



Agenda Item # 3

BOA-002871-2024

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

664 Schillinger Road South

Applicant / Agent:

Thomas Sign & Awning Co. / Alvin Ramos, Agent

Property Owner:

Greenfam Alabama Ventures

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

District Center

Case Number(s):

6581

Unified Development Code (UDC) Requirement:

- The UDC limits a single business site in a B-3, Community Business Suburban District to a total of three (3) signs, with no more than one (1) freestanding sign.

Board Consideration:

- To allow three (3) wall signs and two (2) freestanding signs for a single business site in a B-3, Community Business Suburban District.

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BOARD OF ADJUSTMENT
VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER 6581 DATE April 1, 2024
APPLICANT Thomas Sign & Awning Co. (Alvin Ramos, Agent)
REQUEST Sign Variance



SITE HISTORY

The site was approved as a one (1) lot subdivision, Belote Subdivision, approved by the Planning Commission at its March 19, 2003 meeting, and subsequently recorded in Probate Court.

Since being annexed into the City of Mobile in 2008, the site was rezoned in 2009 by the City Council from R-1, Single-Family Residential District to B-3, Community Business District.

There have been no Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

No comments.

Traffic Engineering Comments:

Line of sight will need to be check for the Illuminated Pylon Sign labeled “B” on the second driveway off Old Government Street for vehicles at the stop bar.

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 within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

Planning Comments:

The applicant is requesting a Sign variance to allow three (3) wall signs and two (2) freestanding sign for a single business site in a B-3, Community Business Suburban District; the Unified Development Code (UDC) limits single business site in a B-3, Community Business Suburban District to a total of three (3) signs.

A detailed description of the proposed Sign Variance request is available via the link on Page 1 of this report.

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.

Until recently, the site was occupied by a former CVS, which was demolished with appropriate permits. The applicant is re-developing the site with a single-tenant Wawa gas station, and is proposing a total of three (3) wall signs and two (2) freestanding signs. No signage is proposed to be located on the gas canopy. Permits for the new construction were issued earlier this year.

The approved site plan depicts one (1) curb cut to Schillinger Road South, and two (2) curb cuts to Old Government Street Road. The applicant states that due to the site having two (2) curb cuts to Old Government Street Road, that at least one (1) of them should have a freestanding sign so that customers can more easily identify the site. The applicant also states that the proposed third wall sign is needed to advertise promotions and products offered within the business, and is part of the Wawa corporate branding program.

It should be noted that another Wawa location at the Southeast corner of Cottage Hill Road and Sollie Road had a Planned Unit Development (PUD) approved by the Planning Commission in June 2022, which included a request for a unique sign package. After consideration, the Planning Commission allowed the site to have a total of one (1) wall sign on the building, two (2) signs on the gas canopy, and two (2) freestanding signs; one (1) of which is required to be a multi-tenant sign with the adjacent lot included in the PUD. The Cottage Hill Road site has a little over 700-feet of street frontage, while the subject site has approximately 550-feet of street frontage. The sign package for the Cottage Hill Road site did not include the wall signage that the applicant is requesting for the current location.

VARIANCE CONSIDERATIONS

Standards of Review:

Variations 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:

