

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: March 2, 2020**

<u>CASE NUMBER</u>	6310/6138/5104
<u>APPLICANT NAME</u>	Munn Enterprises, Inc.
<u>LOCATION</u>	101 East I-65 Service Road South (East side of East I-65 Service Road South, extending to the West side of Springdale Boulevard; 113'± North of Emogene Street).
<u>VARIANCE REQUEST</u>	SIGN: Sign Variance to amend a previously approved sign variance to allow informational wall signs larger than 20 square feet in a B-3, Community Business District.
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGN: The Zoning Ordinance limits informational wall signs to 20 square feet in a B-3, Community Business District.
<u>ZONING</u>	B-3, Community Business District
<u>AREA OF PROPERTY</u>	19.83± acres
<u>ENGINEERING COMMENTS</u>	No Comments
<u>TRAFFIC ENGINEERING COMMENTS</u>	No Comments
<u>CITY COUNCIL DISTRICT</u>	District 5
<u>ANALYSIS</u>	The applicant is requesting a Sign Variance to allow informational wall signs larger than 20 square feet each in a B-3, Community Business District; the Zoning Ordinance limits informational wall signs to 20 square feet in a B-3, Community Business District.

The site has been given a Mixed Commercial Corridor (MCC) land use designation, per the Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services, and entertainment uses.

This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases, the designation on the new Future Land Use Map may match the existing use of land, but in others, the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

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.

The purpose of the Sign Regulation Provisions is to promote the economic well-being of the entire Mobile community by creating a favorable physical image, to afford the business community an equal and fair opportunity to advertise and promote products and services, and to protect the right of the citizens to enjoy Mobile's natural scenic beauty.

The applicant states:

The purpose of this application is to grant Walmart #991, 101 East I-65 Service Road, Mobile, AL a variance for (2) additional wall signs. These wall signs will be non-illuminated channel letters mounted to the front, or South, elevation of the store. These signs are informational and directional. Walmart has several entrances for the consumer. These signs will be able to direct the consumer in the correct direction for the retail items

needed. The signs will help with the direction of parking as well as foot traffic into the store.

The city ordinance does not allow enough square footage for the signs being requested for this variance. With such strict square footage allowed and the number of signs allowed, we would not be able to install the informational/directional signage without this variance.

Walmart is a very large retail store with a wide variety of products and services. Services range from clothing, grocery, pharmacy, auto services, to lawn and gardening with many more products and services available. In order to direct consumer traffic; signage is a necessity.

Section 64-11.5.g. of the Zoning Ordinance allows informational and directional signage without requiring a permit so long as the signage is, “*not bearing advertising matter and not exceeding 20 square feet.*” As stated, the applicant is seeking relief from these requirements in order to erect two (2) informational wall signs larger than 20 square feet each, at a multi-tenant site in a B-3, Community Business District. The proposed signage will be non-illuminated channel lettering mounted to the front of the existing store.

