

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: June 6, 2016**

<u>CASE NUMBER</u>	6041/5825/5722/5644/4775/4631/1836
<u>APPLICANT NAME</u>	Goodwyn, Mills, & Cawood, Inc.
<u>LOCATION</u>	107 St. Francis Street (South side of St. Francis Street, extending from North Royal Street to St. Joseph Street)
<u>VARIANCE REQUEST</u>	SIGN: Sign Variance to allow two hanging blade signs for a single business in a Downtown Development District T-6 Sub-District.
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGN: The Zoning Ordinance only allows one hanging blade sign for each business in Downtown Development T- 6 Sub-Districts.
<u>ZONING</u>	T-6, Downtown Development Sub- District
<u>AREA OF PROPERTY</u>	1.0± Acre
<u>ENGINEERING</u>	No Comments
<u>TRAFFIC ENGINEERING COMMENTS</u>	No Comments
<u>CITY COUNCIL DISTRICT</u>	District 2

ANALYSIS The applicant is requesting a Sign Variance to allow two hanging blade signs in a Downtown Development District T-6 Sub-District. The Zoning Ordinance only allows one hanging blade sign for each business in Downtown Development T-6 Sub-Districts.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and that substantial justice is done to the applicant and the surrounding neighborhood.

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.

It should be noted that the sign regulations of both the Zoning Ordinance and the Downtown Development District Code have been enacted to protect the health, safety, and welfare of the citizens of the City of Mobile, and the general aesthetics of the city, by providing uniform standards for the location, spacing, height, setback, lighting, and other regulation of off-premise and on-premise signs within the city.

The applicant states:

1. The purpose of this application is to allow:

A variance to allow two tenant signs for Dauphin's Restaurant.

2. What are the conditions, items, facts or reasons which prevent you from complying with the requirements of the Zoning Ordinance?

There are two entrances into the building – Royal Street and St. Francis Street. The more visible of the two is Royal Street, however this entrance is locked Monday-Friday at 6:00 p.m., Saturday at 1:00 p.m., and all day Sunday. Customers are routed to the St. Francis Street entrance after hours, therefore a secondary sign is requested.

3. How did the conditions, items, facts or reasons which prevent you from complying with the requirements of the Zoning Ordinance occur?

This additional sign was requested by the restaurant tenant to avoid confusion by their patrons. The signs will be within allowable size guidelines.

4. How is the property different from the neighboring properties?

The secondary entrance will be a critical part of providing service to restaurant patrons. Other corner buildings have multiple entrances with signage.

As indicated in the aforementioned statement, the applicant desires to erect two (2) 10 square foot signs along two street frontages, Royal Street and St. Francis Street, in order to direct patrons to a new restaurant establishment located on the 34th floor within the subject building.

The Board has, on occasion, approved sign variances for increased signage and increased allowable surface area, such as hanging blade signs, for both large and small commercial development sites within the Downtown Development District (DDD). For instance, at the Board's March 7, 2016 meeting, a commercial office building site located within the vicinity of the subject building received approval for two individual storefront signs, one (1) wall plaque

sign, and three traffic directional signs in a T-6 Sub-District. At its January 5, 2015 meeting, the Board approved a sign variance of another nearby site to allow one (1) logo sign, two (2) hanging blade signs, and two (2) backlit upper building signs for a total of 161 square feet of signage on a multi-tenant office building with two (2) previously approved upper building signs for a commercial building site.

The RSA-Bank Trust building is 424-foot tall international style office tower that was completed in 1965, and remained the tallest building in the state until the completion of the Wachovia Tower in Birmingham in 1986. It remained the tallest building in Mobile until the completion of the RSA Battle House Tower in 2007, and has recently gone through extensive interior and exterior renovations to enhance its presence within the downtown area.

The subject site was last granted a sign variance at the Board of Zoning Adjustment's May 6, 2013 meeting, in which the board approved to amend a previously approved sign variance to allow a total of 568.33 square feet of wall signs on two facades of a multi-tenant building in a then designated B-4, General Business District, that is also within the Lower Dauphin Historic District. Since this time, the multi-tenant building has become subject to the regulations of the Downtown Development District Code which states that each business located within a T-6 Sub-District designated site is only allowed to have one (1) hanging blade sign with an allowable area of 10 square feet on premise.