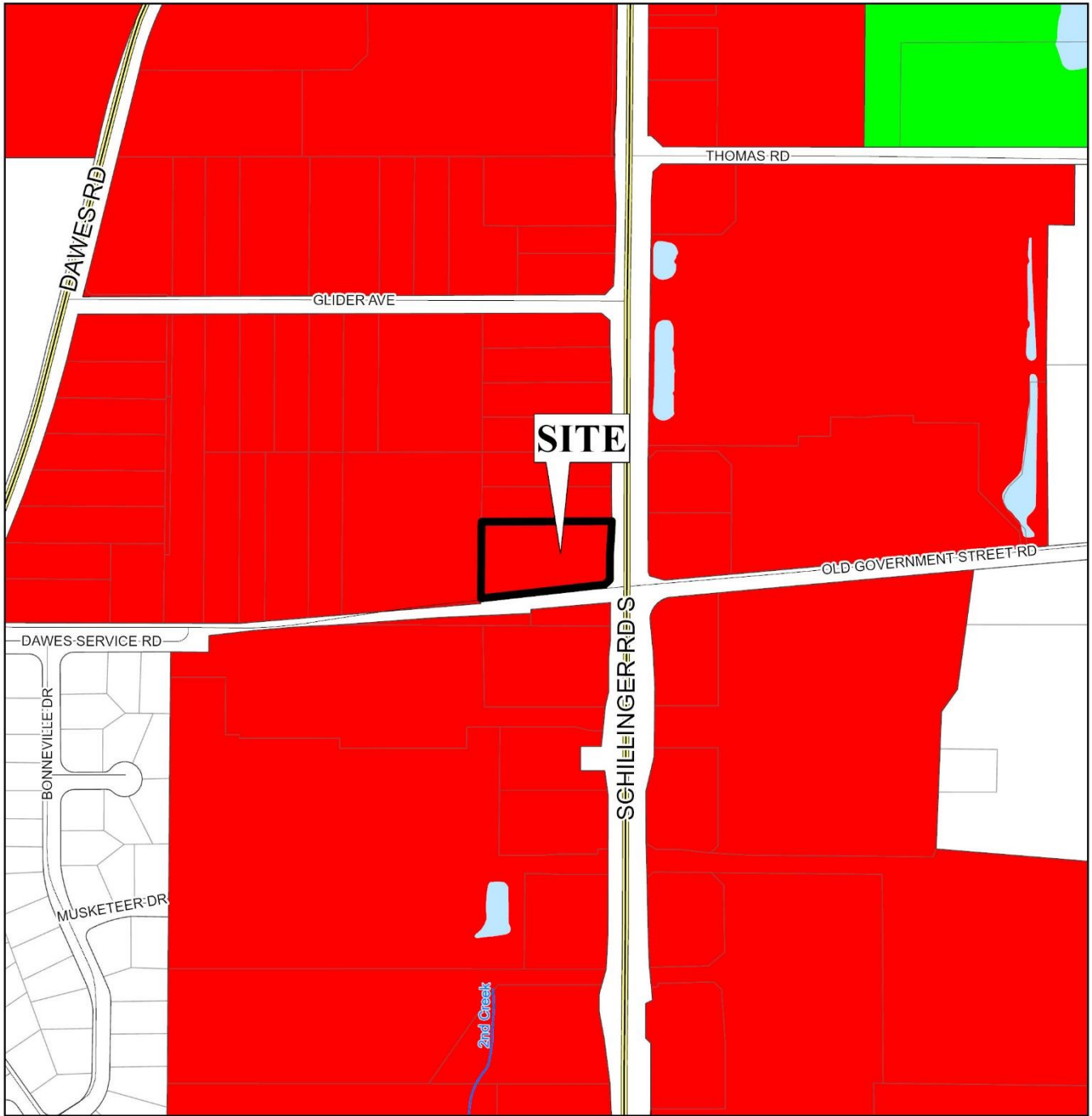
- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

Considerations:

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

