

4700 N Capital of Texas Hwy.,
Loop 360
Austin, TX 78746

D-1/8

Proposed sign location from far lane on Loop 360

NALLE WOODS

4700 N Capital of Texas Hwy,
Loop 360
Austin, TX 78746

SIGN VARIANCE REQUEST

CLIENT CONSIDERED ALL BOA SUGGESTIONS

- BOA changes implemented into the new design.
- New design blends into the Hill Country environment with natural materials.
- Square footage drastically reduced. From 163 sq. ft. to 91 sq. ft. (only 27 sq. ft. over allowance).
- Letters are no longer at max impact as defined by the USCC and are 10" smaller than what is suggested.
- Height was previously approved at last meeting using the 17' for the severe slope.
- Have received at least 12 approvals from neighbor property owners.
- Including the neighboring approval from Riverbend Church.

ADDITIONAL NEIGHBORING RESPONSES FOR VARIANCE APPROVAL

NALLE WOODS

4700 N Capital of Texas Hwy,
Loop 360
Austin, TX 78746

SIGN VARIANCE REQUEST

The undersigned has been informed of the variance requested for 4700 N Capital of Texas Hwy, Austin, Texas 78746 (Nalle Woods Apartments), and has NO objection with the owners of Nalle Woods Apartments, Morningside Des Plaines LLC & Morningside 770 LLC, request for sign variance.

Signature: _____

Name: _____

Address: _____

Date: _____

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Name: _____

Address: _____

Date: _____

EXHIBIT 4 - CITY OF AUSTIN SIGNAGE CODE

NALLE WOODS

4700 N Capital of Texas Hwy,
Loop 360
Austin, TX 78746

SIGN VARIANCE REQUEST

D-1-11

§ 25-10-124 SCENIC ROADWAY SIGN DISTRICT REGULATIONS.

- (A) This section applies to a scenic roadway sign district.
- (B) One freestanding sign is permitted on a lot.
 - (1) The sign area may not exceed the lesser of:
 - (a) 0.4 square feet for each linear foot of street frontage; or
 - (b) 64 square feet.
 - (2) The sign height may not exceed 12 feet.
 - (C) Wall signs are permitted.
 - (D) For signs other than freestanding signs, the total sign area for a lot may not exceed 10 percent of the facade area of the first 15 feet of the building.
 - (E) In a Hill Country Roadway corridor, a spotlight on a sign or exterior lighting of a sign must be concealed from view and oriented away from adjacent properties and roadways.
 - (F) Internal lighting of signs is prohibited, except for the internal lighting of individual letters.
 - (G) In addition to the sign setback requirements established by Section 25-10-191 (Sign Setback Requirements), a sign or sign support must be installed at least 12 feet from the street right-of-way, or at least 25 feet from street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. This subsection does not apply to a political sign permitted by Section 25-10-101(l) (Signs Allowed In All Sign Districts Without An Installation Permit).

Source: Sections 13-2-867 and 13-2-868; Ord. 990225-70; Ord. 031030-11; Ord. 031211-11.