As it relates to the subject site, the hardship presented does not appear to be based on an impediment of the site itself, but more so, one that stems from an administrative function of building operations, as the Royal Street door entrance could be unlocked to allow guest patrons to enter the premise during the restaurant's hours of operation. The hardship appears to be more economic in nature, and is not based off any unusual characteristics of the property or an unnecessary hardship caused by the property.

Other options could possibly be explored such as placing one (1) hanging blade sign along the St. Francis Street entrance, since this entry point has extended operational hours, in addition to placing a logo decal on the interior window of the subject building facing Royal Street notating the days and hours of operation of the restaurant. An interior window decal denoting the same operational information could be placed at the St. Francis Street entrance as well. For example, a bakery located at the corner of St. Francis and St. Joseph Streets, within the same building, has signage posted on the interior window of the building at each entrance of the bakery with the establishment's name, thus making the signage easily readable by pedestrians passing by the subject building from each street frontage.

There do not appear to be any conditions which exist at this site that would necessitate the need for a secondary hanging blade outside of the sheer desire to do so, as other signage options are available to the applicant; however, increasing the allowable area for signage and the number of signs on taller, skyscraper buildings has been a common characteristic exhibited by these monolithic, multi-tenant structures within the DDD in recent years.

It should be noted that due to the subject site's current location within the Downtown Development District, if this request is approved, the signage must also be presented to and

approved by the Consolidated Review Committee, the governing body that reviews all commercial and residential applications for new signs, construction, additions, and extensive renovations/repairs to existing structures located within the DDD, for compliance with the recently adopted form-based code.

Should the Board move to approve the current variance request, proper sign-regulated permitting would be required.

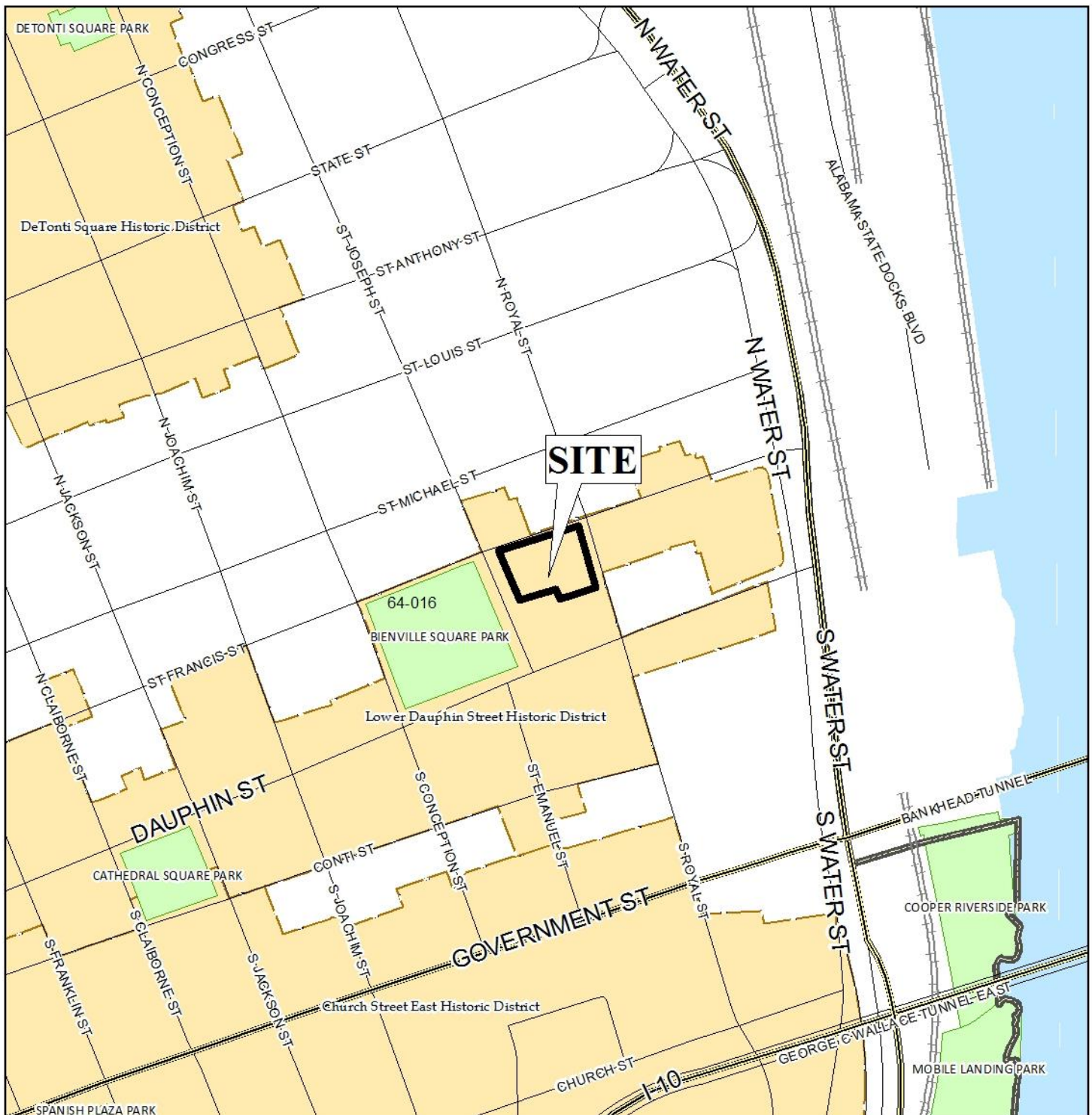
RECOMMENDATION: Staff recommends to the Board the following findings of fact for Approval:

- 1) Approving the variance will not be contrary to public interest in that there will be one 10 square foot hanging blade sign located on each street frontage of the 424-foot tall structure;
- 2) Special conditions appear to exist and there may be hardships present that make the placement of a second hanging blade sign necessary in order to properly direct patrons to the interior-located restaurant establishment; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding area by granting the variance because increasing the allowable area for signage and the number of signs on tall, skyscraper buildings has been a common characteristic exhibited by taller, multi-tenant structures within the DDD in recent years.

The approval is subject to the following conditions:

- 1) Approval of the Consolidated Review Committee (CRC);
- 2) Submittal of Sign Permit Application for each sign; and
- 3) Full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 6041 DATE June 6, 2016
APPLICANT Brant Hill – Retirement Systems of Alabama (Chris Murphy, Agent)
REQUEST Sign Variance



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



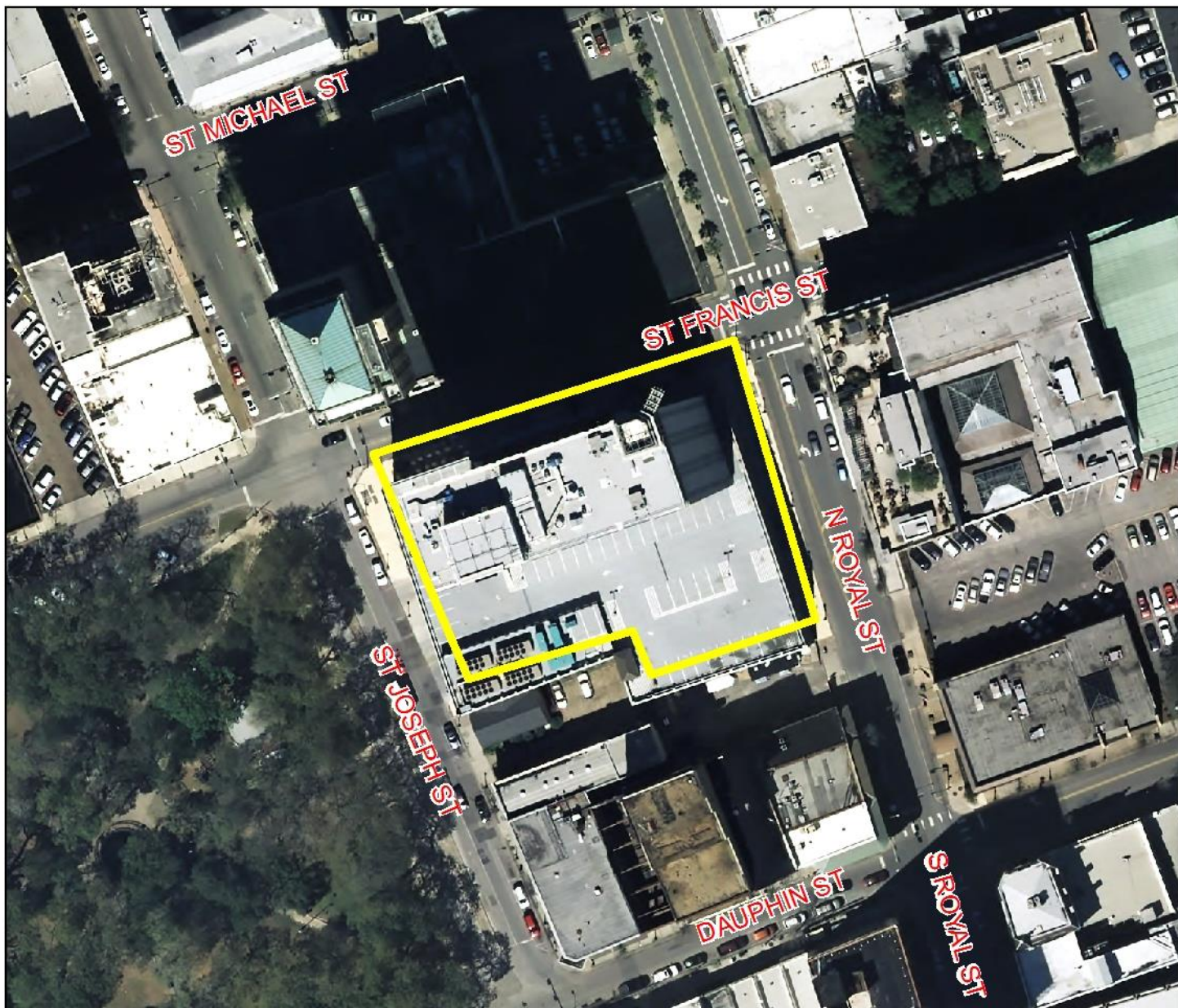
The site is surrounded by commercial units.

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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

