

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

DATE: October 11, 2021

CASE NUMBER: C16-2021-0011

____ Thomas Ates
 ____ Brooke Bailey
 ____ Jessica Cohen
 ____ Melissa Hawthorne
 ____ Barbara McArthur
 ____ Rahm McDaniel
 ____ Darryl Pruett
 ____ Agustina Rodriguez
 ____ Richard Smith
 ____ Michael Von Ohlen
 ____ Nicholl Wade
 ____ Kelly Blume (Alternate)
 ____ Carrie Waller (Alternate)
 ____ Vacant (Alternate)

APPLICANT: Renee Bornn

OWNER: Villas Rio, LP

ADDRESS: 2111 RIO GRANDE 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), requesting a total of 1 sign(s) on the property:

- a) (F) to allow one (1) wall signs above the second floor (maximum allowed) to the eight floor (requested)
- b) (H) to allow for the one (1) sign(s) to all be illuminated in order to provide signage for the Villas on Rio Grande in a “GO-MU, LO-NP, MF-4-NP”, General Office-Mixed Use, Limited Office, Multi-Family– Neighborhood Plan zoning district. (West University Neighborhood Plan)

Note: The Land Development Code sign regulations 25-10-133 University Neighborhood Overlay Zoning Districts Signs

(F) No signs may be placed above the second floor of a building, except for a non-electric sign that is engraved, cut into the building surface, or otherwise inlaid to become part of the building.

(H) A sign may not be illuminated or contain electronic images or moving parts.

BOARD'S DECISION: Oct 11, 2021 BOA MEETING POSTPONED TO NOVEMBER 8, 2021 BY BOARD MEMBERS (AS REQUESTED BY APPLICANT)

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:

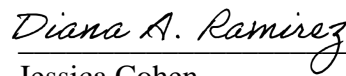
OR,

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
Madam Chair



October 5, 2021

Renee Bornn, Building Image Group
2111 Rio Grande St Bldg Flr8
Austin TX, 78705

Property Description: LT 1-3 OLT 23-1/2 DIV D HORSTS LOUIS SUBD

Re: C16-2021-0011

Dear Renee,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from LCD Sign Regulations in order to place an illuminated sign on the 8th floor.

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

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

Joseph Beeler, Planner II

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6602

BOA SIGN REVIEW COVERSHEET

CASE: C16-2021-0011

BOA DATE: October 11th, 2021

ADDRESS: 2111 Rio Grande St

COUNCIL DISTRICT: 9

OWNER: Villa Rios, LP

AGENT: Renee Bornn

ZONING: GO-MU; LO-NP; MF-4-NP

LEGAL DESCRIPTION: LT 1-3 OLT 23-1/2 DIV D HORSTS LOUIS SUBD

VARIANCE REQUEST: requesting a total of one (1) sign on the property: (F) to allow one (1) wall sign above the second floor (maximum allowed) to the eighth floor (requested) **and** (H) to allow for the one (1) sign to be illuminated.

SUMMARY: to attach a wall sign

ISSUES: preservation of historical building takes up a substantial portion of the 2nd Fl availability for illuminated signage.

	ZONING	LAND USES
<i>Site</i>	GO-MU; LO-NP; MF-4-NP	General Office-Mixed Use; Limited Office; Multi-Family High Density
<i>North</i>	GO-MU-H-NP	General Office-Mixed Use-Historic Landmark
<i>South</i>	MF-4-NP	Multi-Family
<i>East</i>	GO-MU-H-NP; GO-MU	General Office-Mixed Use
<i>West</i>	LO-NP	Limited Office

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



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C16-2021-0011

LOCATION: 2111 RIO GRANDE 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" = 292'

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: 2111 Rio Grande

Subdivision Legal Description:

Louise Horst's Subdivision of Outlot No 23.5

Lot(s): 1-4 Block(s): _____

Outlot: 23.5 Division: D

Zoning District: LO-NP

Sign District: University Neighborhood Overlay - UNO

I/We Renee Bornn/Building Image Group on behalf of myself/ourselves as

authorized agent for Villas Rio, LP affirm that on

Month July, Day 26, 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: Wall

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

LDC, Section 25-10-133 (University Neighborhood Overlay Zoning District Signs) (G) to illuminate (1) sign on the 8th floor west elevation, in order to provide signage for the new Villas on Rio Condo In the "LO-NP"- Neighborhood Plan zoning district, west 24th to Guadalupe St. The sign would be 99 square feet.

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:

The preservation of the historical building located on the site plan of the building takes up a substantial portion of the 2nd floor availability for illuminated signage on the front of the building.

—OR—

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

NA

—OR—

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

NA

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 proposed signage is similar to other signs that have been installed in the same district in nearby buildings.