EXHIBIT 5 - EXISTING ILLUMINATED SIGNAGE ON LOOP 360 LOCATED MILE FROM SITE

NALLE WOODS
4700 N Capital of Texas Hwy,
Loop 360
Austin, TX 78746

SIGN VARIANCE REQUEST

D-1/12

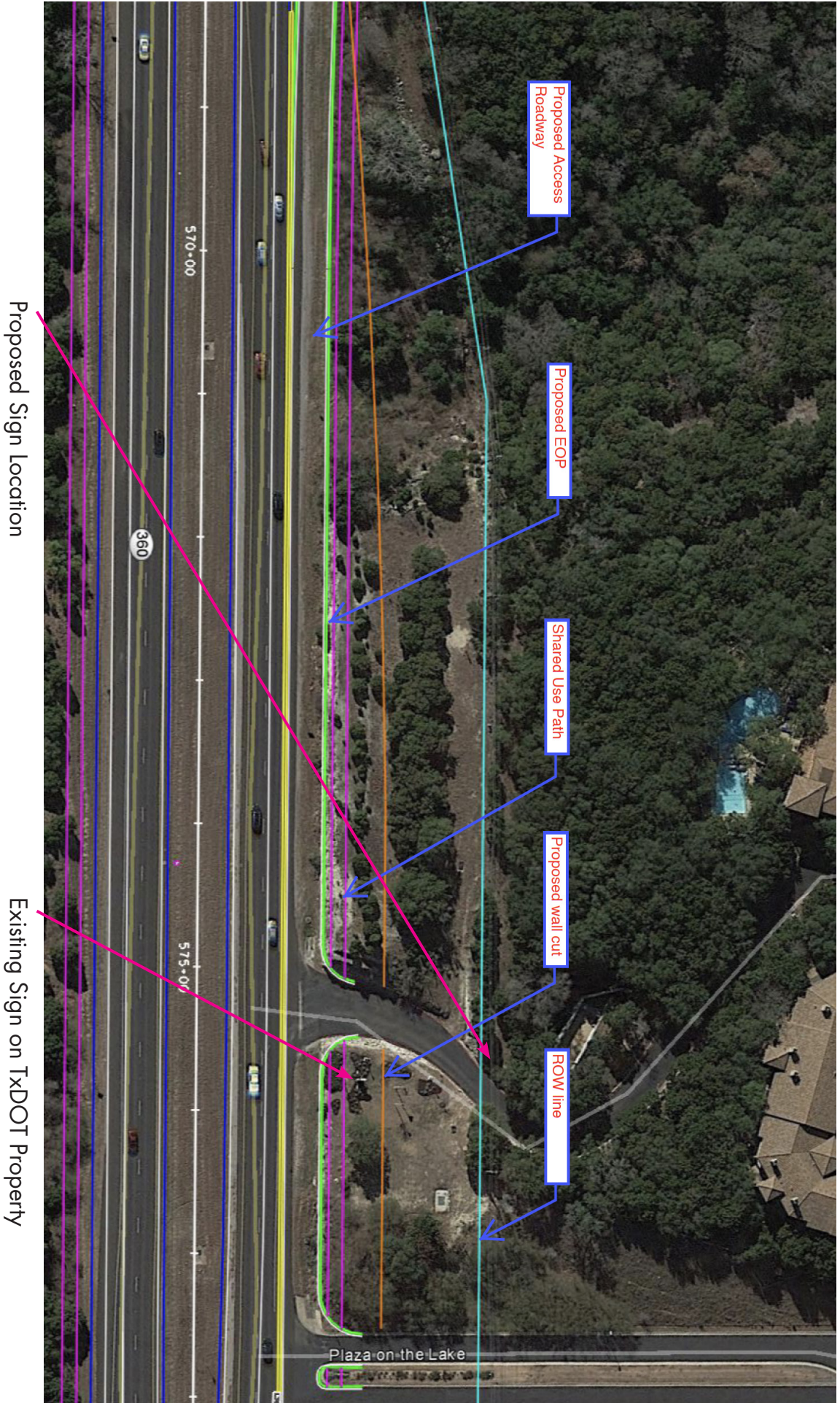


3500 Apartments double sided monument in daytime



3500 Apartments lit up at night on both sides of monument

EXHIBIT 6 - TXDOT EXPANSION OF N CAPITAL TEXAS HWY (LOOP 360)



4700 N Capital of Texas Hwy.,
Loop 360
Austin, TX 78746

D-1/14

Existing Sign on TxDOT Land
51' 6" to Edge of the
Shoulder of Road

Proposed New Sign Location
153' to Edge of the
Shoulder of Road

TX Dot Cliff Removal
(light blue)

Nalle Woods Property Line
(yellow line)

Blue Indicates TxDOT Land
(medium blue)