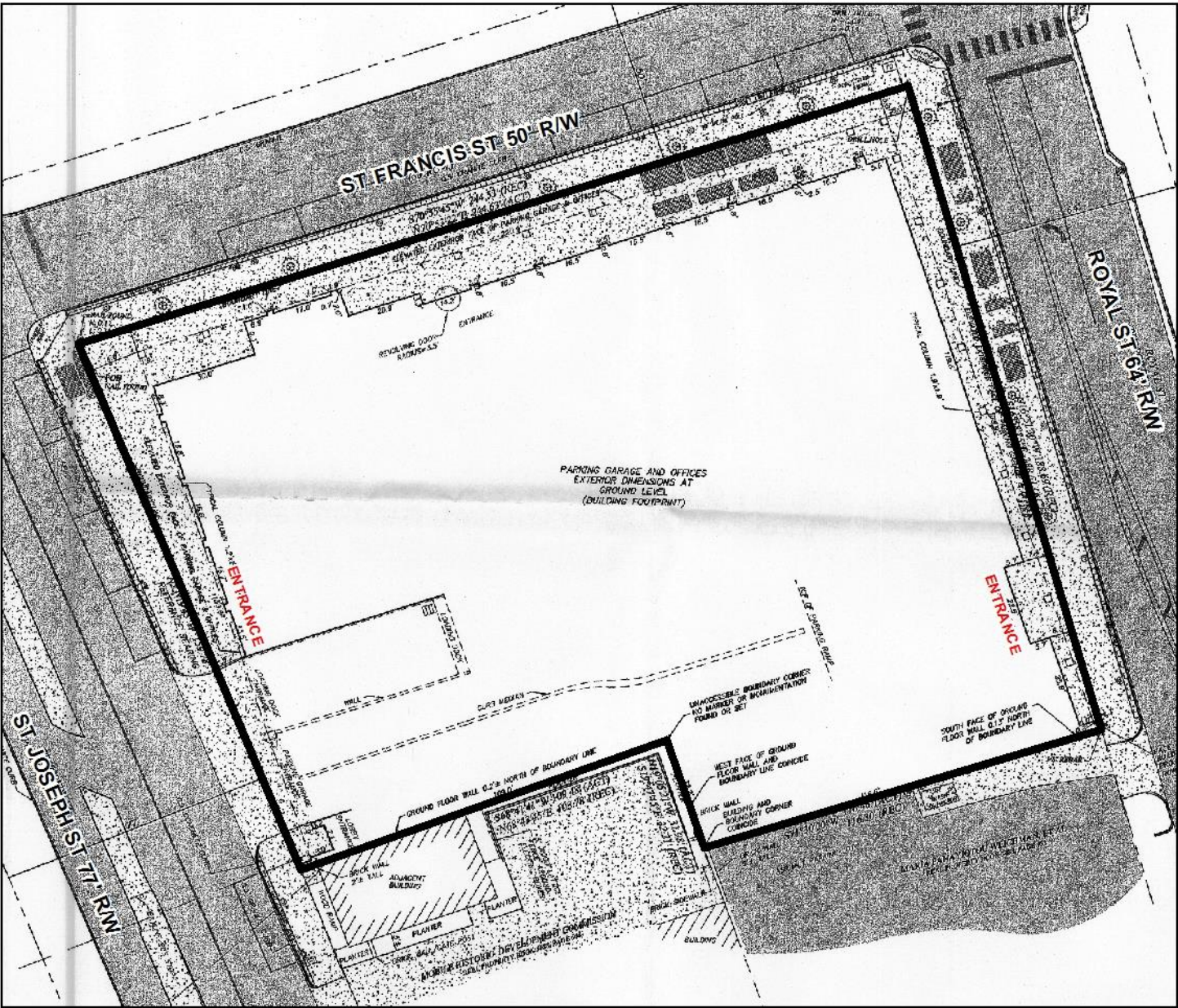


The site is surrounded by commercial units.

APPLICATION NUMBER <u>6041</u>	DATE <u>June 6, 2016</u>
APPLICANT <u>Brant Hill – Retirement Systems of Alabama (Chris Murphy, Agent)</u>	
REQUEST <u>Sign Variance</u>	

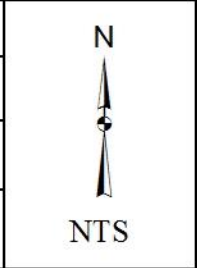


SITE PLAN

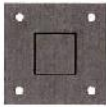


The site plan illustrates the existing building, and entrances.

APPLICATION NUMBER 6041 DATE June 6, 2016
 APPLICANT Brant Hill – Retirement Systems of Alabama (Chris Murphy, Agent)
 REQUEST Sign Variance