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

LOCATOR ZONING MAP



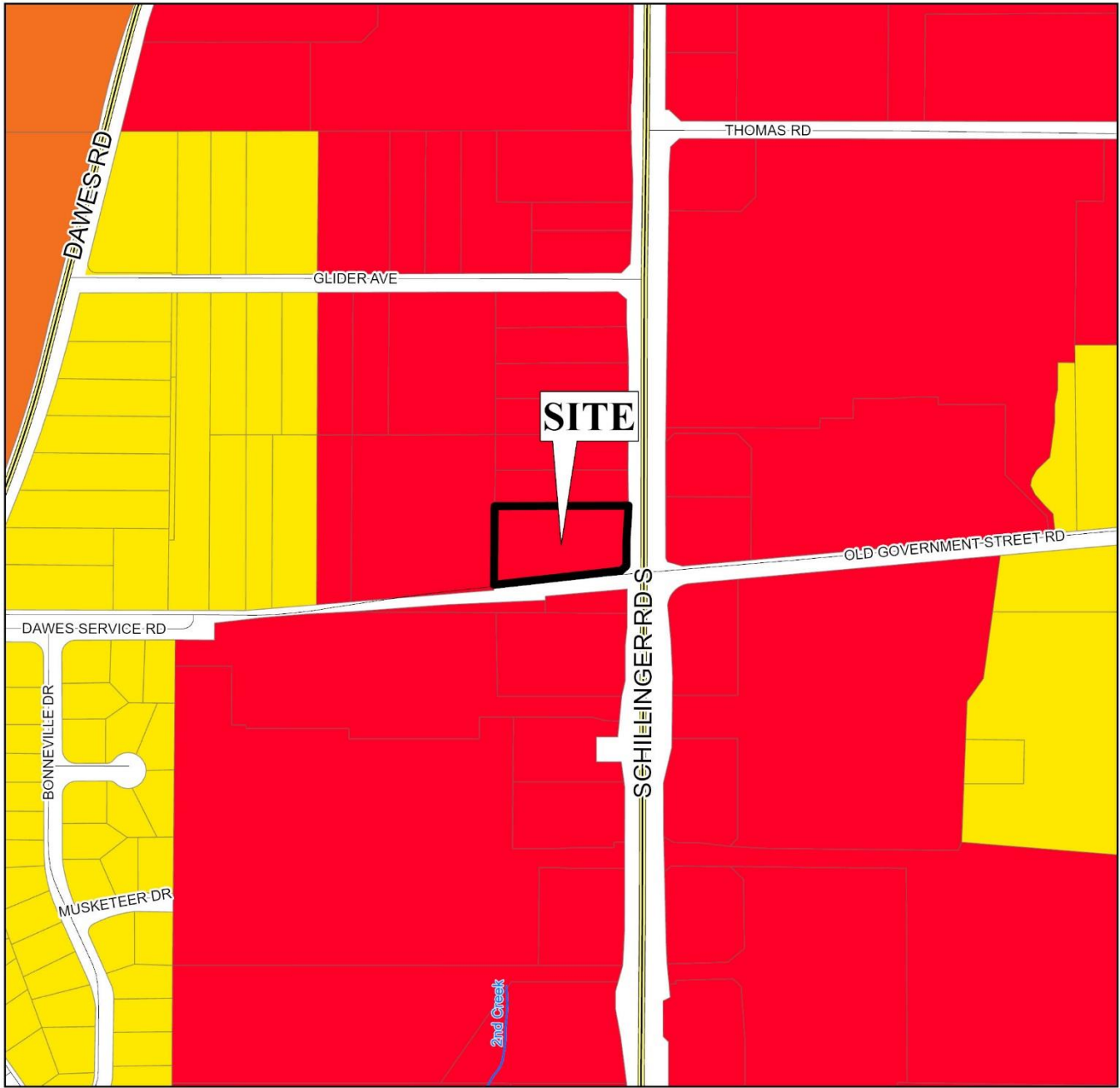
APPLICATION NUMBER 6581 DATE April 1, 2024

