



## Agenda Item # 1 - HOLDOVER

### BOA-003538-2025

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

## DETAILS

**Location:**

503 and 505 Congress Street

**Applicant / Agent:**

Porchlight, LLC (Keri Coumanis, Agent)

**Property Owner:**

Roosevelt Turner

**Current Zoning:**

T-4 Sub-District of the Downtown Development District

**Future Land Use:**

Downtown

**Case Number(s):**

6717

**Unified Development Code Requirement:**

- The Unified Development Code (UDC) does not allow a concert and event venue in a T-4 Sub-district of the Downtown Development District (DDD).

**Board Consideration:**

- Use Variance to allow a concert and event venue with 100 seats in a T-4 Sub-district of the Downtown Development District (DDD).

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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units. Commercial units lie to the southeast.

APPLICATION NUMBER	6717	DATE	February 2, 2026
APPLICANT	Porchlight, LLC (Keri Coumanis, Agent)		
REQUEST	Use Variance		



## HOLDOVER COMMENTS

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### Holdover Engineering Comments:

No comments to the proposed variance; however, according to the submitted plans, the proposed project will require a Land Disturbance Permit to be submitted through Central Permitting. It also appears that there are proposed structures to be placed within the public Right of Way. Contact the Engineering Dept. to discuss requesting a Non-Utility Use Agreement with the City, this agreement must be approved prior to the issuance of any Land Disturbance permits.

### Holdover Planning Comments:

This application was heldover by the Board of Adjustment at its December 1, 2025 meeting to allow the applicant time to reach out to the community and establish a parking plan.

The applicant has submitted supplemental information, including shared parking agreements that the applicant is coordinating between the Mobile Area Mardi Gras Association (MAMGA) for approximately 63 parking spaces and the Dearborn YMCA for approximately 66 parking spaces, for a total of 129 parking spaces. Furthermore, the applicant submitted a map depicting 185 on-street parking spaces within ¼ mile of the subject site. With both on-street and off-street parking combined, the applicant is proposing a total of 314 parking spaces be available to people visiting the site in the future.

The applicant also states that while the DDD does not require parking for a theater, outside of the DDD, a theater is required to provide one (1) parking space per 400 square feet. Therefore, if the same ratio applied to the subject site, they would be required to provide 12 parking spaces.

## HOLDOVER CONSIDERATIONS

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### Standards of Review:

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

Article 5 Section 10-E. 1. of the Unified Development Codes states that the Board of Adjustment may grant a variance if:

- The Applicant demonstrates that the variance shall not be contrary to the public interest,
- Where, owing to special conditions a literal enforcement of the provision of this Chapter will result in unnecessary hardship; and
- The spirit of this Chapter will be observed and substantial justice done.

Article 5 Section 10-E.2. states no variance shall be granted:

- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

## Considerations:

Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be present:

- A) The variance **will not** be contrary to the public interest;
- B) Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C) The spirit of the chapter **shall be** observed and substantial justice **done** to the applicant and the surrounding neighborhood by granting the variance.

If approved, the variance should be subject to the following conditions:

- 1. Submittal of a CRC application for review prior to the issuance of permits;
- 2. Obtain all required land disturbance, building, and sign permits; and
- 3. Full compliance with all municipal codes and ordinances.

## SITE HISTORY

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In 1943, the existing structure was opened as an African-American theater with 500 seats. The theater closed in 1971.

The site was previously zoned B-4, General Business District prior to the adoption of the Downtown Development District (DDD) in 2014, when the site was rezoned to T-4 Sub-District of the Downtown Development District.

There have been no previous Planning Commission or Board of Zoning Adjustment applications for this site.

## STAFF COMMENTS

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### Engineering Comments:

No comments to the proposed variance; however, according to the submitted plans, the proposed project will require a Land Disturbance Permit to be submitted through Central Permitting.

### Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Appendix A, Section 9.C of the City's Unified Development Code.

### Urban Forestry Comments:

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.



## **Fire Department Comments:**

All projects located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the International Fire Code (IFC).

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in Appendices B and C of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the International Residential Code (IRC) functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the International Fire Code, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

## **Planning Comments:**

The applicant is requesting a Use Variance to allow a concert and event venue with 100 seats in a T-4 Sub-district of the Downtown Development District; the Unified Development Code (UDC) does not allow a concert and event venue in a T-4 Sub-district of the Downtown Development District.

