

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-1

DATE: May 9, 2022

CASE NUMBER: C16-2022-0001

____ 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)
 ____ 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. April 11, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to postpone to May 9, 2022; Board Member Richard Smith seconds on a 11-0 vote; POSTPONED TO MAY 9, 2022. May 9, 2022 POSTPONED TO JUNE 13, 2022 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:

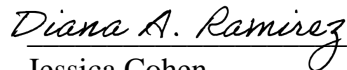
OR,

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

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet
C-2**

DATE: April 11, 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
☐ Y ☐ Michael Von Ohlen
☐ 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

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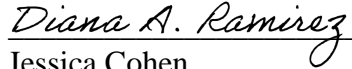
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Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Madam Chair

**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

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OR,

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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:


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
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 ____ 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)

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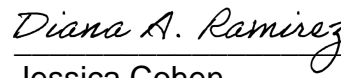
OR,

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

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 14th, 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

	ZONING	LAND USES
<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

D-1/11

RESEARCH BLVD

GREAT HILLS

RESEARCH N CAP TX TO RESEARCH NB

RESEARCH BLVD

GREAT HILLS TO RESEARCH SB

RESEARCH

NOTIFICATIONS

CASE#: C16-2022-0001

LOCATION: 10107 RESEARCH BLVD SVRD NB



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 208'

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 # 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:

—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:

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

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]

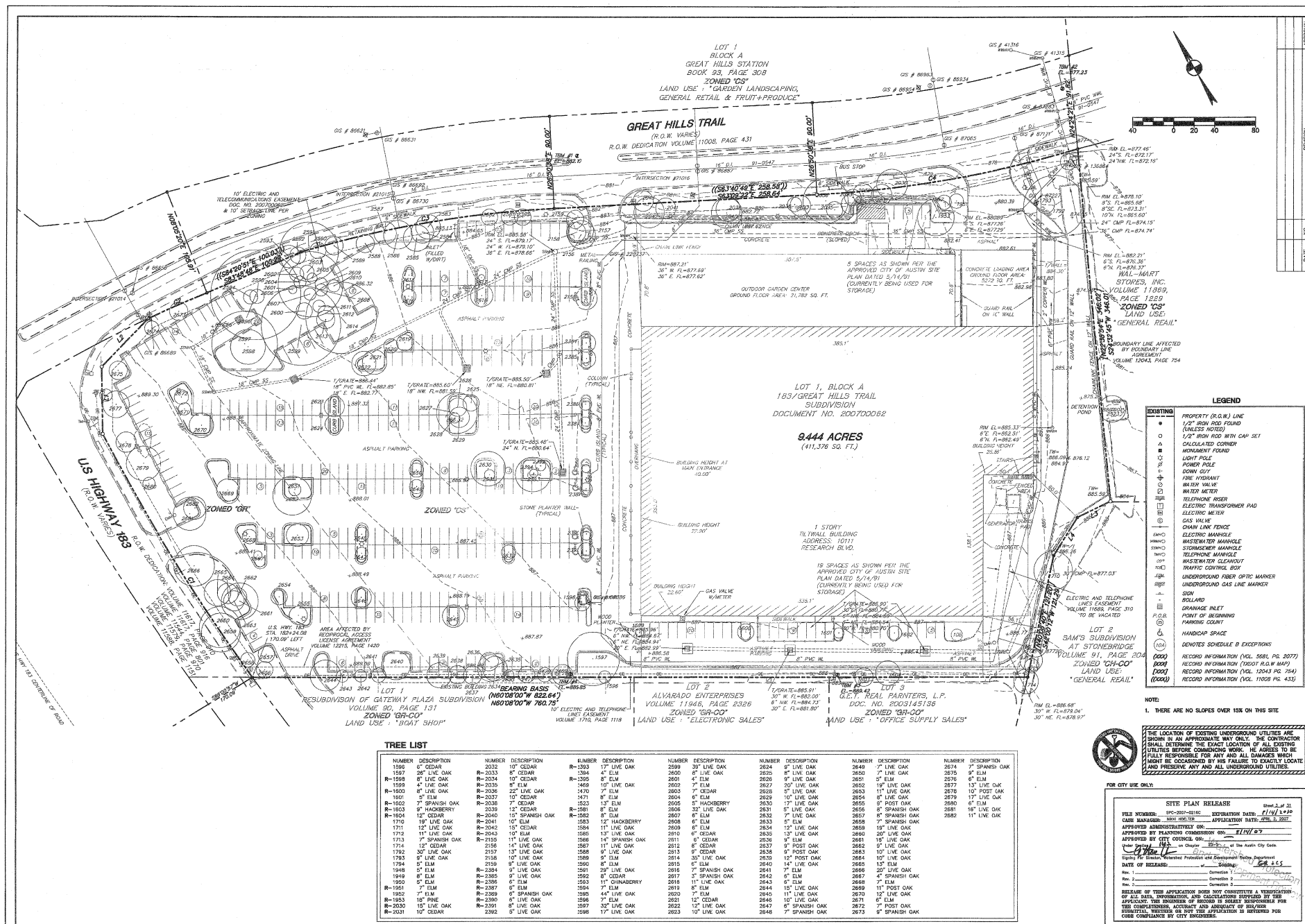
SAVE

Bury+Partners
ENGINEERING SOLUTIONS
2221 West Sixth Street, Suite 000
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0325
Bury+Partners, Inc. ©Copyright 2007