APPLICANT Thomas Sign & Awning Co. (Alvin Ramos, Agent)

REQUEST Sign Variance



FLUM LOCATOR MAP



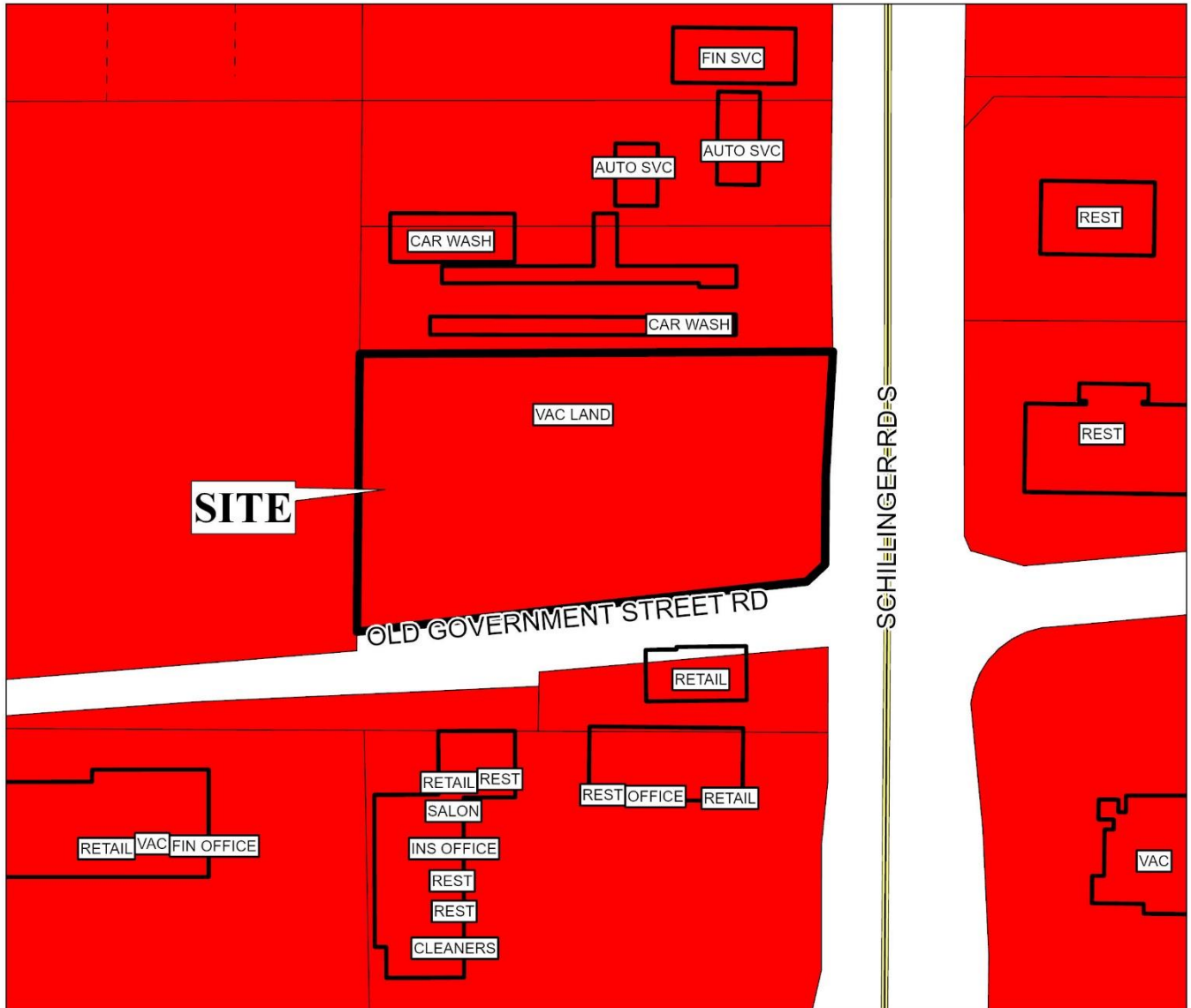
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- | | | | |
|---|--|---|--|
| ■ Low Density Residential | ■ Neighborhood Center - Traditional | ■ Downtown Waterfront | ■ Parks & Open Space |
| ■ Mixed Density Residential | ■ Neighborhood Center - Suburban | ■ Light Industry | ■ Water Dependent |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



