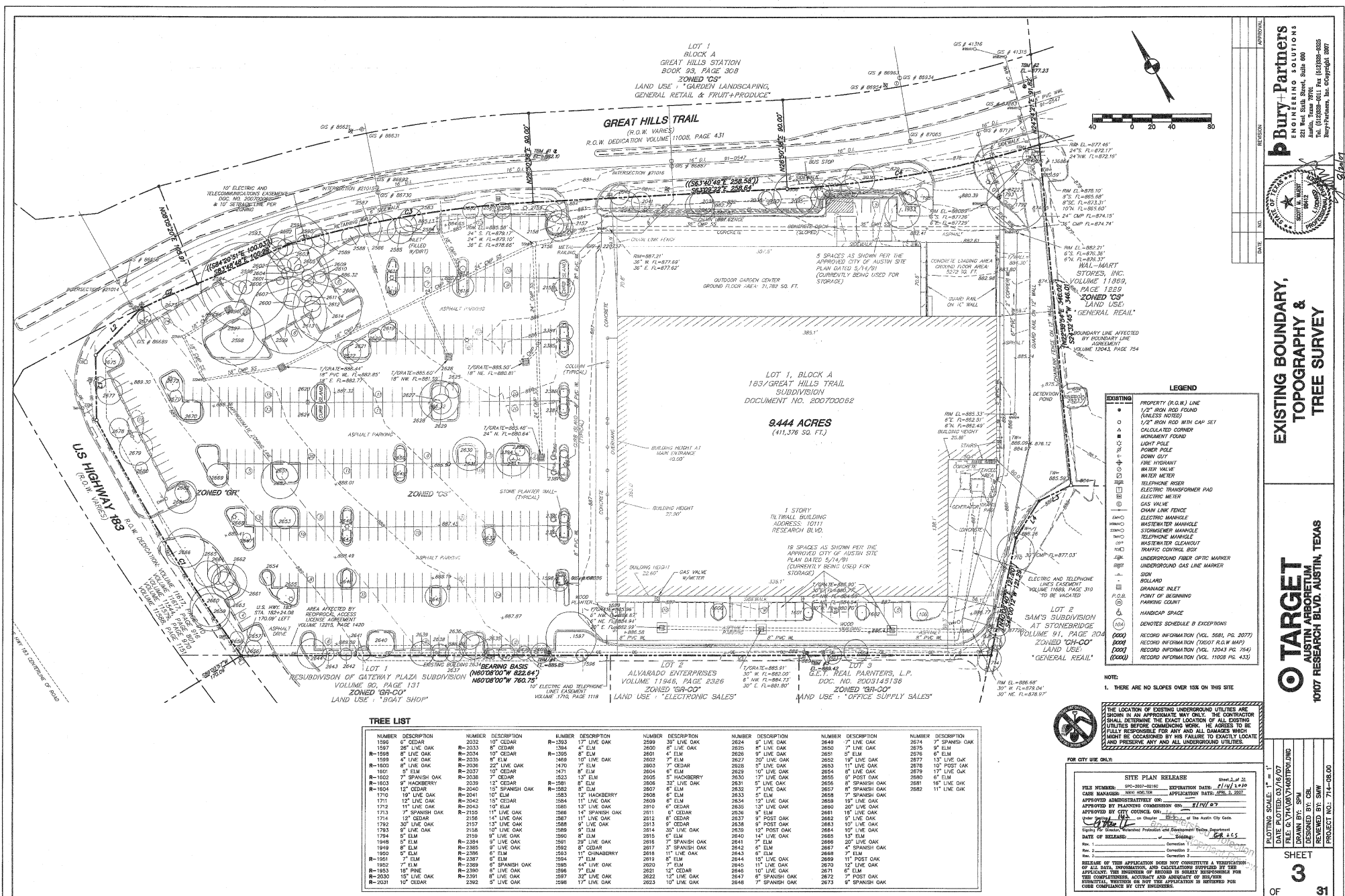
City: Richland Hills State: TX Zip: 76118