The complete application and supporting documents are available via the link on page 1.

The site is not located in a locally regulated historic district. However, as the site is located in the Downtown Development District, any exterior changes made to a structure aside from repairing and replacing existing materials, must be reviewed by the Consolidated Review Committee (CRC). As the subject site has not submitted a CRC application, it should be noted that if approved, a CRC application must be submitted for review prior to the issuance of permits.

While the site plans submitted depict 100 fixed seats in the renovated theater, the proposed occupant load for the structure overall is 328 people. No off-street parking is proposed as part of the development, but green spaces are proposed on either side of the theater building.

## **VARIANCE CONSIDERATIONS**

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### **Standards of Review:**

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

Article 5 Section 10-E. 1. of the Unified Development Codes states that the Board of Adjustment may grant a variance if:

- The Applicant demonstrates that the variance shall not be contrary to the public interest,
- Where, owing to special conditions a literal enforcement of the provision of this Chapter will result in unnecessary hardship; and
- The spirit of this Chapter will be observed and substantial justice done.

Article 5 Section 10-E.2. states no variance shall be granted:

- (d) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (e) Where economic loss is the sole basis for the required variance; or
- (f) Where the variance is otherwise unlawful.

### Considerations:

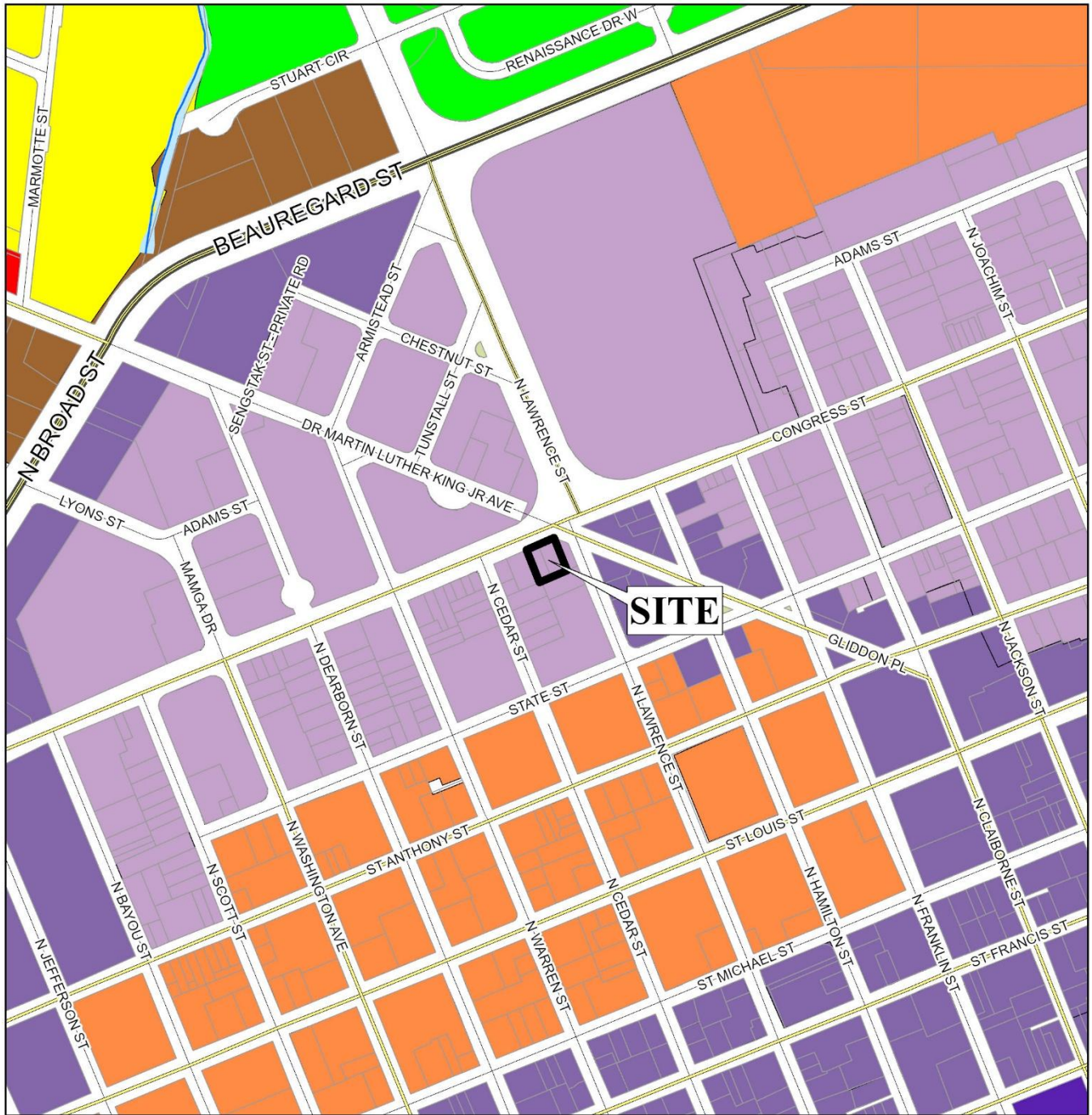
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be present:

- A) The variance **will not** be contrary to the public interest;
- B) Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C) The spirit of the chapter **shall be** observed and substantial justice **done** to the applicant and the surrounding neighborhood by granting the variance.

If approved, the variance should be subject to the following conditions:

1. Submittal of a CRC application for review prior to the issuance of permits;
2. Obtain all required land disturbance, building, and sign permits; and
3. Full compliance with all municipal codes and ordinances.

# LOCATOR ZONING MAP

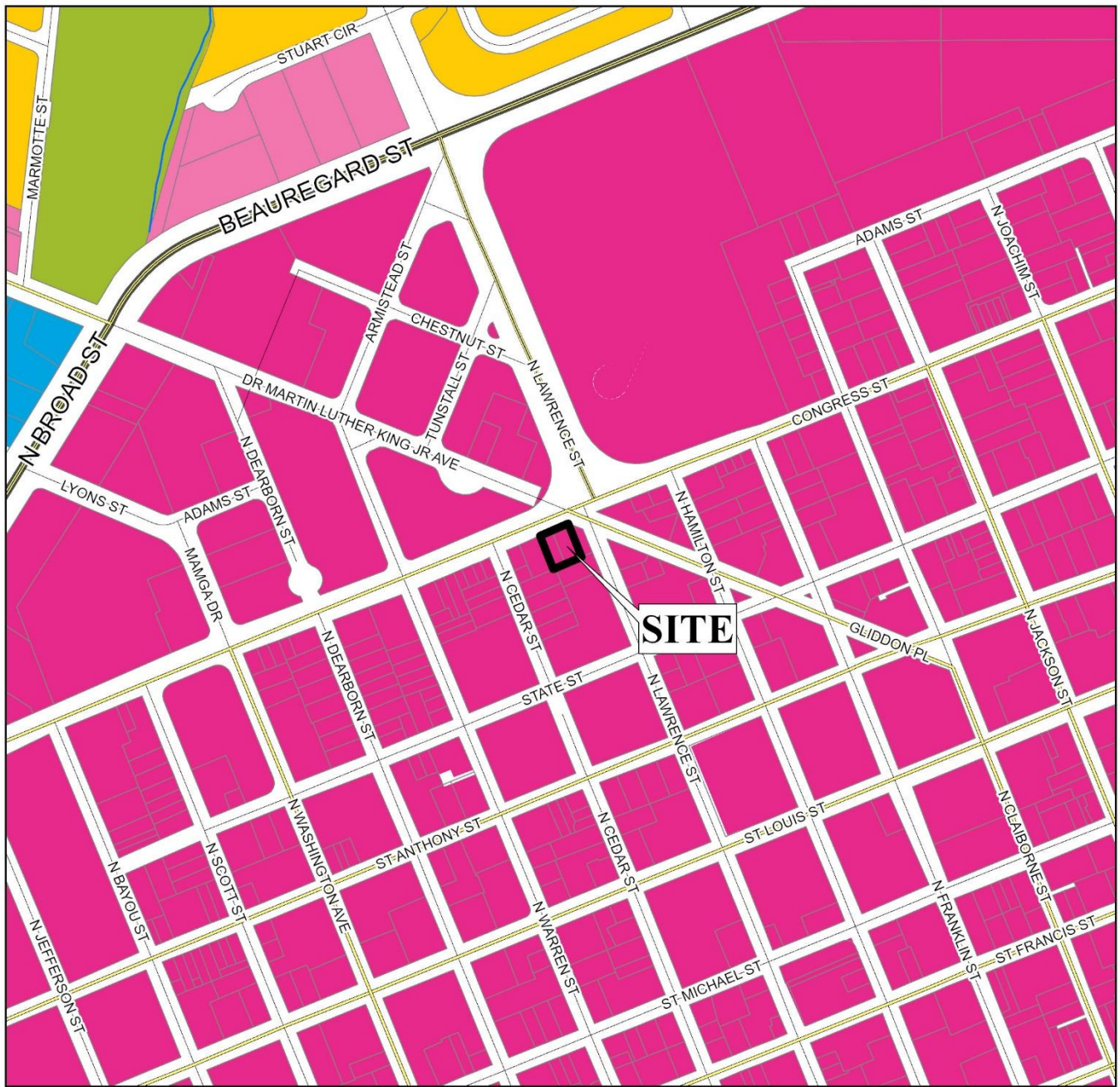


APPLICATION NUMBER 6717 DATE February 2, 2026  
 APPLICANT Porchlight, LLC (Keri Coumanis, Agent)  
 REQUEST Use Variance





## FLUM LOCATOR MAP



APPLICATION NUMBER 6717 DATE February 2, 2026

APPLICANT Porchlight, LLC (Keri Coumanis, Agent)