NTS

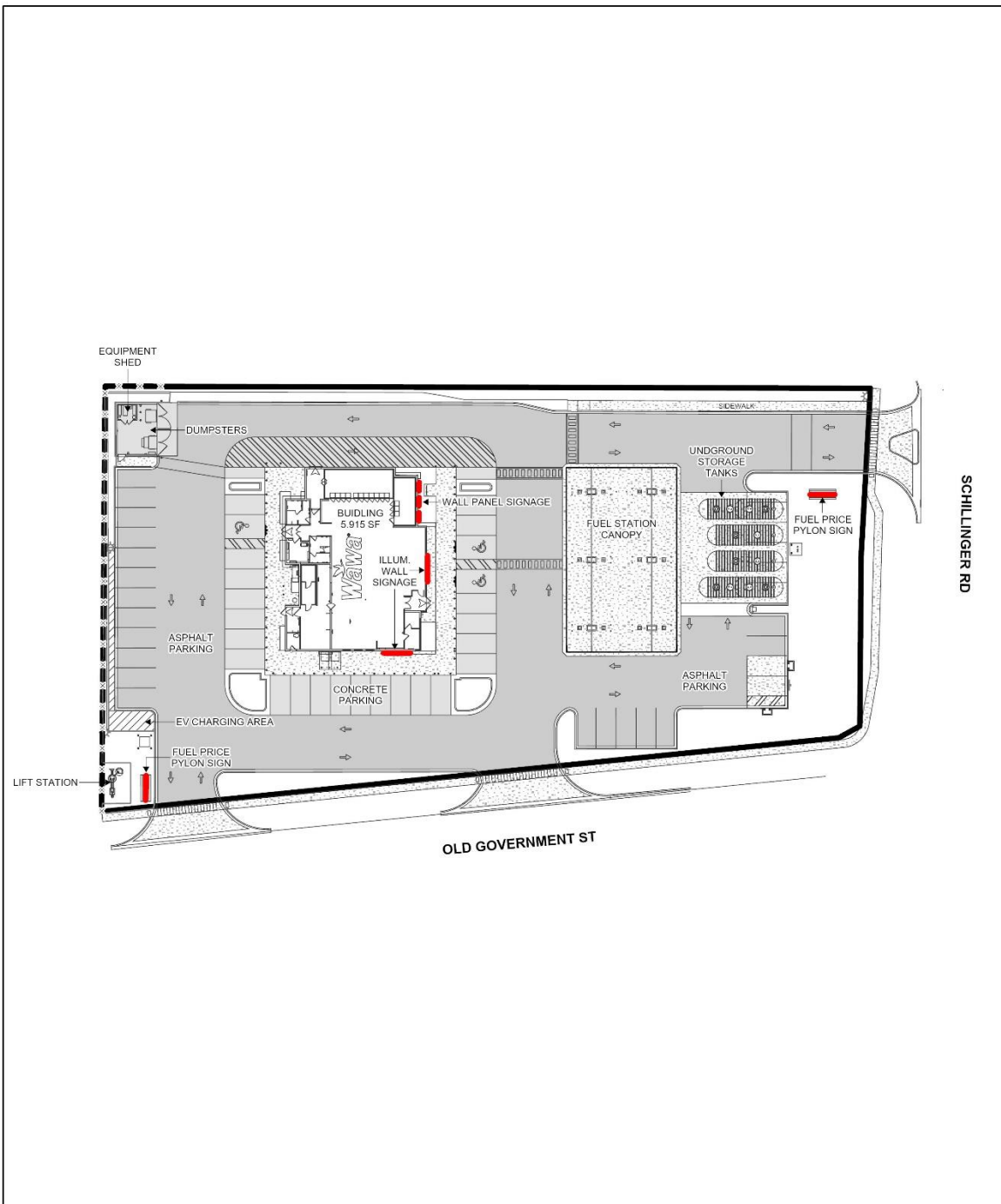
BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>			 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2	 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6	 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	
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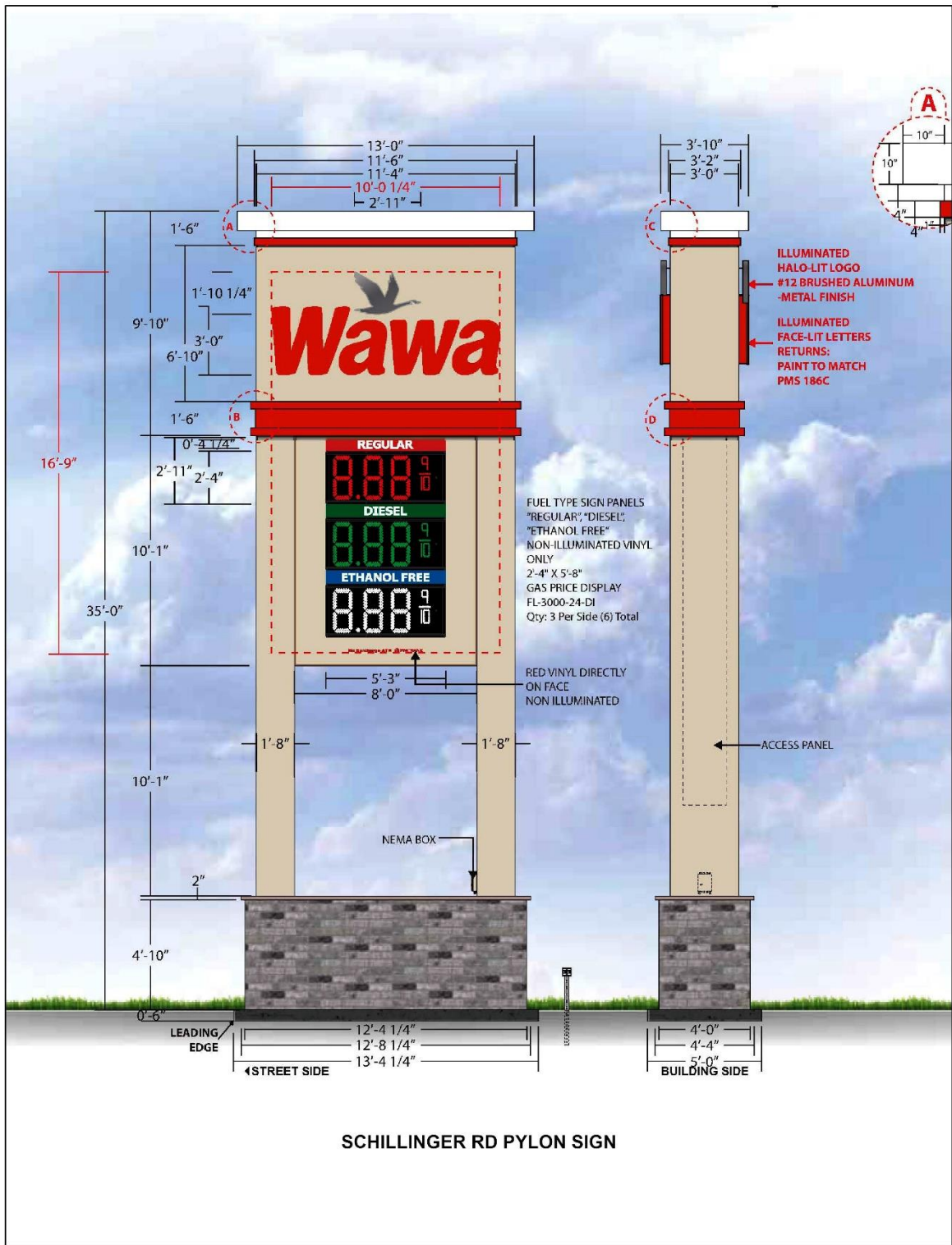
SITE PLAN



The site plan illustrates buildings, fuel stations, parking, and the proposed signage.