EXHIBIT 7 - TXDOT LAND AREA AND CLIFF REMOVAL

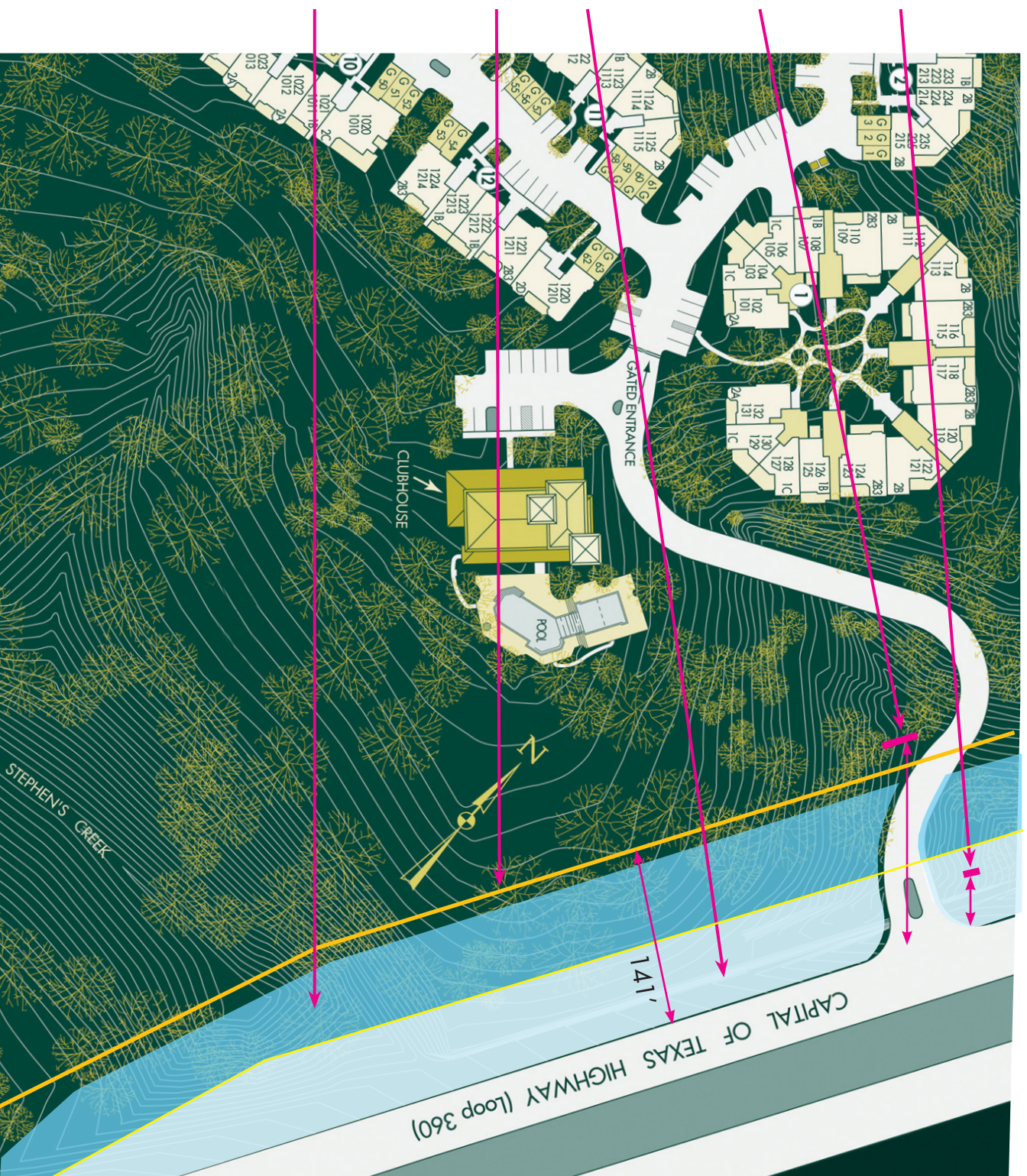
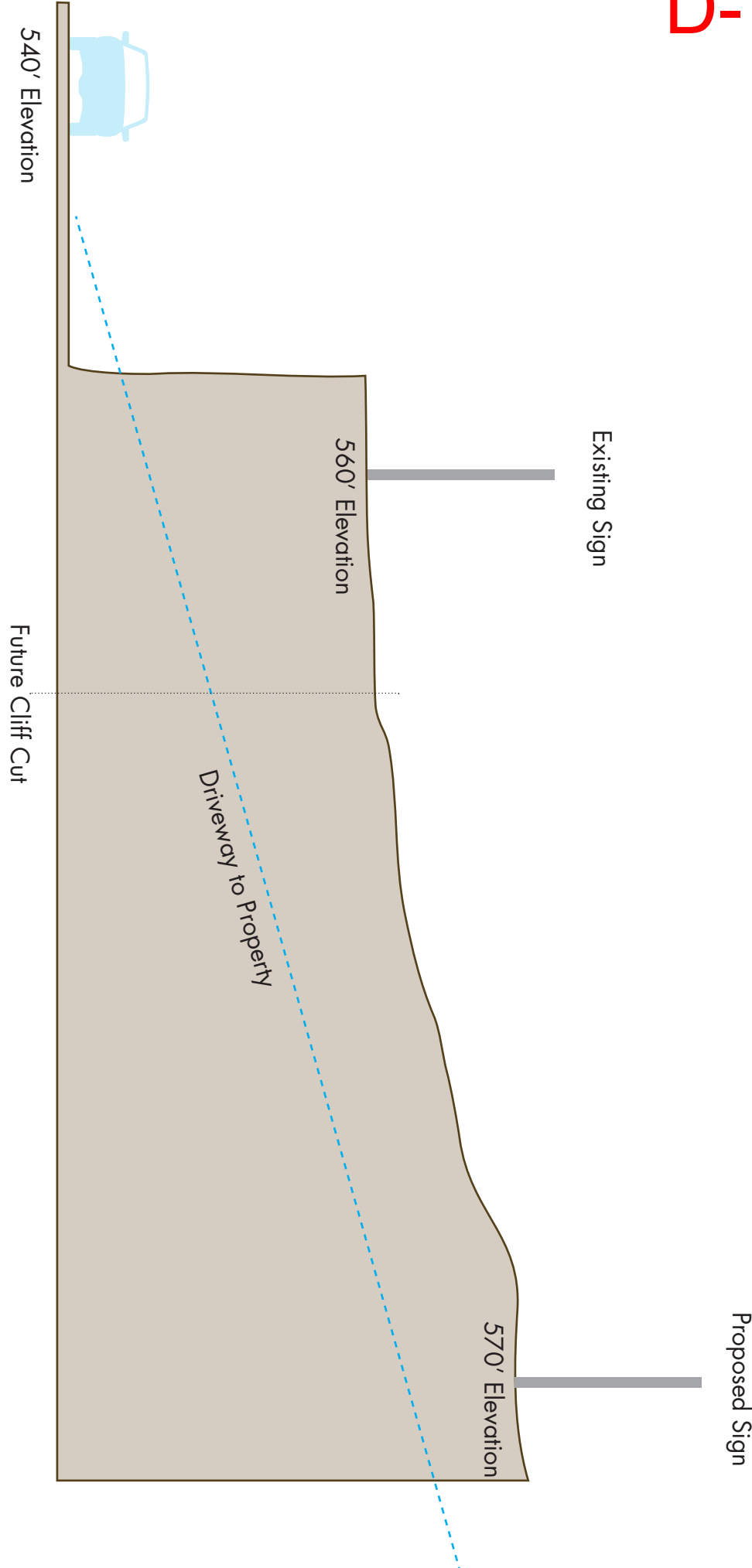