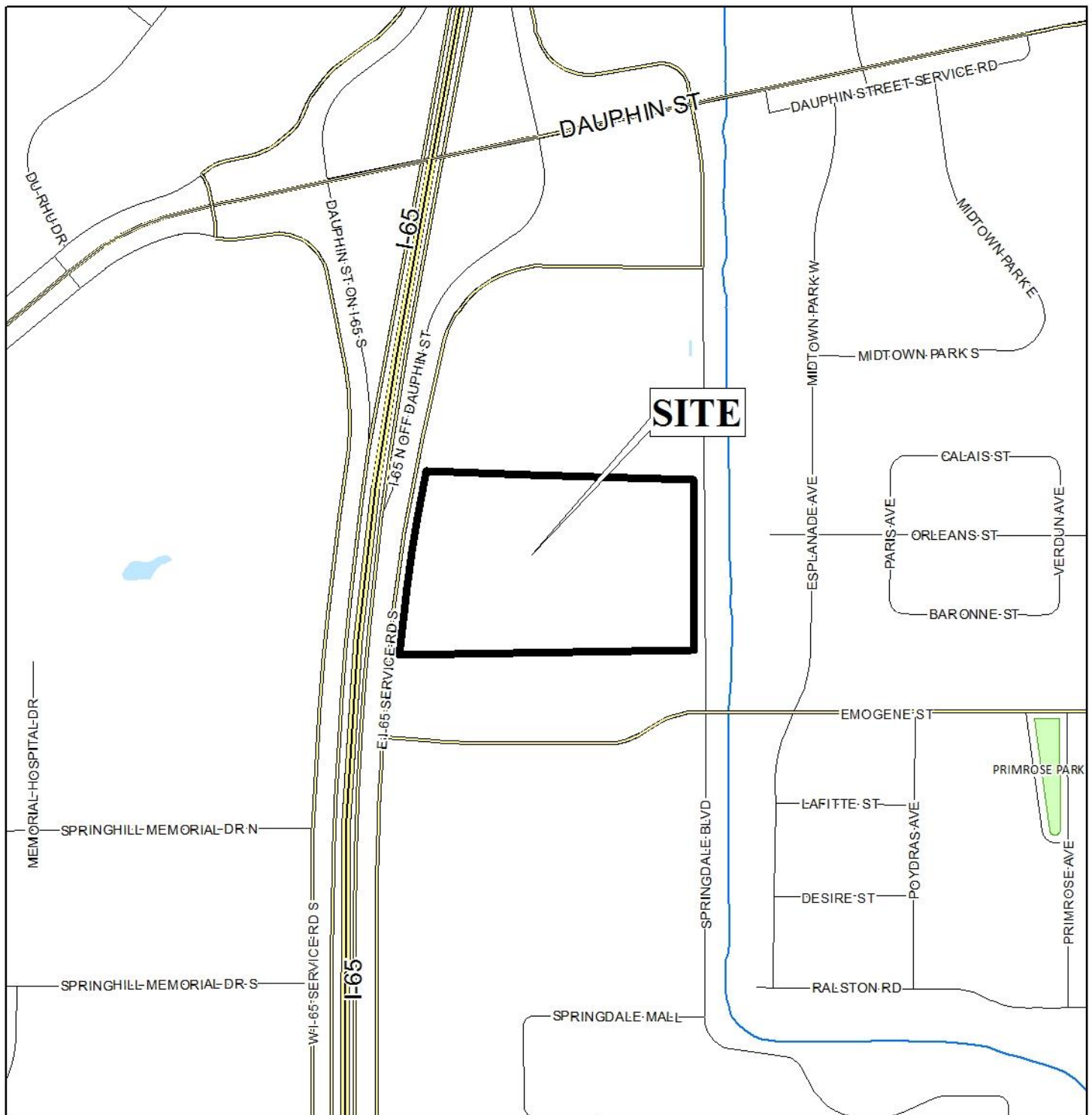
On November 6, 2017, the Board approved a similar variance allowing a wall sign larger than 20 square feet to be erected on the same side of the existing structure as is proposed in this application. Similar to the reasoning provided for the previously approved variance, the applicant states that the additional signage will help to direct consumers to the appropriate sides of the store for the retail items needed; as well as help with the direction of parking and foot traffic into the store.

It is also important to note that at its July 10, 2017 meeting, the Board approved a sign variance request to allow five (5) informational wall signs larger than 20 square feet in addition to a 125 square foot banner in a B-3, Community Business District. This particular case was for the Wal-Mart Supercenter located at 5245 Rangeline Road. Given the Boards past determinations, it would seem a precedent has been set for the subject property as well as the aforementioned Rangeline Road property as the Board feels that the increased size of informational signs is needed for visibility.

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

- 1) Approving the variance will not be contrary to the public interest, in that the signs will not have corporate branding;
- 2) Special conditions do exist and there are hardships which exist, including the size of the building and the distance of the signs' locations from the points of access to the property, that make the placement of the proposed sign necessary;
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the sign will allow customers to find their intended destination, while not increasing the corporate branded signage on the site.