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: 08/04/2021

Applicant Name (typed or printed): Building Image Group

Applicant Mailing Address: 1200 E. Third Street

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 494-1466

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:  Date: 8/4/21

Owner Name (typed or printed): Villas Rio, LP

Owner Mailing Address: 6543 Sewanee Avenue

City: Houston State: TX Zip: 77005

Phone (will be public information): (512) 454-2400

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Jason Rodgers

Agent Mailing Address: 12007 Technology Blvd., Suite 150

City: Austin State: TX Zip: 78727

Phone (will be public information): (512) 454-2400

Email (optional – will be public information): _____

SAVE

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: 8/5/2021

Applicant Name (typed or printed): Building Image Group

Applicant Mailing Address: 1200 E. Third Street

City: Austin State: TX Zip: 78702

Phone (will be public information): (512) 494-1466

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: 8/4/21

Owner Name (typed or printed): Villas Rio, LP

Owner Mailing Address: 6543 Sewanee Avenue

City: Houston State: TX Zip: 77005

Phone (will be public information): (512) 454-2400

Email (optional – will be public information):

Section 5: Agent Information

Agent Name: Jason Rodgers

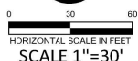
Agent Mailing Address: 12007 Technology Blvd., Suite 150

City: Austin State: TX Zip: 78727

Phone (will be public information): (512) 454-2400

Email (optional – will be public information):

SAVE



BENCHMARK
 1/2" IRON ROD FOUND
 UNLESS NOTED OTHERWISE
 NAIL FOUND (TYPE AND SIZE NOTED)
 RECORD INFORMATION
 PROPERTY LINE
 RIGHT-OF-WAY
 IRON ROD FOUND
 FOUND
 SPOT ELEVATION
 RECORD INFORMATION OF FINISHED FLOOR ELEVATION
 (SHOWN ON CIVIL CONSTRUCTION PLAN SHEET 15.)

UTILITIES AND IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN HEREON

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT,
THEREFORE EASEMENTS THAT MAY AFFECT THIS PROJECT ARE NOT SHOWN HEREON.

VERTICAL DATUM FOR THIS SURVEY IS BASED ON BENCHMARKS PROVIDED BY CLIENT-ROGERS'S O'BRIEN CONSTRUCTION CO., LTD. AND ESTABLISHED ON GARRETT-IHNEN SURVEY ENTITLED "VILLAS ON RIO GRANDE" WITH BASIS OF VERTICAL DATUM NOTED "ELEVATIONS REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK".

PROJECT BENCHMARK:
COTTON GIN SPINDLE SET IN SOUTH BASE OF A 31" DIAMETER PECAN TREE, TAG NO. 15798
119' SOUTH OF THE CENTERLINE OF WEST 23RD STREET, 161' EAST OF THE CENTERLINE OF
NUJES STREET AND 60' WEST OF THE CENTERLINE OF THE ALLEY. ELEVATION 586.66'.
VERTICAL DATUM: NAVD 83 'GEOID CG'

② TBM#1: SQUARE CUT ON TOP OF CURB AT THE NORTHWEST MARGIN OF THE INTERSECTION OF 22ND STREET AND A PUBLIC ALLEY, APPROXIMATELY 150' EAST OF RIO GRANDE STREET. ELEVATION 579.08.
VERTICAL DATUM: NAVD 83 (GEOID C9)

APPROXIMATELY 160' SOUTH OF THE INTERSECTION OF RIO GRANDE AND WEST 22ND STREET.
ELEVATION 576.41'.
VERTICAL DATUM: NAVD 83 (GEOID C9)

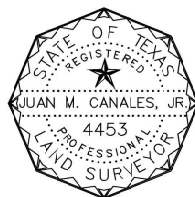
THIS MAP IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY CONDUCTED BY LANDMARK SURVEYING, LP; BUT ONLY INTENDED TO PRESENT EVIDENCE OF RECOVERED SUBJECT PROPERTY MONUMENTATION AND VERIFICATION OF THE BOUNDARY AS ESTABLISHED IN UDC'S SURVEY OF SUBJECT LOTS 1-4, OUTLOT 23 1/2, DIVISION "D" OF "HORST'S SUBDIVISION". LANDMARK DID NOT FIELD INVESTIGATE, RESEARCH OR ANALYZE ADJOINING TRACTS FOR CONFLICTS OR ENCROACHMENTS.

BUILDING OUTLINE SHOWN ON THIS SURVEY IS A REPRESENTATION OF VISIBLE AND ABOVE GROUND BUILDING STRUCTURE SURVEYED SEPTEMBER 01, 2020. FINAL EXTERIOR OF OUTER BUILDING WALL WAS NOT DETERMINED BY SURVEYOR. AT TIME OF THIS SURVEY, ONGOING CONSTRUCTION, EQUIPMENT AND MATERIAL PRESENT THROUGHOUT SITE.

AS SURVEYED BY
LANDMARK SURVEYING, LP
TEXAS FIRM REGISTRATION NO. 100727-00

Juan M. Canales, Jr.