EXHIBIT 8 - CLIFF ELEVATION GRAPHIC FOR VISUAL PURPOSE

NALLE WOODS
4700 N Capital of Texas Hwy.,
Loop 360
Austin, TX 78746

SIGN VARIANCE REQUEST

D-1/15



Vertical elevation is to scale.

NALLE WOODS
4700 N Capital of Texas Hwy.,
Loop 360
Austin, TX 78746
SIGN VARIANCE REQUEST

**EXHIBIT 9 - PROPOSED SIGN FROM THE MIDDLE OF NORTHBOUND LOOP 360, (264')
PROPOSED SIGN FROM THE ENTRANCE, (153')**

Proposed Sign Location

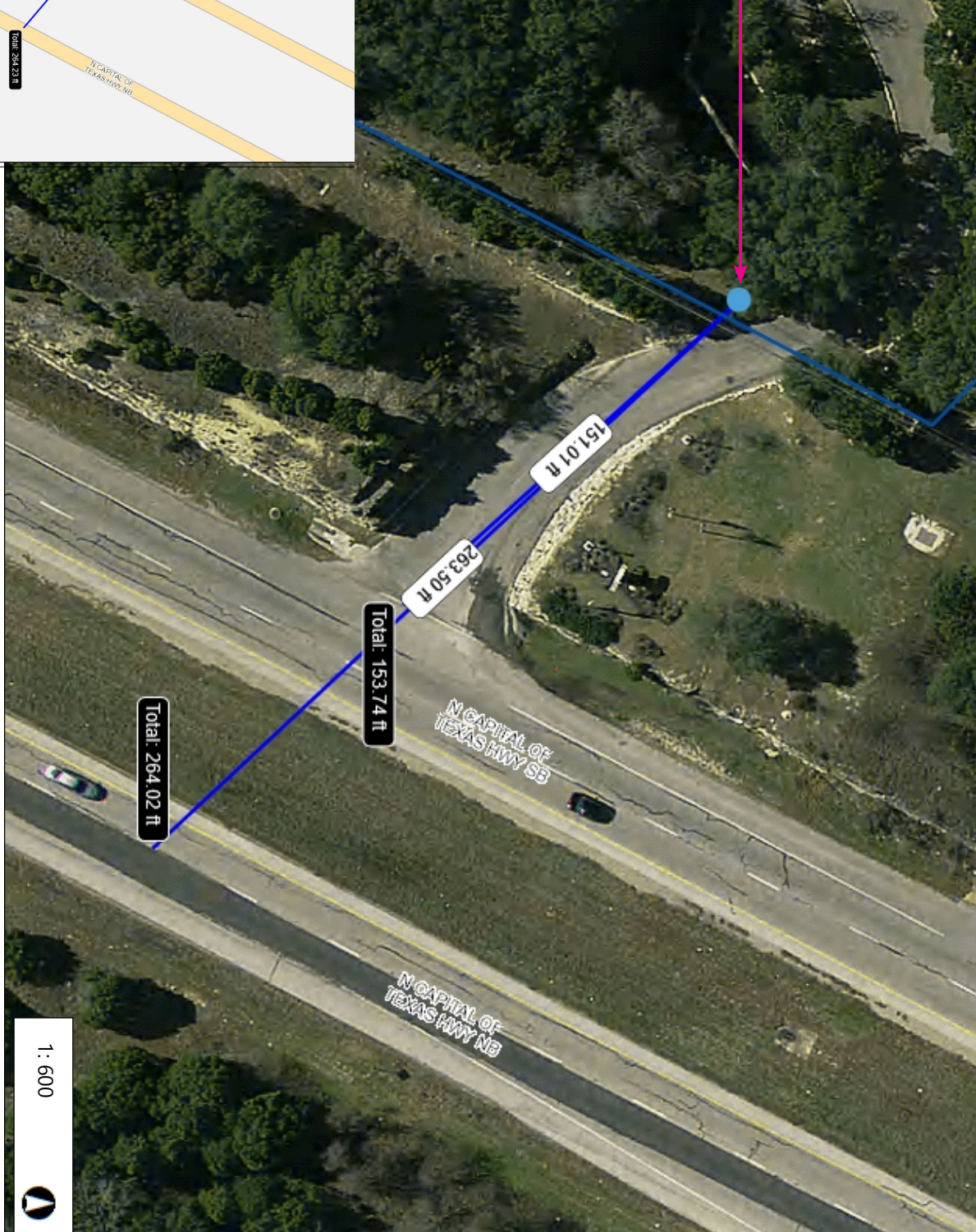
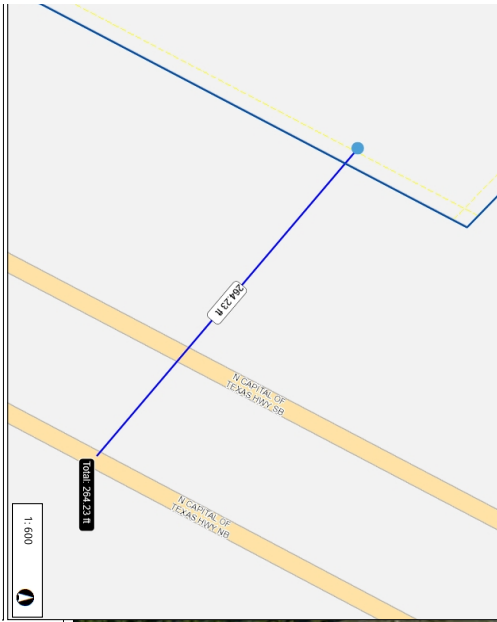


