

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-1

DATE: March 8, 2021

CASE NUMBER: C16-2021-0001

___Y___ Brooke Bailey
___Y___ Jessica Cohen
___-___ Ada Corral OUT
___Y___ Melissa Hawthorne
___-___ VACANT
___Y___ Don Leighton-Burwell
___Y___ Rahm McDaniel
___Y___ Darryl Pruett
___Y___ Veronica Rivera
___-___ Yasmine Smith NO SHOW
___Y___ Michael Von Ohlen
___Y___ Kelly Blume (Alternate)
___-___ VACANT (Alternate)
___Y___ Donny Hamilton (Alternate)

APPLICANT: Claudia Salguero

OWNER: Kate Ontes

ADDRESS: 2402 GUADALUPE 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 two (2) wall signs and two (2) projecting signs in order to provide signage for CVS in a “CS-CO-NP”, General Commercial Services- Conditional Overlay Combining District– 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: BOA Jan 11, 2021 Board Member Jessica Cohen motions to postpone to February 8, 2021 due to technical difficulties, Board member Michael Von Ohlen seconds on a 9-0 vote; POSTPONED TO February 8, 2021 DUE TO TECHNICAL DIFFICULTIES. FEB 8, 2021 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Rahm McDaniel motions to postpone to March 8, 2021; Board Member Brooke Bailey seconds on a 9-1 vote (Board member Jessisca Cohen nay); POSTPONED TO MARCH 8, 2021. March 8, 2021 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Jessica Cohen motions to Grant with conditions to allow illumination on only 3 signs: S-1, S-2, and S-5 as shown on exhibit D-1/5; Board

Member Melissa Hawthorne seconds on a 10-0 vote; GRANTED WITH CONDITIONS TO ALLOW ILLUMINATION ON ONLY 3 SIGNS: S-1, S-3 AND S-5 AS SHOWN ON EXHIBIT D-1/5.

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: **this business is located in a high traffic part of downtown, drivers and pedestrian need to be able to easily find this business at night time especially because this is a pharmacy, an illuminate sign will not only benefit this business to be able to have the opportunity to have a successful future, but it will also benefit potential customers while trying to find this pharmacy**

OR,


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

OR,

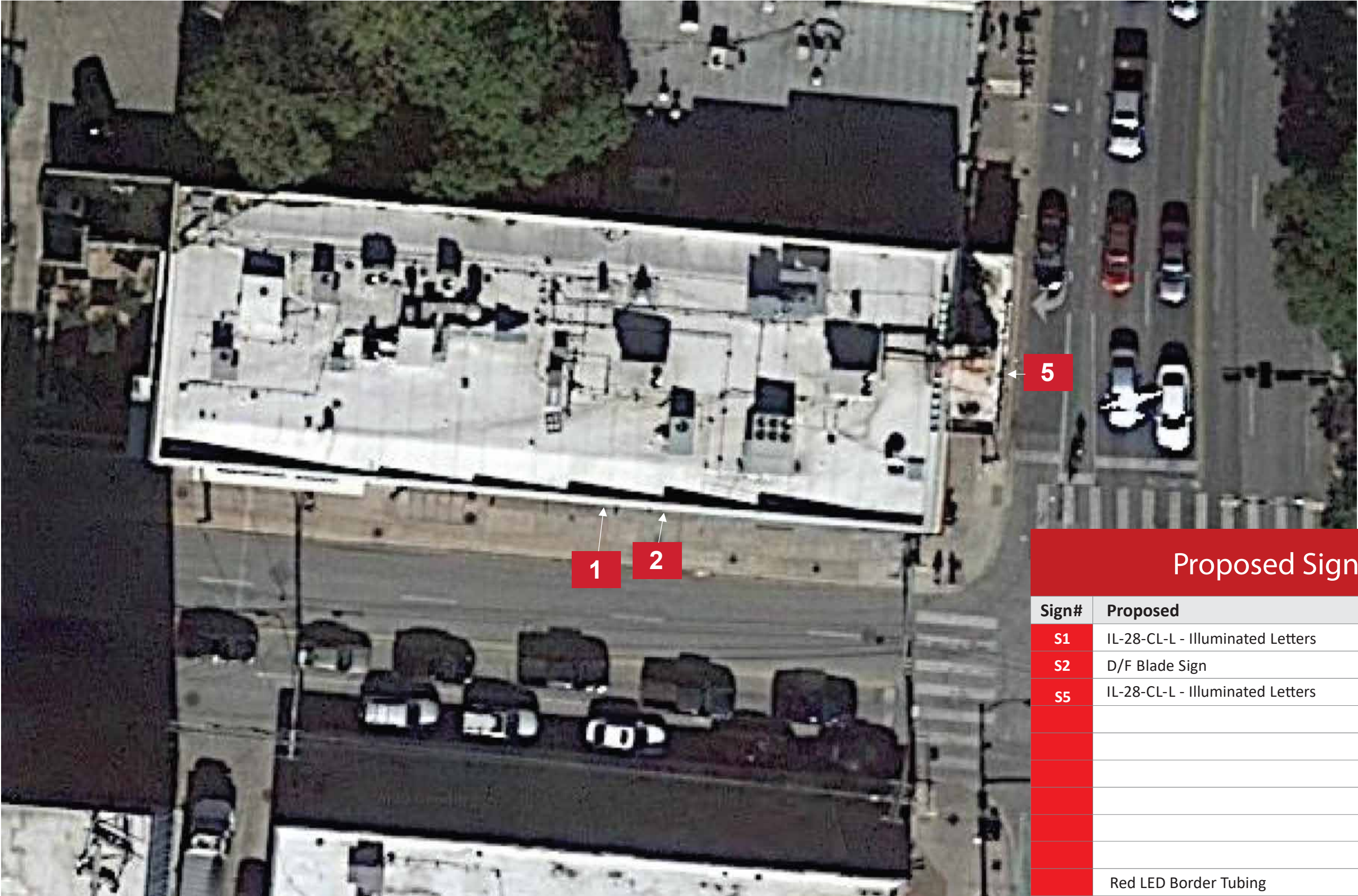
3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because: **n/a**

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: **without an illuminated sign, a freestanding sign or a roof sign customers will have an extremely hard time trying to locate this pharmacy, this is a very high traffic area especially at night time and seeing ahead the illuminated signs will give the customer time ahead to make the necessary arrangements to get to the pharmacy in the safest way as possible while walking or driving**


Elaine Ramirez
Executive Liaison

Diana Ramirez for
Don Leighton-Burwell
Chairman



* see supporting documents for details

Revisions:	
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...	...

PM: A.Q	Address: 2402 Guadalupe St.
Drawn By: EVS	City State: Austin, TX
Date: 03/28/2020	Drawing Number: SO 110031-4