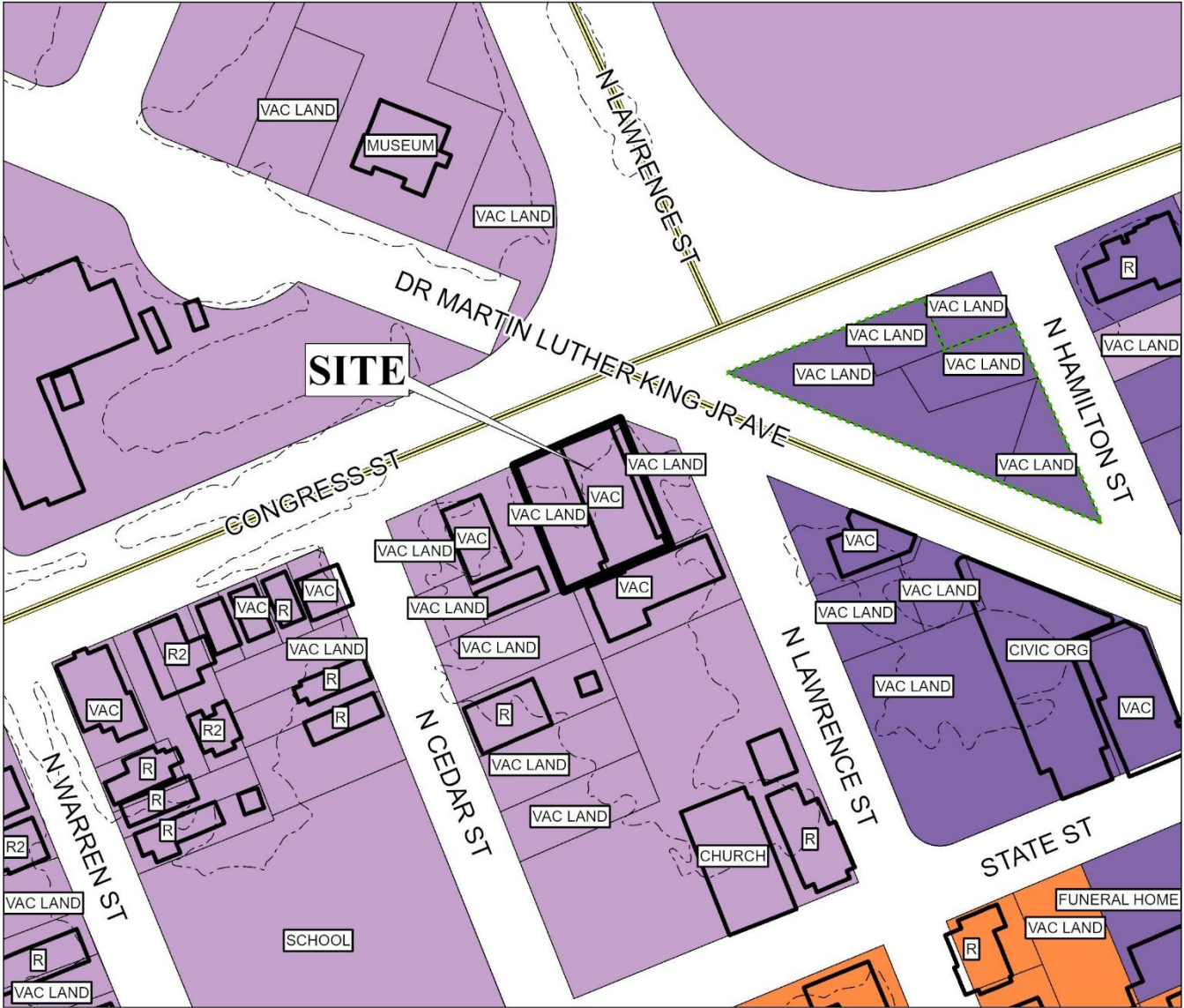
REQUEST\_\_\_\_\_Use Variance

- Low Density Residential
  Neighborhood Center - Traditional
  Light Industry
  Water Dependent
- Mixed Density Residential
  Neighborhood Center - Suburban
  Heavy Industry
- Downtown
  Traditional Corridor
  Institutional
- District Center
  Mixed Commercial Corridor
  Parks, Open Space






# **BOARD OF ADJUSTMENT** **VICINITY MAP - EXISTING ZONING**



The site is surrounded by residential units. Commercial units lie to the southeast.

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REQUEST <u>Use Variance</u>		