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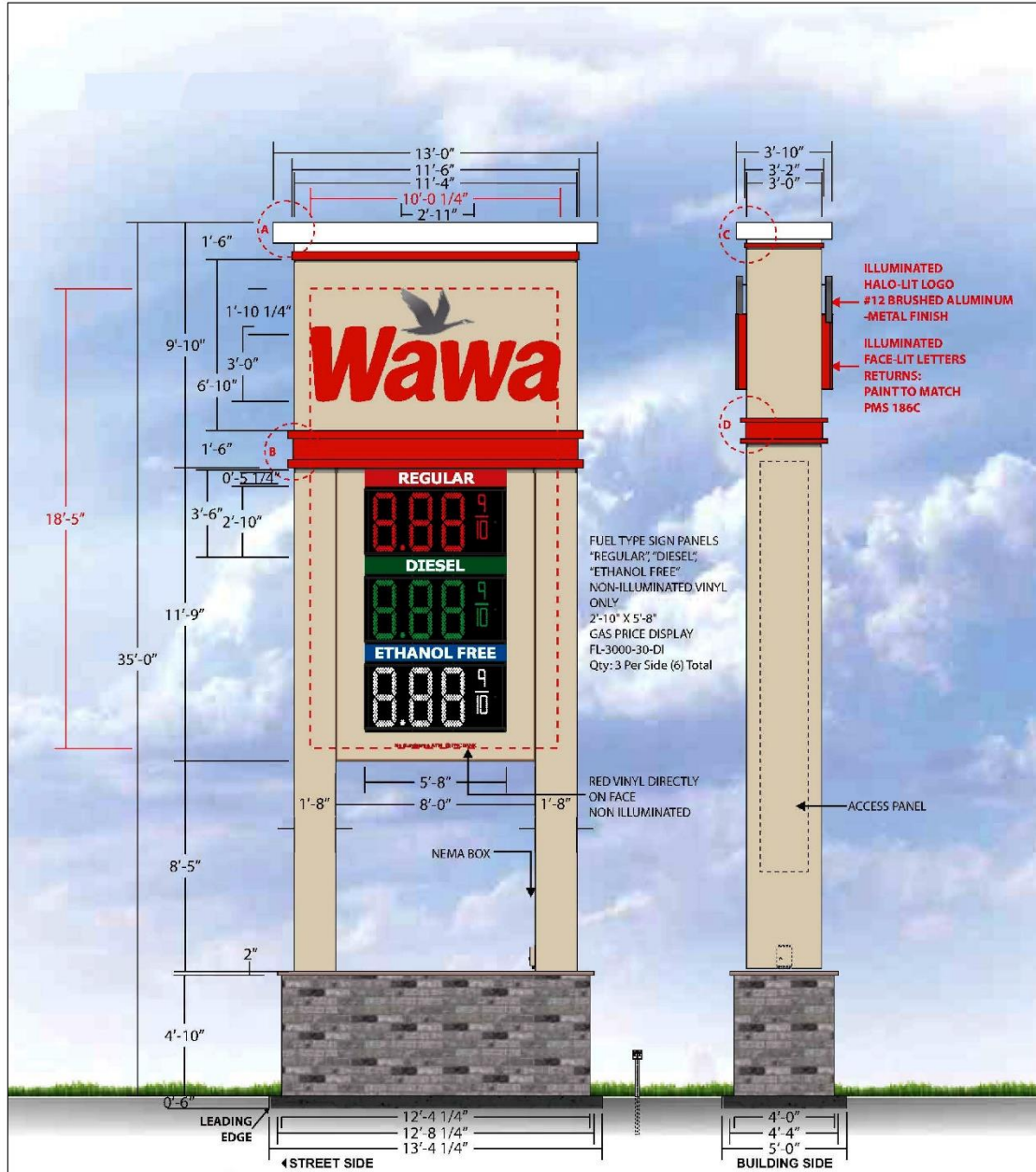
DETAIL SITE PLAN