Phone (will be public information): (808) 754-9020

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

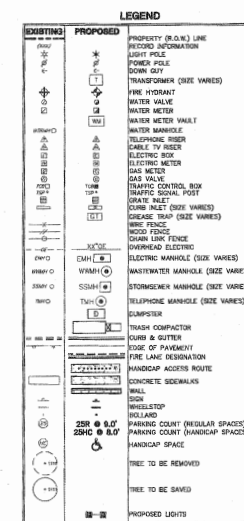
**SAVE**











**SITE NOTES:**

- SITE INSTRUCTIONS**
1. ALL ROPS FOR FILING DIMENSIONS ARE 2.50" TO THE BACK OF THE CURB UNLESS OTHERWISE NOTED.
  2. ALL DIMENSIONS TO CURBS ARE TO THE BACK OF CURBS UNLESS OTHERWISE NOTED.
  3. \*FIRE LANE - "TOW AWAY ZONE" EVERY 30' FEET SHALL BE INDICATED ALONG ALL CURBS WHERE THERE IS NO HEAD-IN OR PARALLEL PARKING OR TURN-OUT.
  4. FIRE ACCESS: LANE SHALL BE INSTALLED PRIOR TO COMBUSTIBLES ARRIVING ON SITE.
  5. FIRE HYDRANTS SHALL BE INSTALLED AND CHARGED PRIOR TO COMBUSTIBLES ARRIVING ON SITE.
  6. ALL STRUCTURES AND ACCESS SHALL BE PERMANENTLY AFFIXED TO ALL STRUCTURES IN SUCH POSITIONS AS TO BE PLAINLY VISIBLE AND LEGIBLE.
  7. **KEY PLAN:** SHEET 1, COVER SHEET FOR BENCHMARK INFORMATION.
  8. CONTRACTOR SHALL REFERENCE GEOTECH REPORT FOR ALL PAYMENT RECOMMENDATIONS. CONTRACTOR SHALL OBTAIN AND VERIFY THAT NO EXISTING UTILITIES ARE AFFECTED BY PROPOSED CONSTRUCTION.
  9. FUEL DIRT CORRAL LOCATIONS TO BE DETERMINED BY TARGET.
  10. SPREADING FOR SOLID WASTE COLLECTION AND LOADING AREAS SHALL BE THE SAME AS, OR OF EQUAL QUALITY TO, PRINCIPAL BUILDING MATERIALS TO BE USED.
  11. EXISTING PARKING LOT SURFACE IS TO BE MILLED AND REFINISHED PRIOR TO PAVING.

#### ACCESSIBILITY NOTES:

- ACCESSIBILITY NOTES:**
- 1. SLOPES ON ACCESSIBLE ROUTES MAY NOT EXCEED 1:20 UNLESS DESIGNED AS A RAMP. [TAS 4.3.7]
  - 2. THE MAXIMUM SLOPE OF A RAMP IN NEW CONSTRUCTION IS 1:12. THE MAXIMUM RISE FOR ANY RAMP RUN IS 30 IN. [TAS 4.8.2]
  - 3. ACCESSIBLE ROUTES MUST HAVE A CROSS-SLOPE NO GREATER THAN 1:50. [TAS 4.3.7]
  - 4. GROUND SURFACES ALONG ACCESSIBLE ROUTES MUST BE STABLE, FIRM, AND SLIP RESISTANT. [TAS 4.5.1]
  - 5. IMPROVEMENTS AND TOPOGRAPHIC INFORMATION SHOWN HEREON ARE BASED UPON FIELD SURVEYS BY SURY & PARTNERS, INC. ONLY VISIBLE

THE LOCATION OF EXISTING UNDERGROUND 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.

FOR CITY USE ONLY.

## SITE DIAN RELEASE

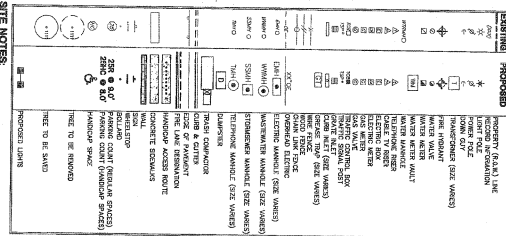
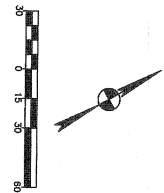
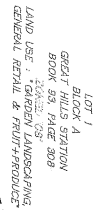
FILE NUMBER: PS-2007-0218C EXPIRATION DATE: 8/14/2007  
CASE MANAGER: NKHO HEALTH APPLICATION DATE: APR 5, 2007  
APPROVED ADMINISTRATIVELY ON: \_\_\_\_\_  
APPROVED BY PLANNING COMMISSION ON: 8/14/07  
APPROVED BY CITY COUNCIL ON: \_\_\_\_\_  
Signed: \_\_\_\_\_, on Chapter \_\_\_\_\_ of The Local Ord. Code.  
Signed: \_\_\_\_\_, Interim Director of Development and Development, Department  
DATE OF RELEASE: \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Re: \_\_\_\_\_

Rev. 1 \_\_\_\_\_ Corrosion 1 \_\_\_\_\_  
Rev. 2 \_\_\_\_\_ Corrosion 2 \_\_\_\_\_  
Rev. 3 \_\_\_\_\_ Corrosion 3 \_\_\_\_\_

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER TECHNICAL JUDGMENT AND NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEER.

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### LEGEND

### SITE PLAN B



FOR CITY USE ONLY

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROPRIATE 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.

**TARGET**  
AUSTIN ARBORETUM  
0107 RESEARCH BLVD. AUSTIN, TEXAS

**SITE PLAN RELEASE**

Form 6-81, 11-82

FILE NUMBER: 98-0007-0240 APPLICATION NAME: WYCKOFF

CASE NUMBER: 98-0007 COUNTY: NEW YORK APPLICATION DATE: 11/15/97

APPROVED BY PLANNING COMMISSION ON: 11/15/97

APPROVED BY CITY COUNCIL ON: 11/15/97 BY: 11/15/97

DATE OF REVIEW: 11/15/97 BY: 11/15/97

NAME OF APPLICANT: WYCKOFF, INC.

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	DRAWN BY: SPM
	DESIGNED BY: CBL
	REVIEWED BY: SMW
PROJECT NO.: 714-08.00	

DATE	NO.	REVISION	APPROVAL



**b Bury+Partners**  
ENGINEERING SOLUTIONS  
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Austin, Texas 78701  
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