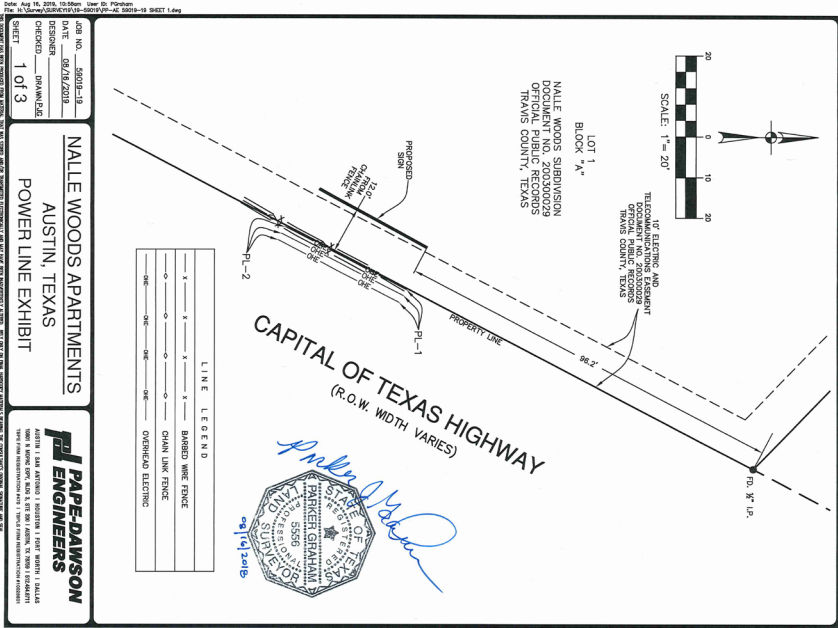
EXHIBIT 10 - SURVEY OF POWERLINES - SURVEYORS PAPE-DAWSON

NALLE WOODS

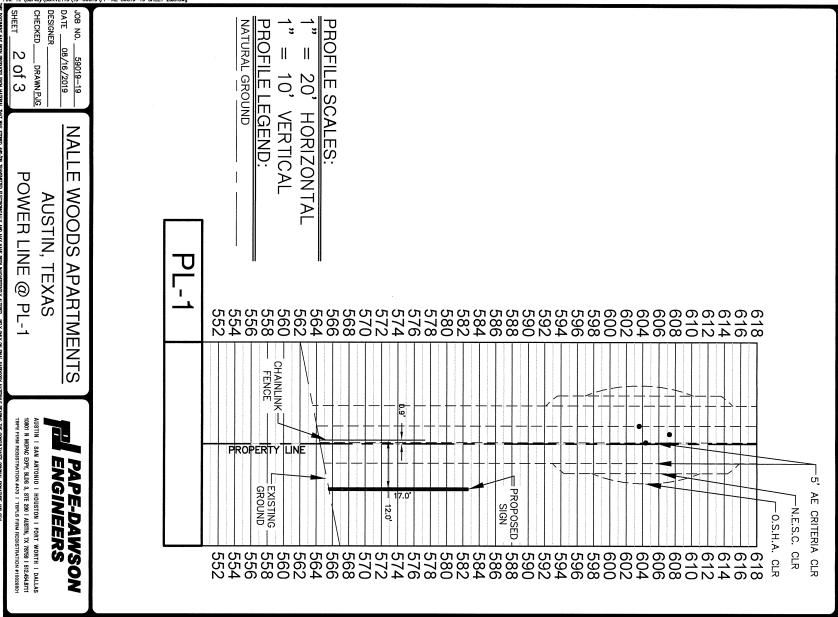
4700 N Capital of Texas Hwy.,
Loop 360
Austin, TX 78746