DETAIL SITE PLAN



5"x5" plate to mount to ceiling
2" square tube welded to plate

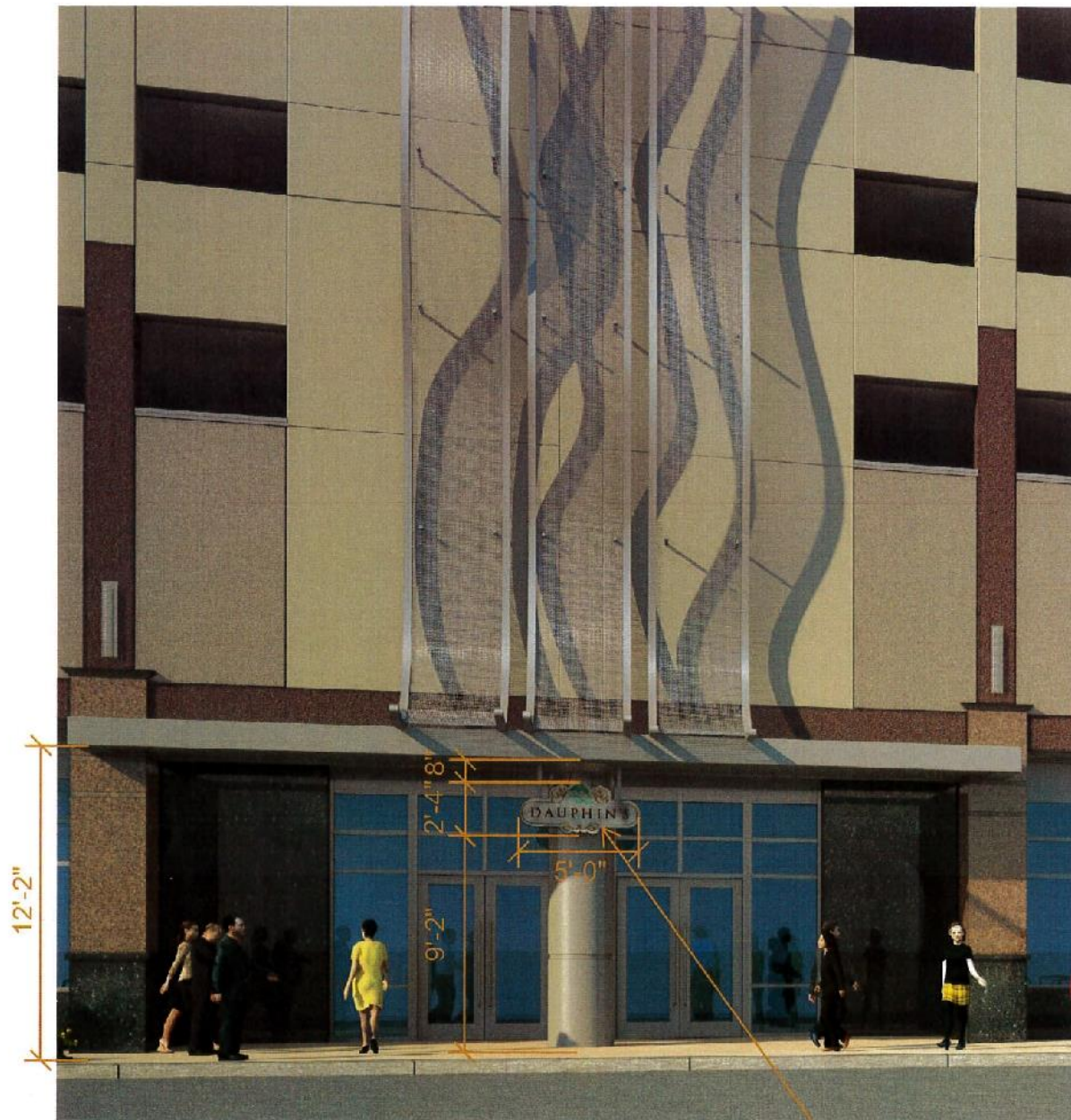


1/8" White aluminum backer panel with 1/4" plate cut graphics applied to backer.