SCHILLINGER RD PYLON SIGN

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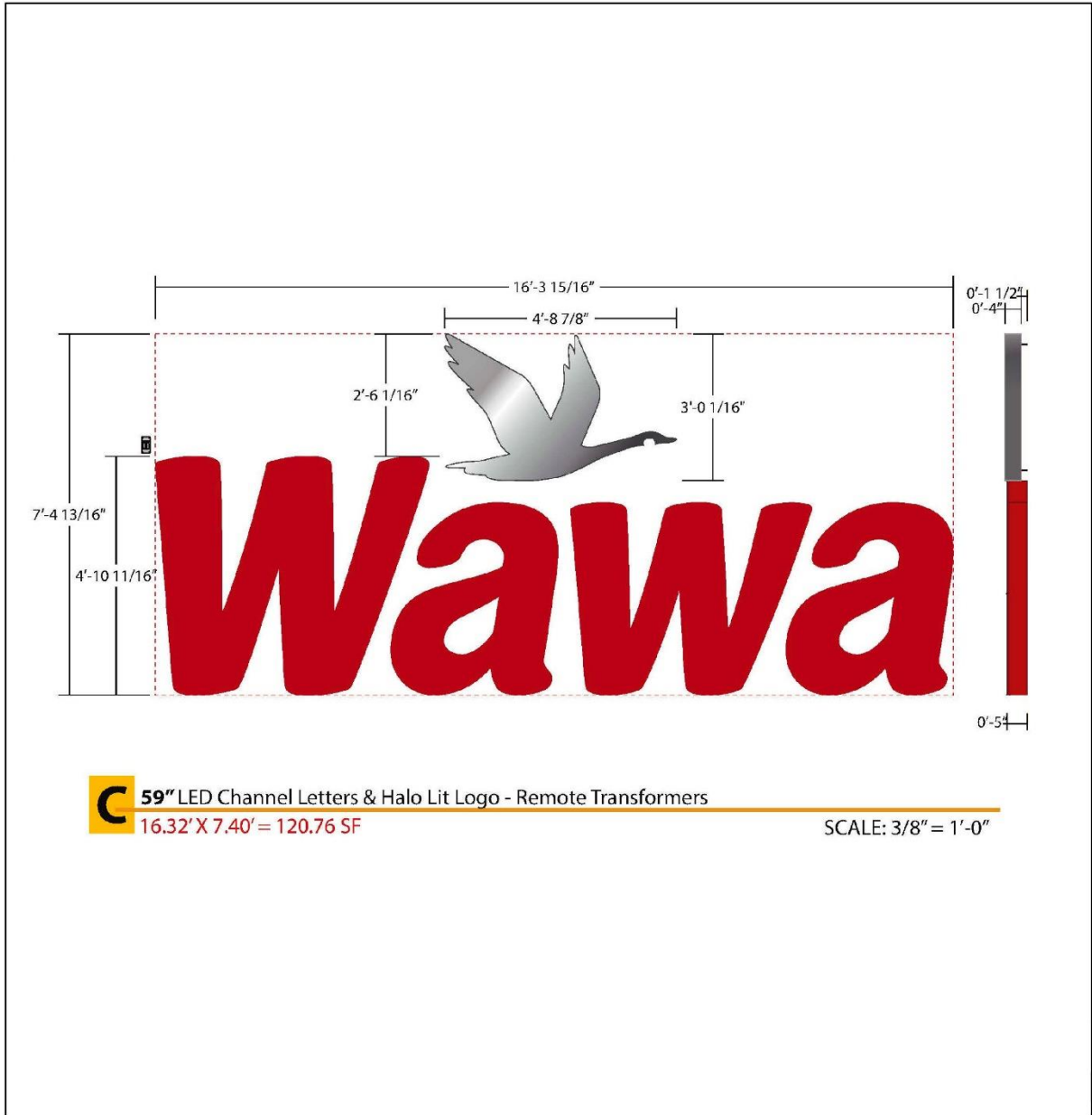
DETAIL SITE PLAN



OLD GOVERNMENT STREET PYLON SIGN

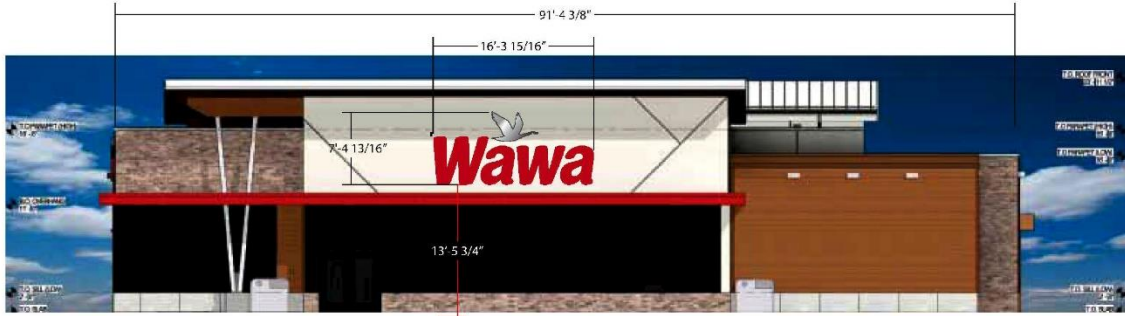
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DETAIL SITE PLAN