SIGN VARIANCE REQUEST

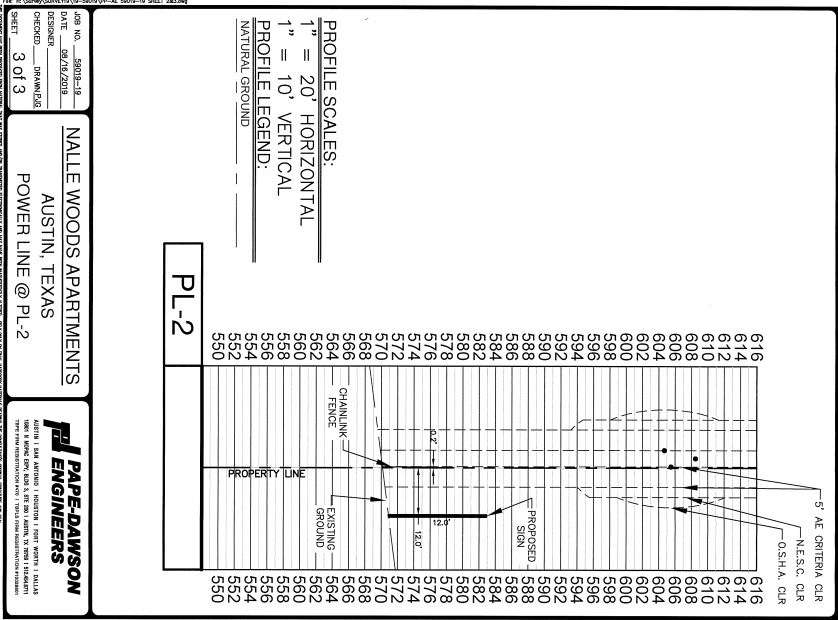
D-1/17



Overhead View



Northside of Sign



Southside of Sign



August 29, 2019

Ben Robinson
4700 N Capital of Texas Hwy SB
Austin TX, 78746

Property Description: LOT 1 BLK A NALLE WOODS SUBD

Re: C16-2019-0002

Dear Ben,

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

- a) Section 25-10-124 (Scenic Roadway Sign District) (B) (1) to increase the maximum sign area on a lot from 64 square feet (required) to 165.88 square feet (requested)
- b) Section 25-10-125 (B) (2) from 12 feet to 17 feet on the right side due to extreme slope of terrain in order to erect a freestanding internally illuminated (individual letters only) located at this site in a "MF-1-CO", Multi-Family - Combined Overlay zoning district; Scenic Sign District.

Austin Energy does not oppose the variances requested, which is shown on the attached stamped sketch, 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_1.10.0_CLSARE

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**CASE:** C16-2019-0002**BOA DATE:** Sept. 9, 2019**ADDRESS:** 4700 N Capital of Texas HWY SB**COUNCIL DISTRICT:** 10**OWNER:** Morningside Des Plaines LLC**AGENT:** Ben Robinson, Robinson Creative Inc.**ZONING:** MF-1-CO**LEGAL DESCRIPTION:** LOT 1 BLK A NALLE WOODS SUBD**VARIANCE REQUEST:** Sign size allowance**SUMMARY:** erect an individually lit channel letters sign**ISSUES:** extreme slope w/narrow entrance, foliage, dynamic terrain

| | ZONING | LAND USES |
|--------------|---------------|--|
| <i>Site</i> | MF-1-CO | Multi-Family |
| <i>North</i> | PUD | Planned Unit Development |
| <i>South</i> | CS-1; SF-6 | Commercial Liquor Sales; Single-Family |
| <i>East</i> | PUD | Planned Unit Development |
| <i>West</i> | LA | Lake Austin |

NEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets

BRNA ASSOCIATION INC.