<div><div><div>R-A</div><div>R-3</div><div>B-1</div><div>B-2</div><div>B-5</div><div>ML</div><div>I-2</div><div>OPEN</div><div>T-3</div><div>T-5.2</div></div><div><div>R-1</div><div>R-B</div><div>T-B</div><div>B-3</div><div>CW</div><div>MH</div><div>PD</div><div>SD</div><div>T-4</div><div>T-6</div></div><div><div>R-2</div><div>H-B</div><div>LB-2</div><div>B-4</div><div>MM</div><div>I-1</div><div>MUN</div><div>SD-WH</div><div>T-5.1</div></div></div>		

## SITE PLAN



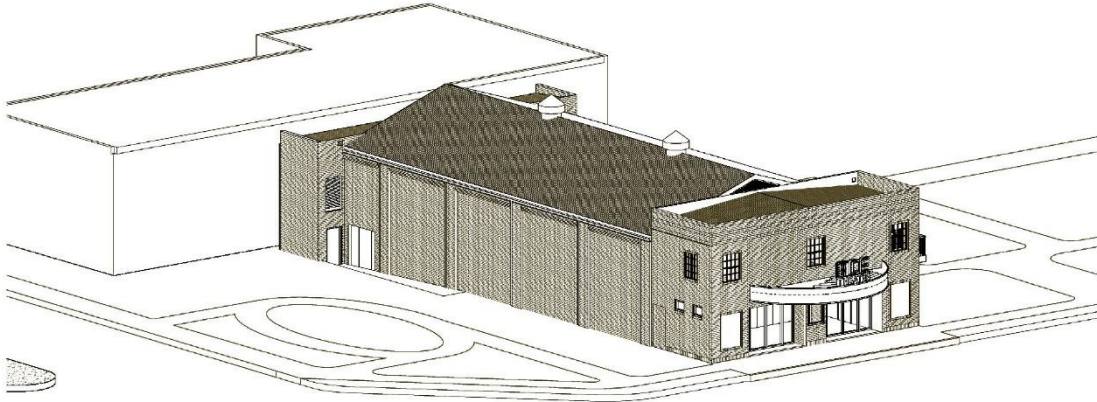
The site plan illustrates the proposed buildings, sidewalks, and landscaping.

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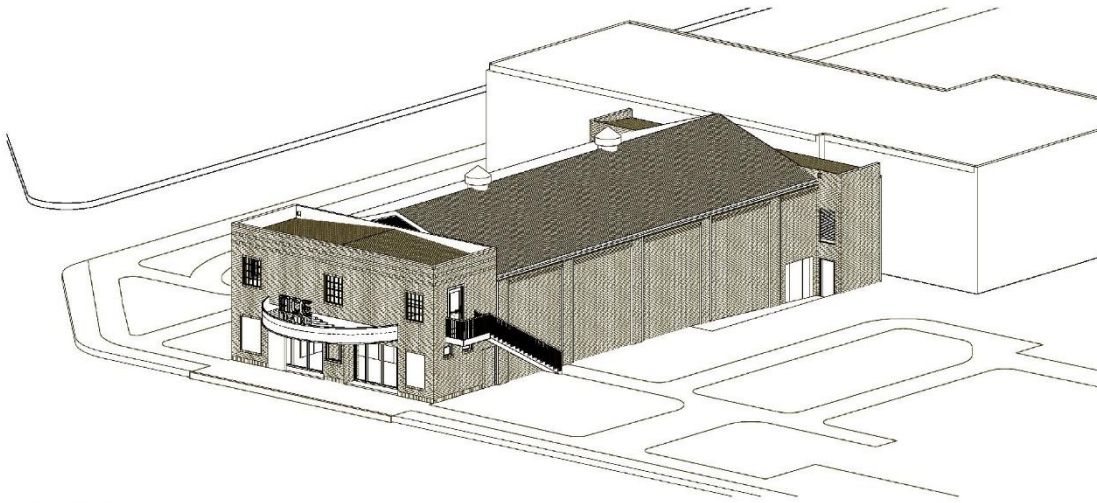