LOCATOR MAP



APPLICATION NUMBER 6310 DATE March 2, 2020

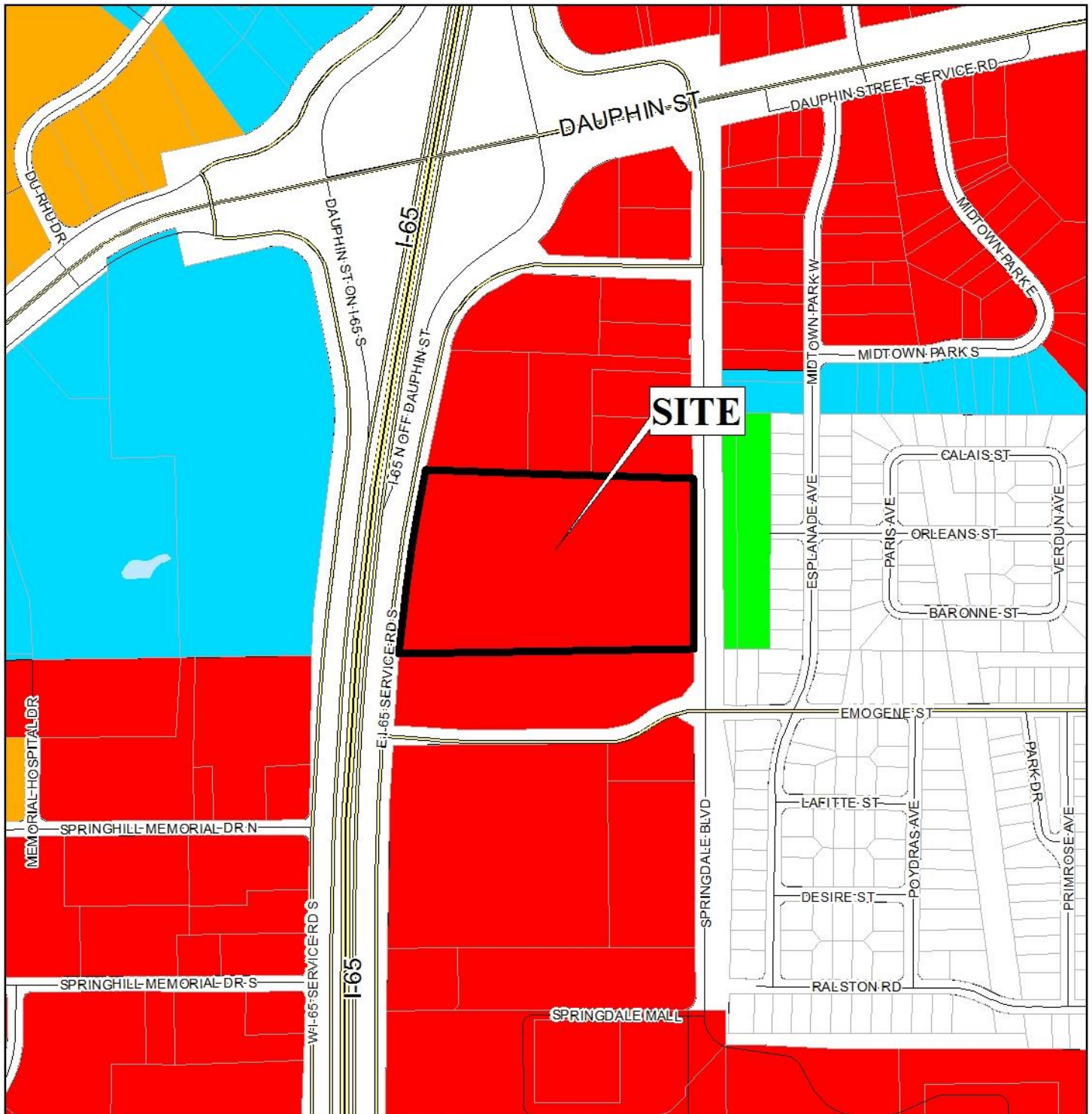
APPLICANT Munn Enterprises, INC

REQUEST Sign Variance