Bike Austin

City of Rollingwood

Friends of Austin Neighborhoods

Glenlake Neighborhood Association

Neighborhood Empowerment Foundation

SEL Texas

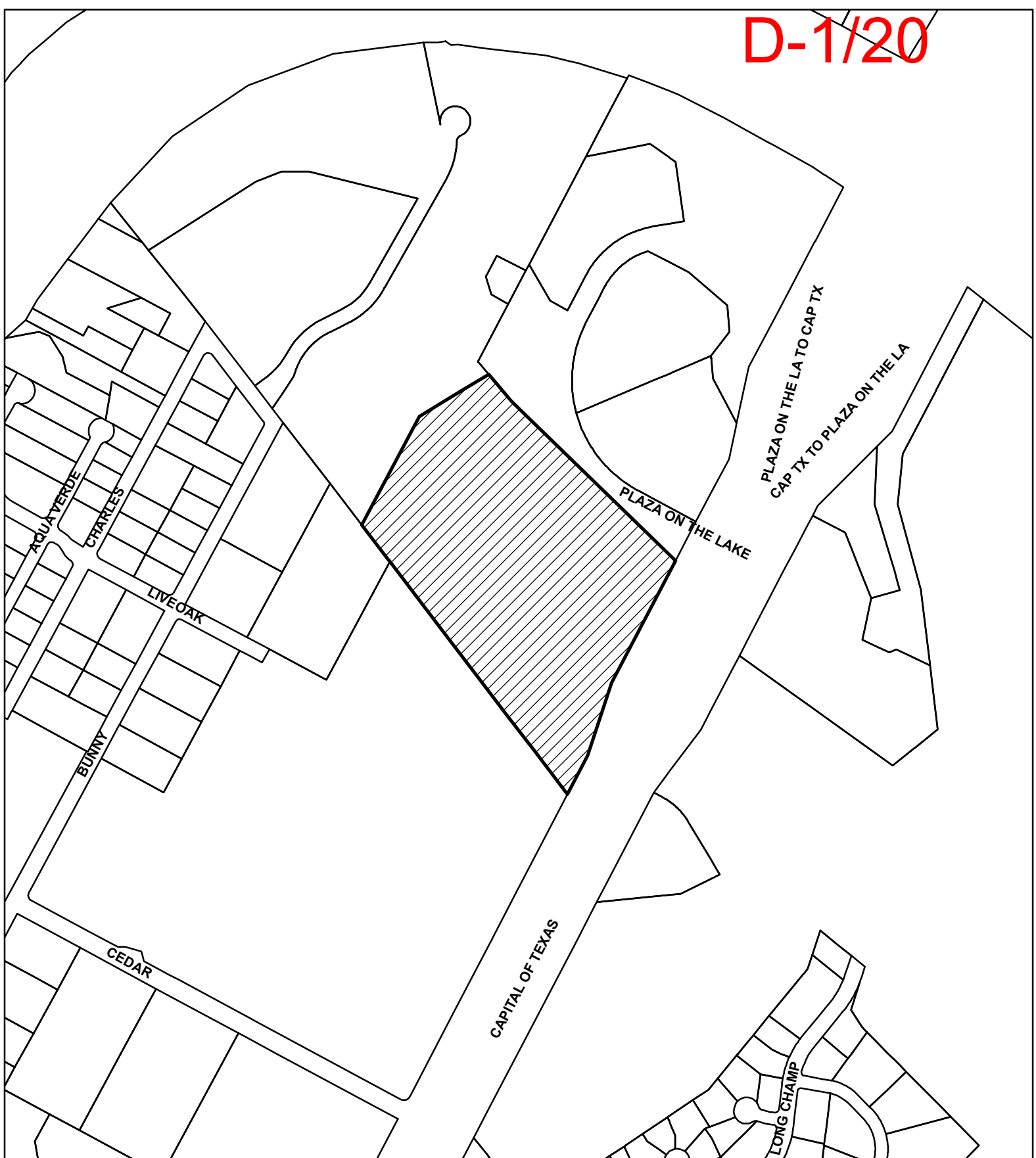
Save Our Springs Alliance

Sierra Club, Austin Regional Group

TNR BCP – Travis County Natural Resources

The Creek at Riverbend Neighborhood Association

D-1/20






NOTIFICATIONS

CASE#: C16-2019-0002

LOCATION: 4700 N CAPITAL OF TEXAS HWY SB



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 500'

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.



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: _____

Subdivision Legal Description:

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: _____

Sign District: _____

I/We _____ on behalf of myself/ourselves as

authorized agent for _____ affirm that on

Month _____, Day _____, Year _____, 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: _____

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

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:

—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:

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: _____

Applicant Name (typed or printed): _____

Applicant Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

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: _____

Owner Name (typed or printed): _____

Owner Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____



**Morningside Des Plaines, LLC and
Morningside 770, LLC as tenants in common
223 West Erie Street, 3rd Floor
Chicago, Illinois 60654
O| 312.280.7770 x113**

July 10, 2019

City of Austin
Development Services Department
One Texas Center
505 Barton Springs Road,
Austin, Texas 78704

Re: Authorization of Acting Agency for Robinson Creative, Inc.
Nalle Woods apartments, 4700 N. Capital of Texas Hwy.

To whom it may concern:

This letter is intended to communicate that Robinson Creative, Inc. is hereby authorized to act as agent on the behalf of Morningside Des Plaines, LLC and Morningside 770, LLC as tenants in common ("Morningside") doing business as Nalle Woods apartments, with regard to matters concerning approvals for the installation of identification signage at the entrance of the property.

Robinson Creative, Inc. will be authorized to act as agent for Morningside until a final approval determination has made.

Should you have any questions, please feel free to contact me at 312.280.7770 extension 113.

Respectfully submitted,
MORNINGSIDE DES PLAINES, LLC and
MORNINGSIDE 770, LLC as tenants in common

Eric Slavik
Authorized Representative

Notarization Attached

State of Illinois
County of Cook

This instrument was acknowledged before me on July 10, 2019 by Eric Slavik as Authorized Representative of Morningside Des Plaines LLC and Morningside 770 LLC, Tenants in Common.