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DETAIL SITE PLAN



ROYAL ST. RENDERING

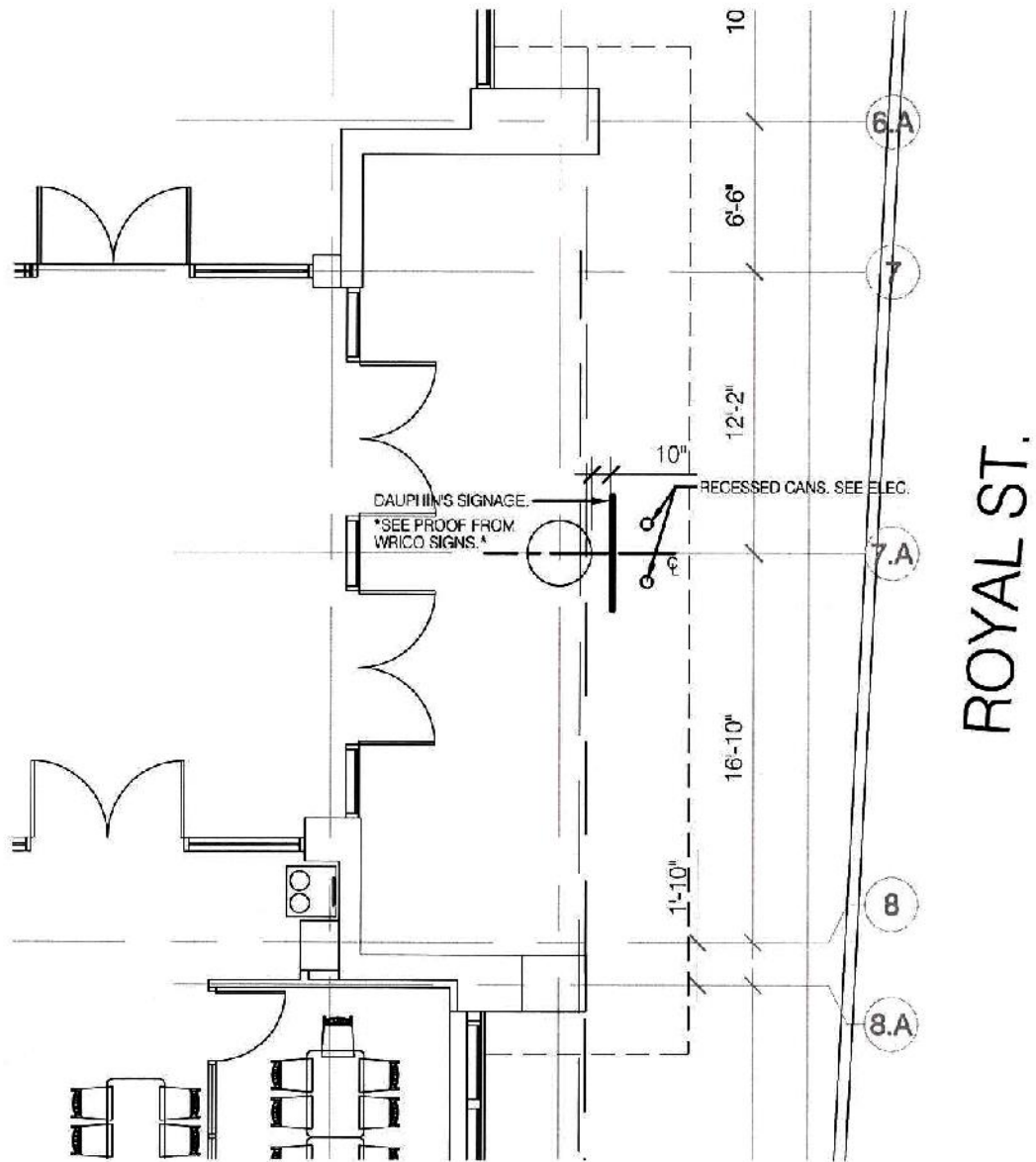
NOT TO SCALE

Signage is less than 10SF
Surface Area.

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DETAIL SITE PLAN



FLOOR PLAN - FIRST FLOOR

SCALE: 1/8" = 1'-0"



TRUE/BUILDING
NORTH

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REQUEST Sign Variance



NTS

DETAIL SITE PLAN



ST. FRANCIS ST. RENDERING

NOT TO SCALE

Signage is less than 10SF
Surface Area.