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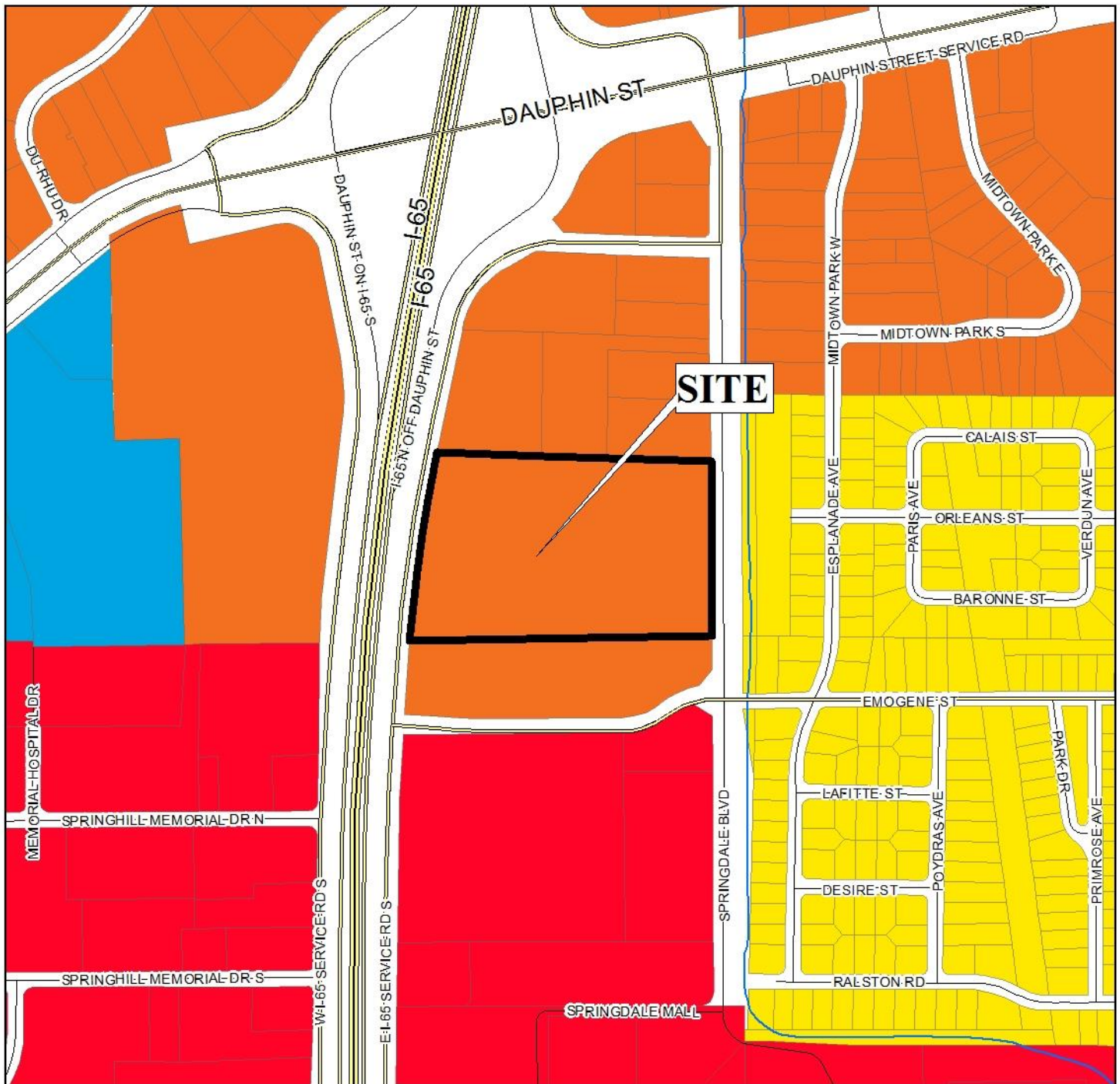
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