(Signature of Notary Public)





**ROBINSON
C R E A T I V E**

817.748.5057
817.488.1818 (fax)
930 S. Kimball Ave, Suite 120
Southlake, TX 76092

RobinsonCreativeInc.com

August 23, 2019

Board of Adjustments Commissioners
City of Austin
505 Barton Springs Road
Austin, Texas 78704

Re: BOA Request for Sign Variance for 4700 N Capital of Texas Hwy Austin, Texas 78746
(the "Property")

Dear Members of the Board of Adjustments:

The undersigned firm represents the owner of Nalle Woods of Westlake in seeking a variance from the City of Austin sign ordinance, Section 25-10-124(1)(B), to increase the total square footage allowed and increase height due to topography of the Property and its expansive setback from the right of way.

As shown in the materials provided, the Property line is located 141' from the pavement of Loop 360. Texas Department of Transportation (TxDOT) owns the land between the Property and the right of way. The location of the current sign has been leased from the TxDOT for the past 14 years due to the setback and limited visibility of the community from Loop 360. As of August, the property lease with TxDOT was terminated and the existing signage must be removed so that TxDOT may begin a two-year road expansion project.

The variance is necessary because strict enforcement of the requirements prevents any reasonable opportunity to provide adequate signs on the Property, considering the unique features of the Property including its dimensions, landscaping, and topography. As noted above, the Property is located 141' from the pavement of Loop 360. There are various topographical issues, including a 40' vertical rock outcrop on either side of the existing driveway and extreme slope, which prevent a Code compliant sign from being visible from the road. Additionally, there are trees and other vegetation that block the view.

The variance would not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated since this Property has unique topography and has a substantial setback from the pavement that is greater than the setbacks for surrounding properties. The elevation above the right of way is unique to this Property, and the road expansion project, which includes among other things an access lane to Loop 360, is directly in front of this Property.

Furthermore, the proposed sign is not inconsistent with the size of the signs on neighboring property owners, such as Riverbend Church and Remembrance Gardens.

We greatly appreciate your consideration of this matter on the grounds detailed above.

Sincerely,

A handwritten signature in black ink, appearing to be 'BR' with a long, sweeping horizontal line extending to the right.

Ben Robinson
President

[REDACTED]

August 21, 2019

Neighbors of Nalle Woods Apartment

Re: Sign Variance Request for Nalle Woods Apartments – 4700 N Capital of Texas Hwy

Dear Neighbor,

The undersigned firm represents the owner of Nalle Woods Apartments in seeking a variance from the City of Austin sign ordinance, and we would appreciate your support in this matter.

Nalle Woods Apartments sits back from Capital of Texas Highway/Loop 360 approximately 150'. Texas Department of Transportation owns, as right of way, that portion of property between the current edge of the pavement and the Nalle Woods property. The entrance to Nalle Woods Apartments is hidden by large rock cliffs and wooded areas, and the community has difficulty in identifying itself. The location of the current sign is being leased from the TXDOT due to the limited visibility of the community from Loop 360. As of August, the property lease with TXDOT has been terminated and the existing signage must be removed so that TXDOT may begin a two-year road expansion project.

With the termination of the TXDOT lease, the apartment community must relocate the monument sign onto its property. Given the distance from the right of way, the topography, and the construction that will begin shortly, the existing sign will not be visible from Loop 360 once it is permanently placed on the apartment community's property. This not only creates financial hardships to the community, it also raises safety concerns when emergency responders or guests cannot properly locate the entrance to the community.

As such, we are seeking a variance from the sign ordinance to allow for a sign with 36" letters to be placed on the community's property 153' back from Loop 360. This results in an increase to the overall allowed square footage by approximately 100 square feet. Additionally, the sign will be slightly taller than 12' above grade on one side to account for the severe slope. An image of the proposed sign is enclosed herein. The 36" letter height is based on a standard visibility chart calculation when traveling at approximately 60 mph on Loop 360 at more than a 500' distance from both sides of traffic. The community also intends to enhance the new sign area with native landscape and foliage so that it blends with its natural surroundings.

If you have no objection to the variance described above, please consider signing the form enclosed herein and send your response back to the undersigned's office with the self-addressed envelope as soon as possible. If you would prefer to send your response directly to the Board of Adjustments, the contact person is Diana Ramirez, diana.ramirez@austintexas.gov. Lastly, if you have any questions or objections, please do not hesitate to contact me at [REDACTED], or 512-615-6652.

Sincerely,

Courtney Mogonye-McWhorter

Enclosures as stated.

cc: Mr. Terry Irion



**Morningside Des Plaines, LLC and
Morningside 770, LLC as tenants in common
223 West Erie Street, 3rd Floor
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July 10, 2019

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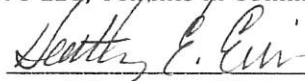
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(Signature of Notary Public)