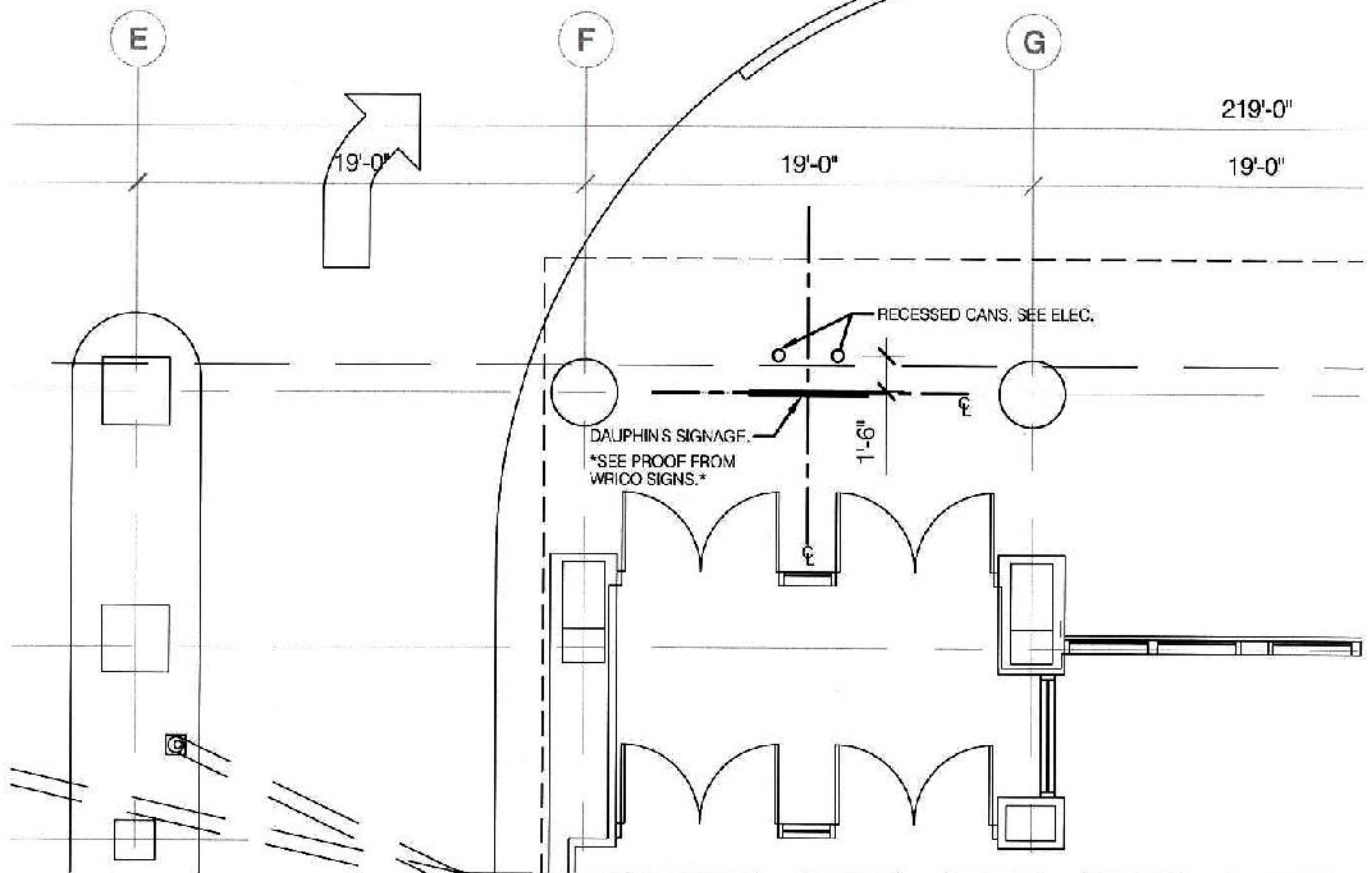
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 APPLICANT Brant Hill – Retirement Systems of Alabama (Chris Murphy, Agent)
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DETAIL SITE PLAN

EXIT ONLY
(RIGHT TURN ONLY)

ST. FRANCIS STREET



FLOOR PLAN - FIRST FLOOR

SCALE: 1/8" = 1'-0"



TRUE/BUILDING
NORTH

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NTS