## DETAIL SITE PLAN



① NEW WORK - NORTHEAST AXON VIEW



② NEW WORK - SOUTHWEST AXON VIEW

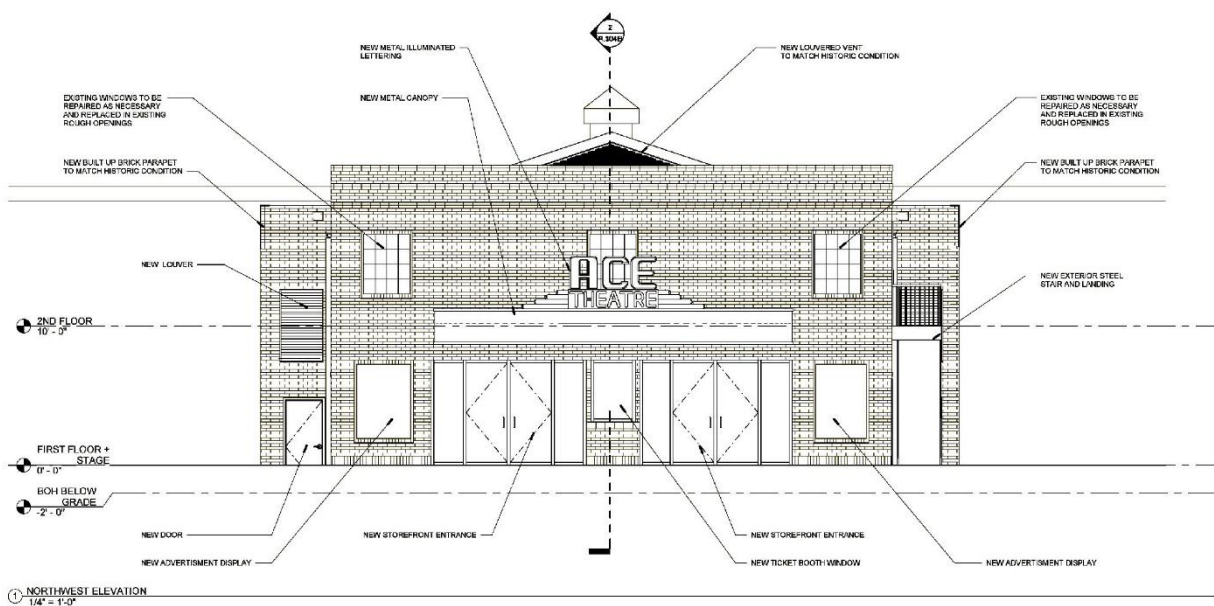
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# DETAIL SITE PLAN