**EXISTING BOUNDARY,
TOPOGRAPHY &
TREE SURVEY**

◎ TARGET
AUSTIN ARBORETUM
10107 RESEARCH BLVD. AUSTIN, TEXAS

OF	3	PLOTTING SCALE: 1" = 1' DATE PLOTTED: 03/16/07 FILE: G:\714\08\71408TP01.DWG DRAWN BY: SPW DESIGNED BY: CBL REVIEWED BY: SNW PROJECT NO.: 714-08-00
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Bury+Partners
ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel. (512) 328-0011 Fax (512) 328-0025
Bury+Partners, Inc. e@buryt.com

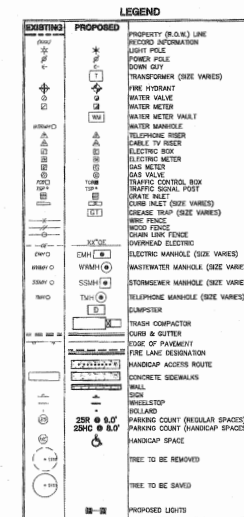


SITE PLAN A

© TARGET
AUSTIN ARBORETUM
10107 RESEARCH BLVD. AUSTIN, TEXAS

PLOTTING SCALE: 1" = 1'
DATE PLOTTED: 03/16/07
FILE: G:\714\08\71408SPN01.DWG
DRAWN BY: SPM
DESIGNED BY: CBL
REVIEWED BY: SMW

SHEET
7



SITE NOTES:

2. ALL DIMENSIONS TO CURBS ARE TO THE BACK OF THE CURB UNLESS OTHERWISE NOTED.
3. ALL RAMP PARKING DIMENSIONS ARE 2.50' TO THE BACK OF THE CURB UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS TO CURBS ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.
5. "PINE LAKE - TOW AHEAD" EVERY 30' FEET SHALL BE INDICATED ALONG ALL CURBS WHERE THERE IS NO HEAD-IN OR PARALLEL PARKING.
6. SIDEWALK ACCESS LANE SHALL BE INSTALLED PRIOR TO COMPLETES ARRIVAL ON SITE.
7. FIRE HYDRANTS SHALL BE INSTALLED AND CHARGED PRIOR TO COMPLETES ARRIVAL ON SITE.
8. ADDRESS SHALL BE PLACED ON THE CURB AND BE PERMANENTLY AFFIXED TO ALL STRUCTURES IN SUCH POSITIONS AS TO BE PLAINLY VISIBLE AND EASILY READ.
9. REFER TO SHEET 1, COVER SHEET FOR BENCHMARK INFORMATION.
10. CONTRACTOR SHALL REFERENCE GEOTECH REPORT FOR ALL PAYMENT RECOMMENDATIONS. CONTRACTOR SHALL OBTAIN AND VERIFY THAT NO HAZARDOUS MATERIALS ARE PRESENT ON SITE.
11. FINAL CREDIT CORRAL LOCATIONS TO BE DETERMINED BY TARGET.
12. SCHEDULING FOR SOIL WASTE COLLECTION AND LOADING AREAS SHALL BE THE SAME AS, OR OF EQUAL QUALITY TO, PRINCIPAL BUILDING MATERIALS TO BE OFF-SITE.
13. EXISTING PARKING LOT SURFACE IS TO BE MILLED AND REFINISHED PRIOR TO CONSTRUCTION.

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 BURT PARTNERS, INC. ONLY. NO OTHER ABOVE GROUND EVIDENCE OF IMPROVEMENTS AND UTILITIES WERE LOCATED.

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 PLAN RELEASE

Sheet 7 of 8

FILE NUMBER: EPF-2007-02186 EXPIRATION DATE: 8/19/2007
CASE MANAGER: NIKO HUSTLER APPLICATION DATE: APR 19, 2007
APPROVED ADMINISTRATIVELY BY: _____
APPROVED BY PLANNING COMMISSION ON: 8/19/07
APPROVED BY CITY COUNCIL ON: _____
Cathy [Signature] on Chapter 215 of the Adult City Code.
Signed by _____, Watchdog Protection and Sewerage/Rain Reside Department
DATE OF RELEASE: _____ or _____ Setting: GRACES
Page 6 of 6

Rev. 1 _____ Comments 1 _____
Rev. 2 _____ Comments 2 _____
Rev. 3 _____ Comments 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 THE/HER/ITS TECHNICAL WRITINGS OR NOT THIS APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

G:\714\08\71408SPN01.dwg modified by smcruity on Aug 20, 2007 - 8:10am

SPC-2007-0216C

D-1/18