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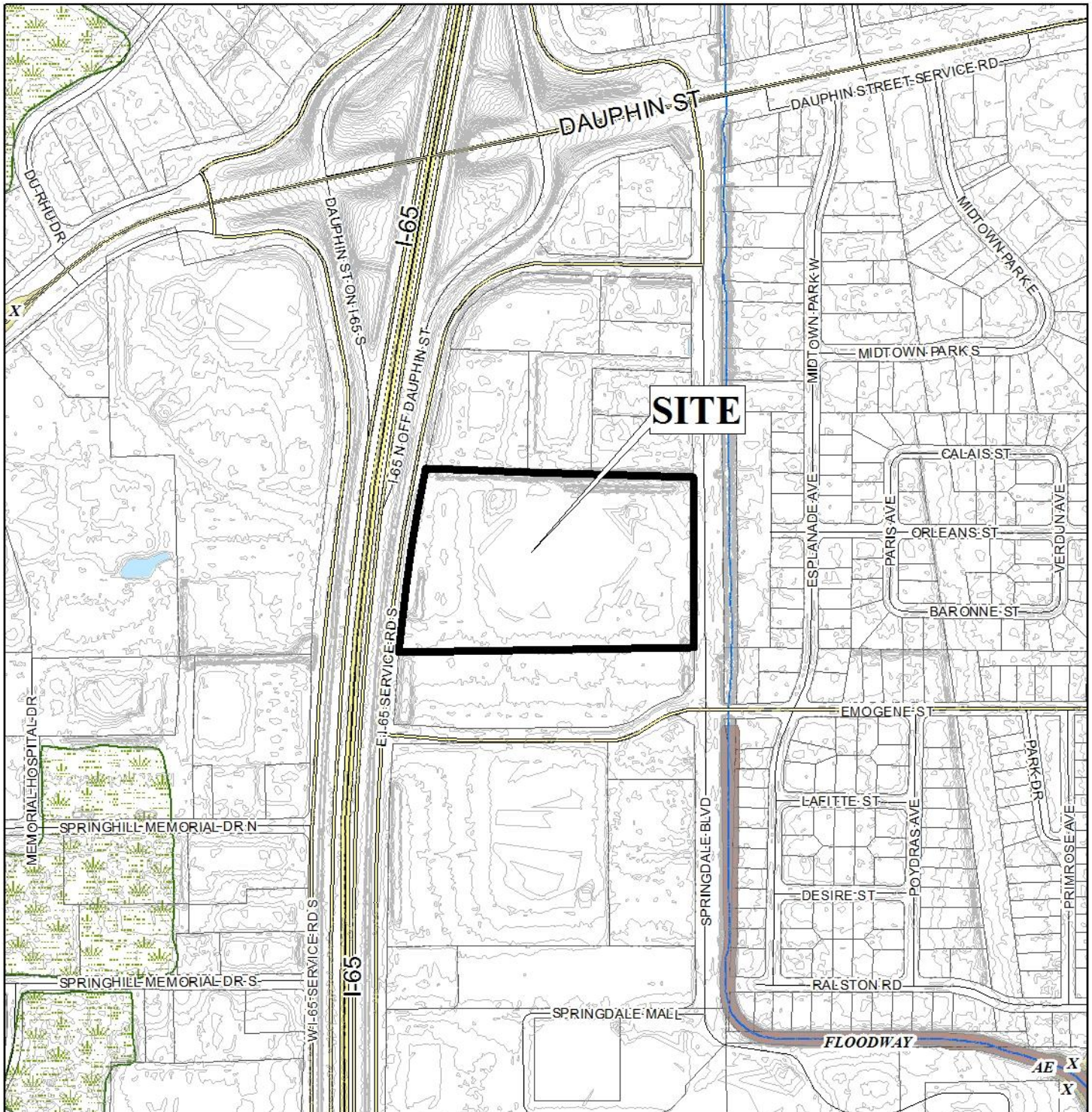
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