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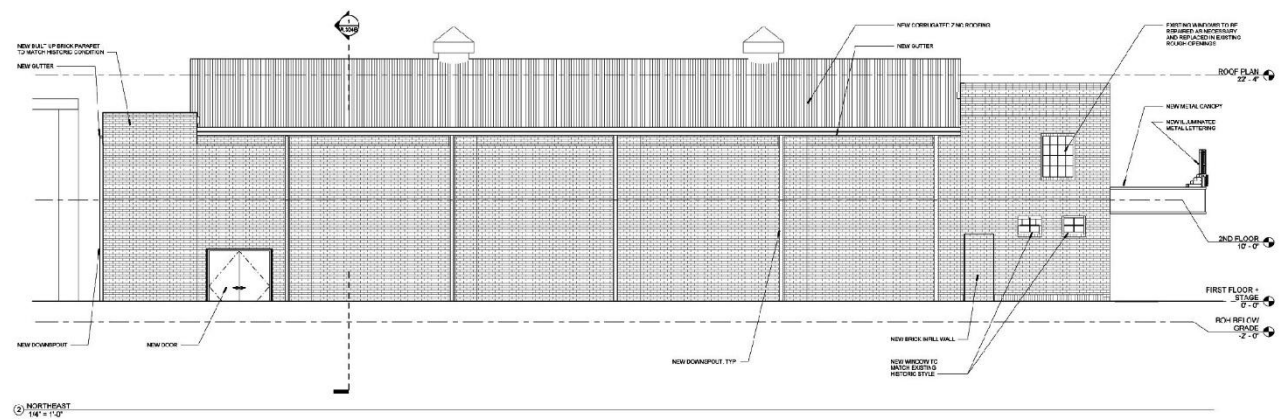
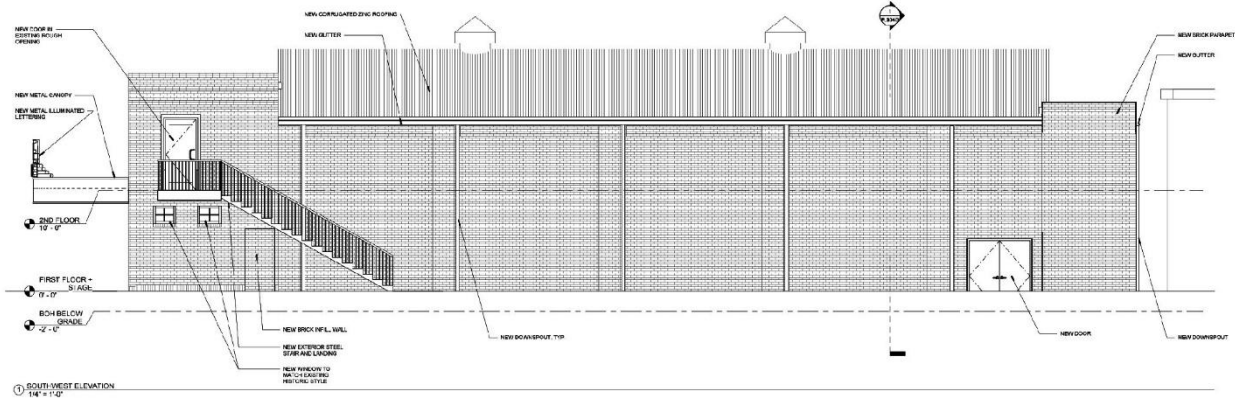
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NTS

## DETAIL SITE PLAN



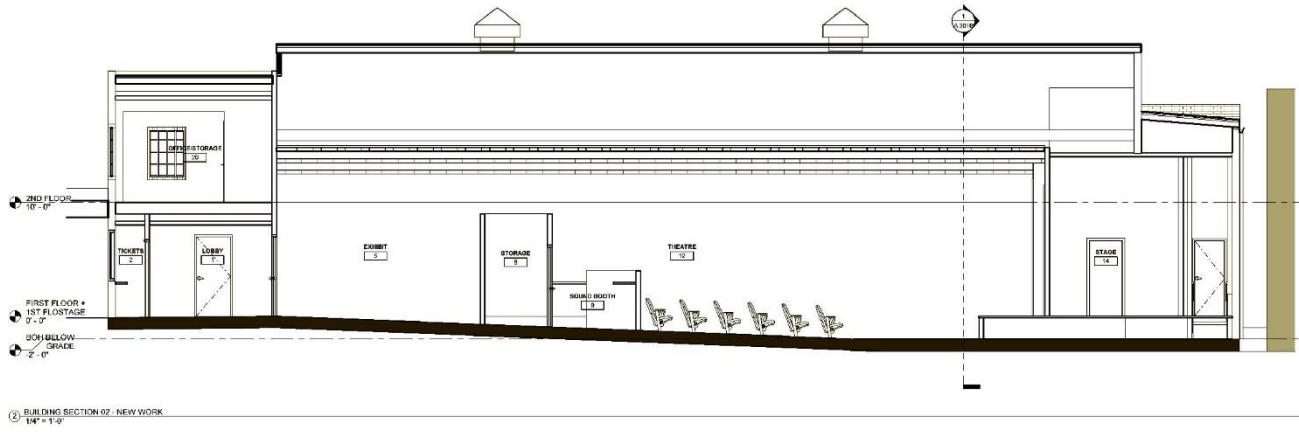
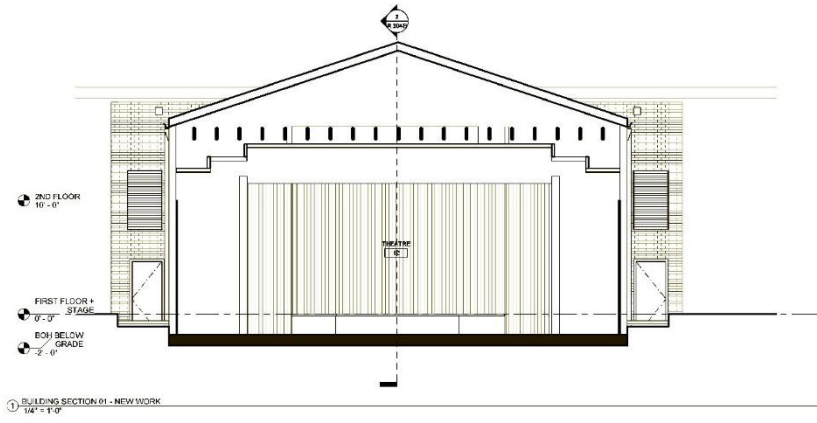
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The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is “automatically” assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