JUAN M. CANALES, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4453
DATE: SEPTEMBER 01, 2020

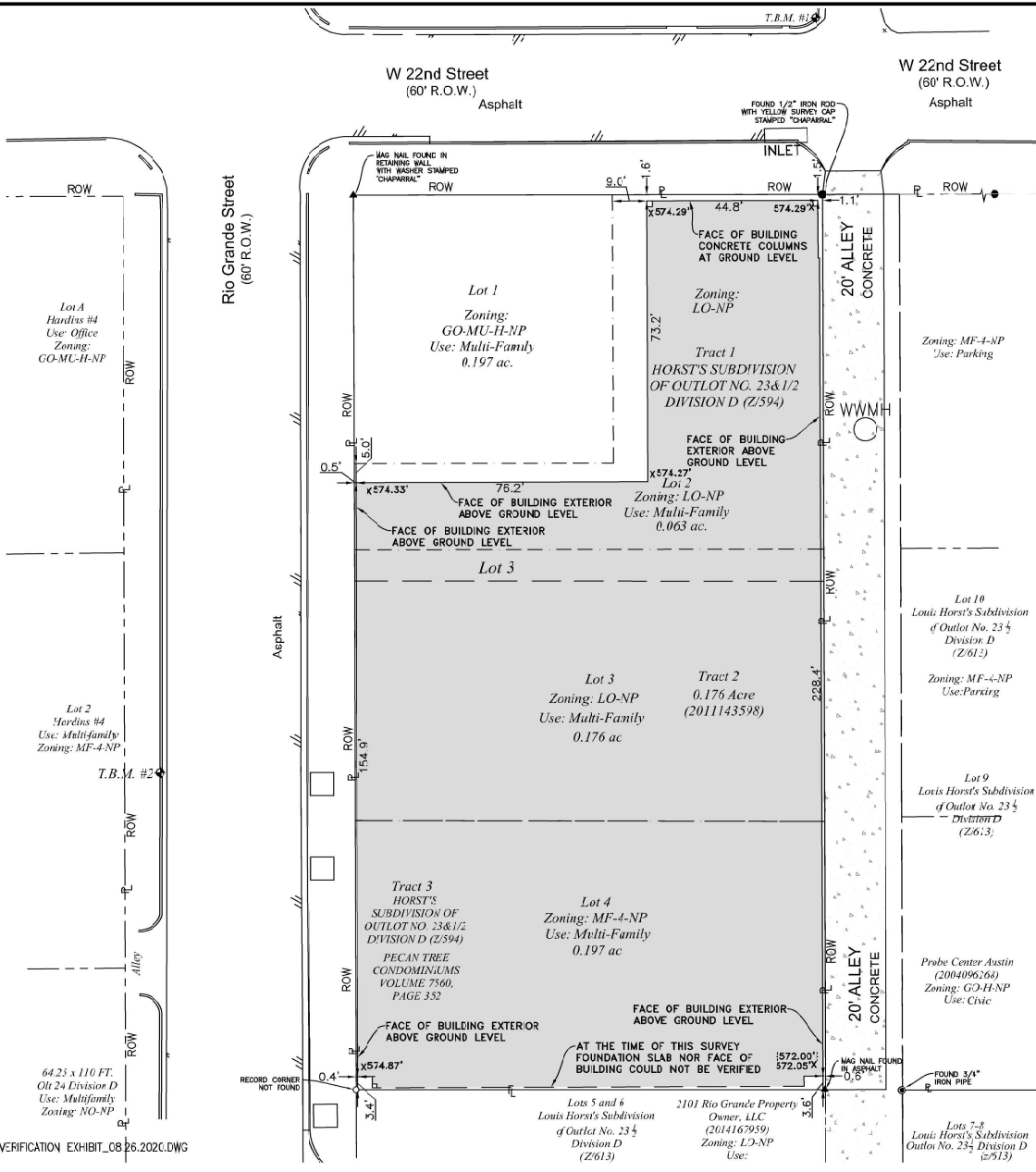


REVIEWED BY
09-04-2020
Date

Client: Rogers-O'Brien Construction
Date: SEPTEMBER 4, 2020
Office: Eleuterio Leos
Crew: S.DUNN, J.MURILLO
F.B.: 1712-15-16 & 24-25 & 43-45; 1763/35-36
Path: T:ROGERS-O'BREN CONSTRUCTION\22 RIO LANDMARK DRAW
Job No.: 922-08-05

64.25 x 110 FT.
Olt 24 Division D
Use: Multifamily
Zoning: NO-NP

CATION EXHIBIT_08 26.2020.DWG



 **Landmark**
SURVEYING, LP
2006 E. 5TH STREET
AUSTIN, TEXAS 78702
PH: (512) 328-7413 FAX: (512) 328-7413
TELEX: #666 REGISTRATION NO. 16057-00

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