ENVIRONMENTAL LOCATOR MAP



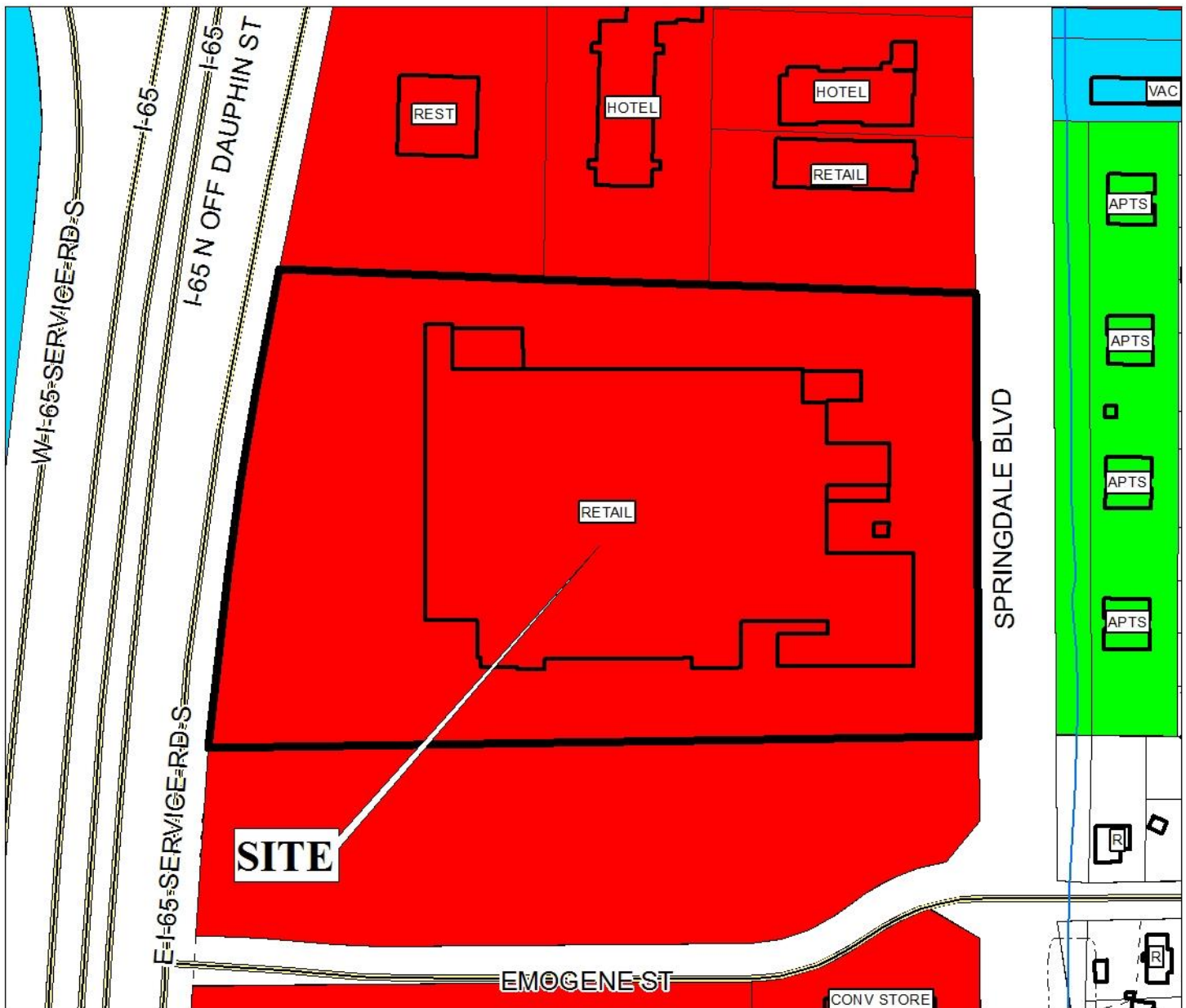
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REQUEST Sign Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units.