### Zoning correspondence matrix

[illegible]

## DOWNTOWN (DT)

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric. As a land use district, Downtown is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes. As the City's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 du/ac); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, active Downtown Mobile.

### Development Intent

- Support new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable and safe public spaces, bicycle and pedestrian-friendly streets and allow for convenient access to jobs, housing, and entertainment.
- Support infill development that provides better utilization of land, reduces surface parking, and is compatible with its surroundings.
- Building siting, form, and scale will vary by context within Downtown as defined in the zoning.
- Protect and enhance the historic and cultural heritage of the City.

### Land use mix

#### Primary Uses

- Commercial
- Office
- Civic
- Residential, Multifamily

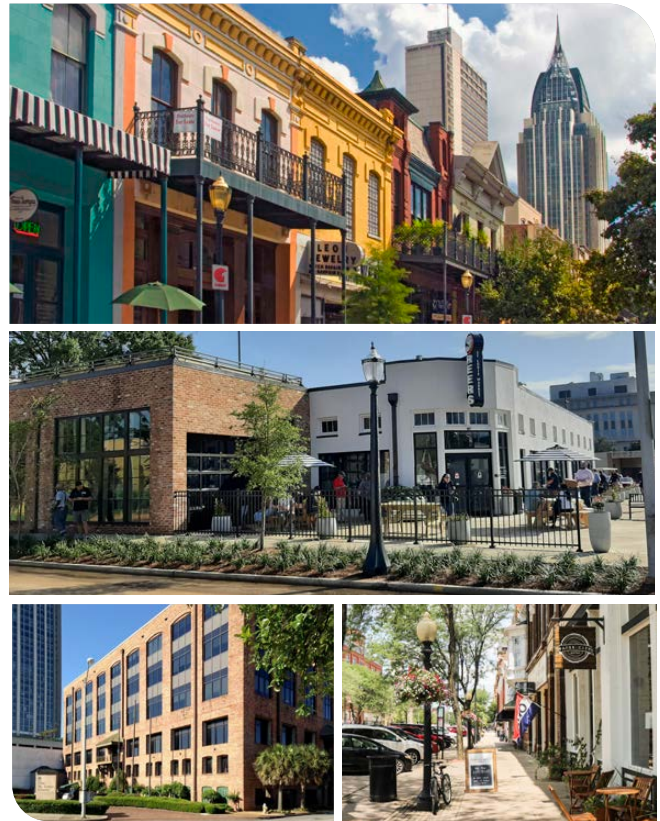
#### Secondary Uses

- Residential, Attached
- Residential, Single Family
- Parks

### Housing mix

- Residential units above ground-floor retail
- Multifamily buildings
- Attached residential such as duplexes, multiplexes, and townhomes
- Single family homes

### Character Example



Downtown includes a wide range of building types including high-rise offices, one and two-story mixed use buildings, various civic buildings, and historic single family homes. Detailed expectations for future development vary throughout Downtown and are contained in the Downtown Development District code.

Rendering: Dover Kohl