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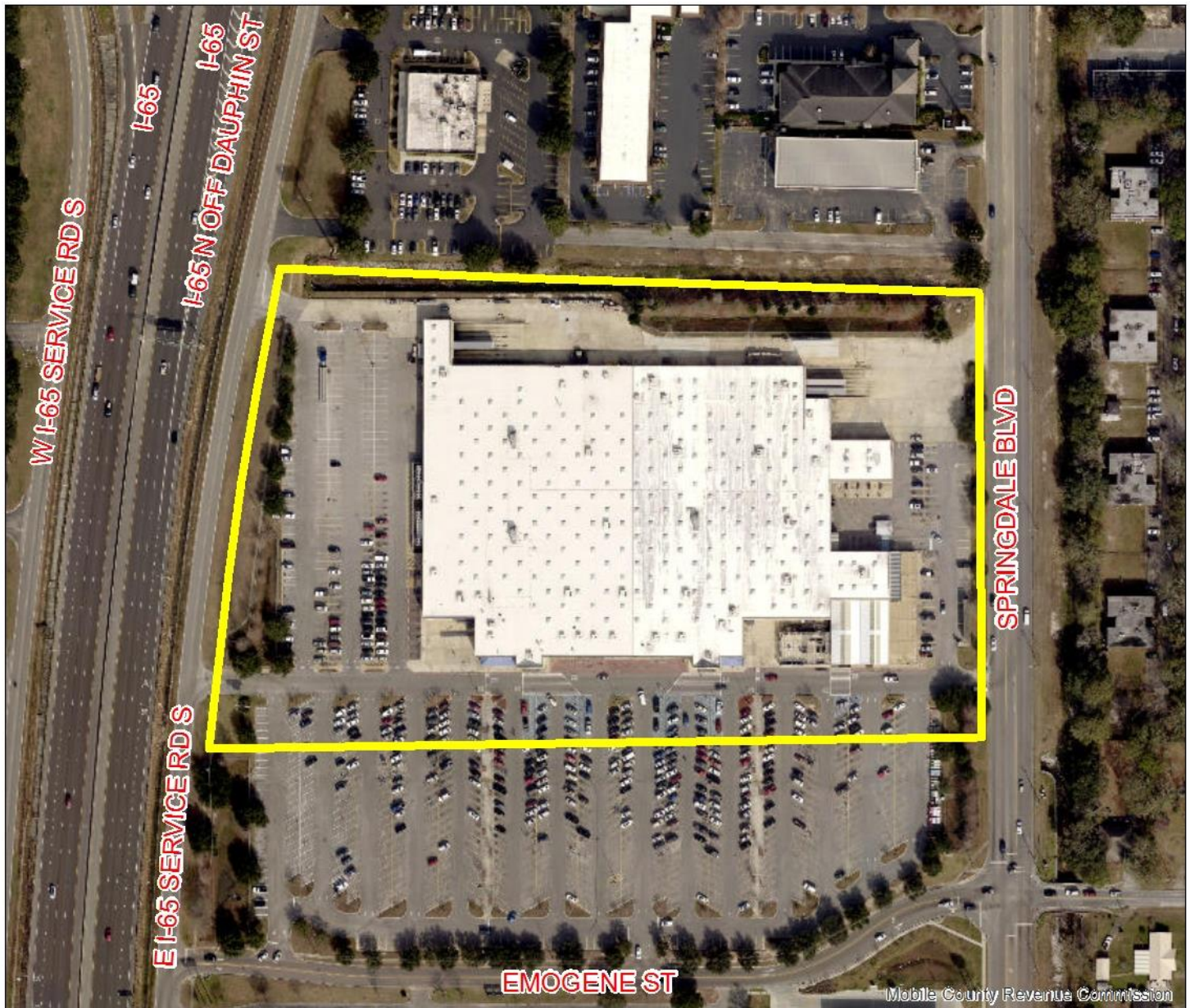
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

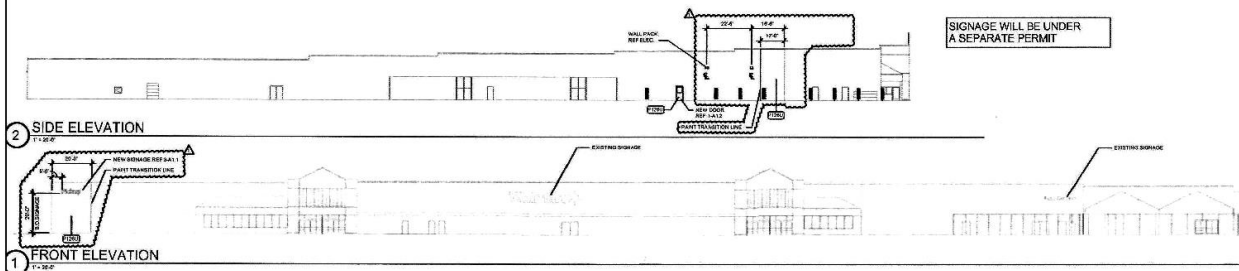
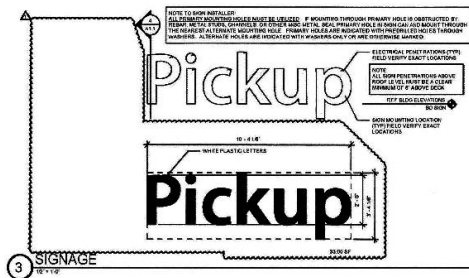
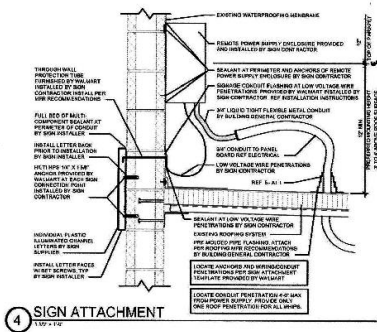
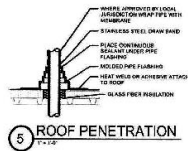


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DETAIL SITE PLAN

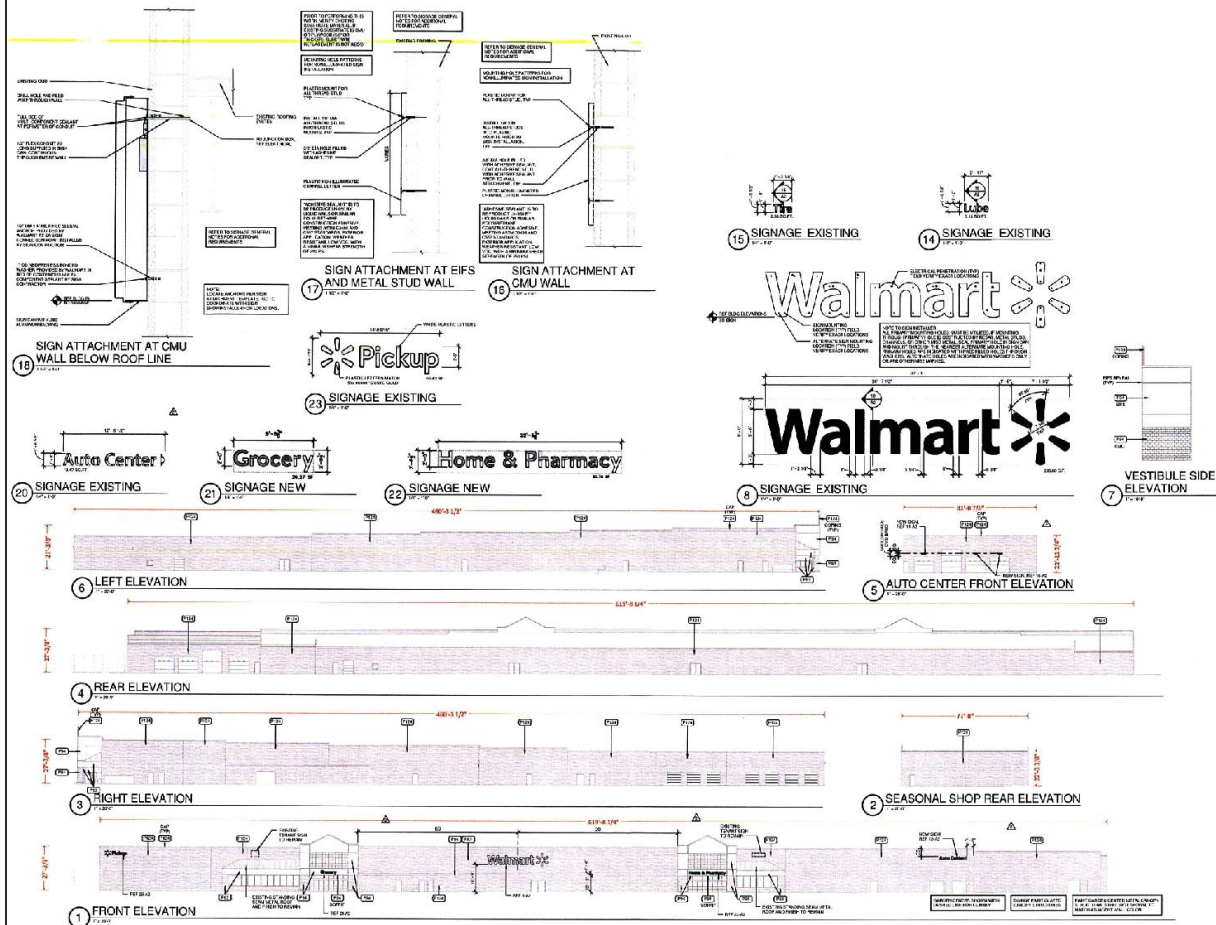


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