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DETAIL SITE PLAN



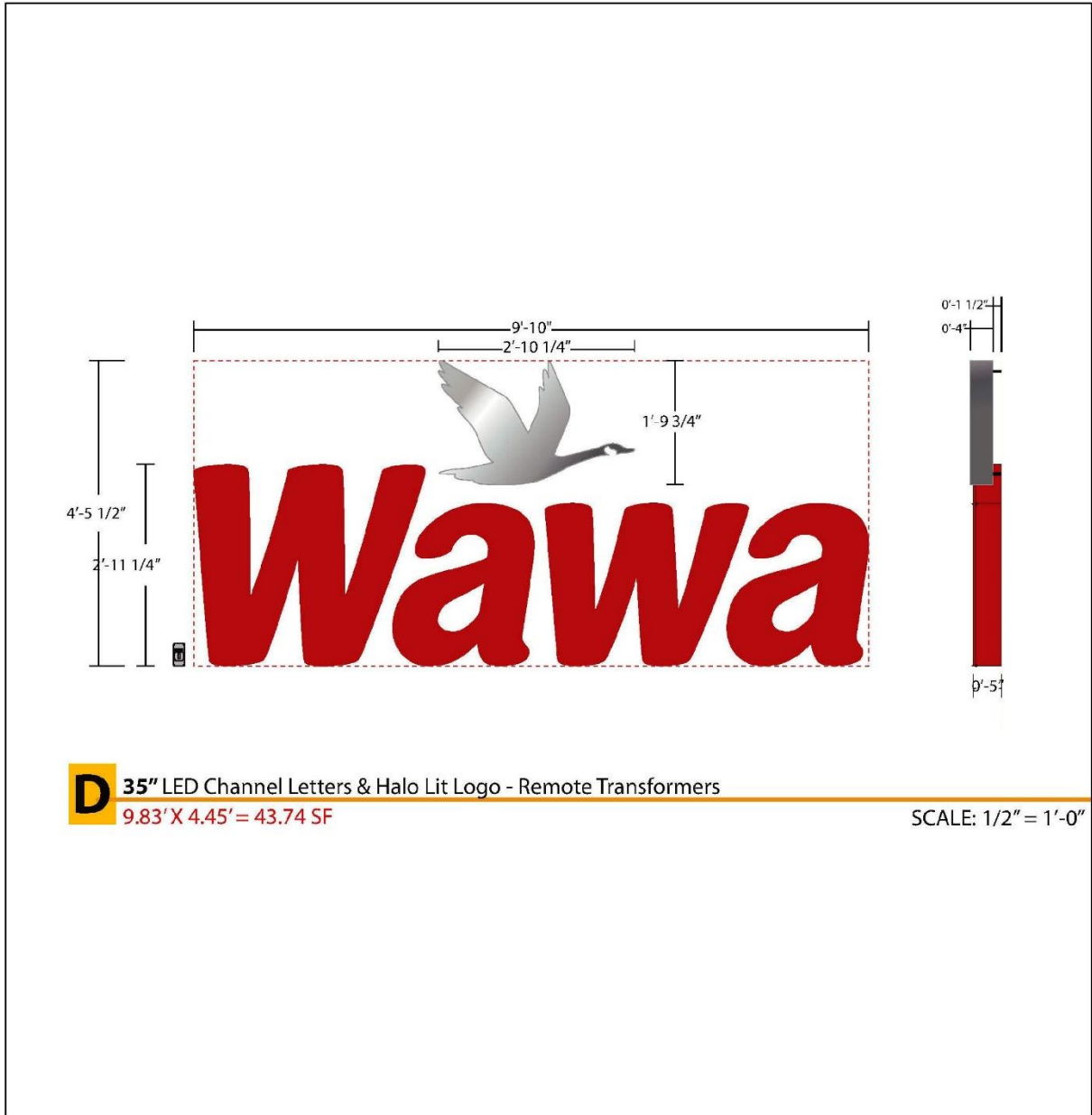
Proposed Condition- Front (East) Elevation


Scale: 3/32"=1'-0"

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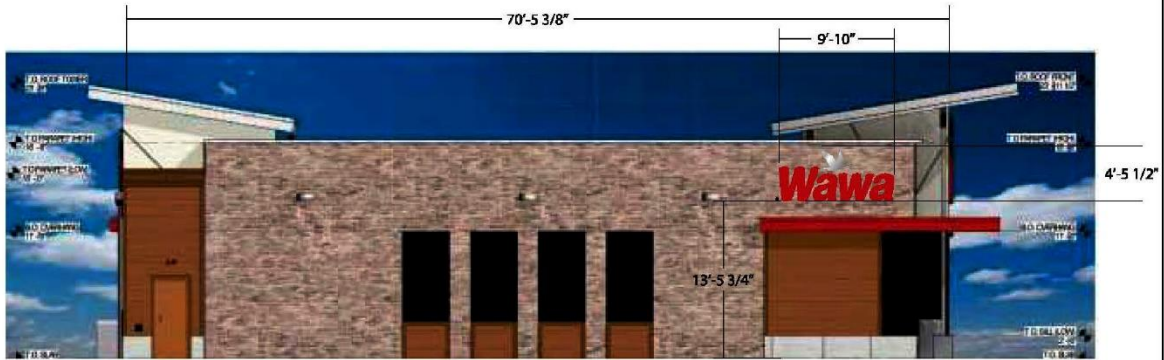


DETAIL SITE PLAN



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DETAIL SITE PLAN



Proposed Condition- Left Side (South) Elevation

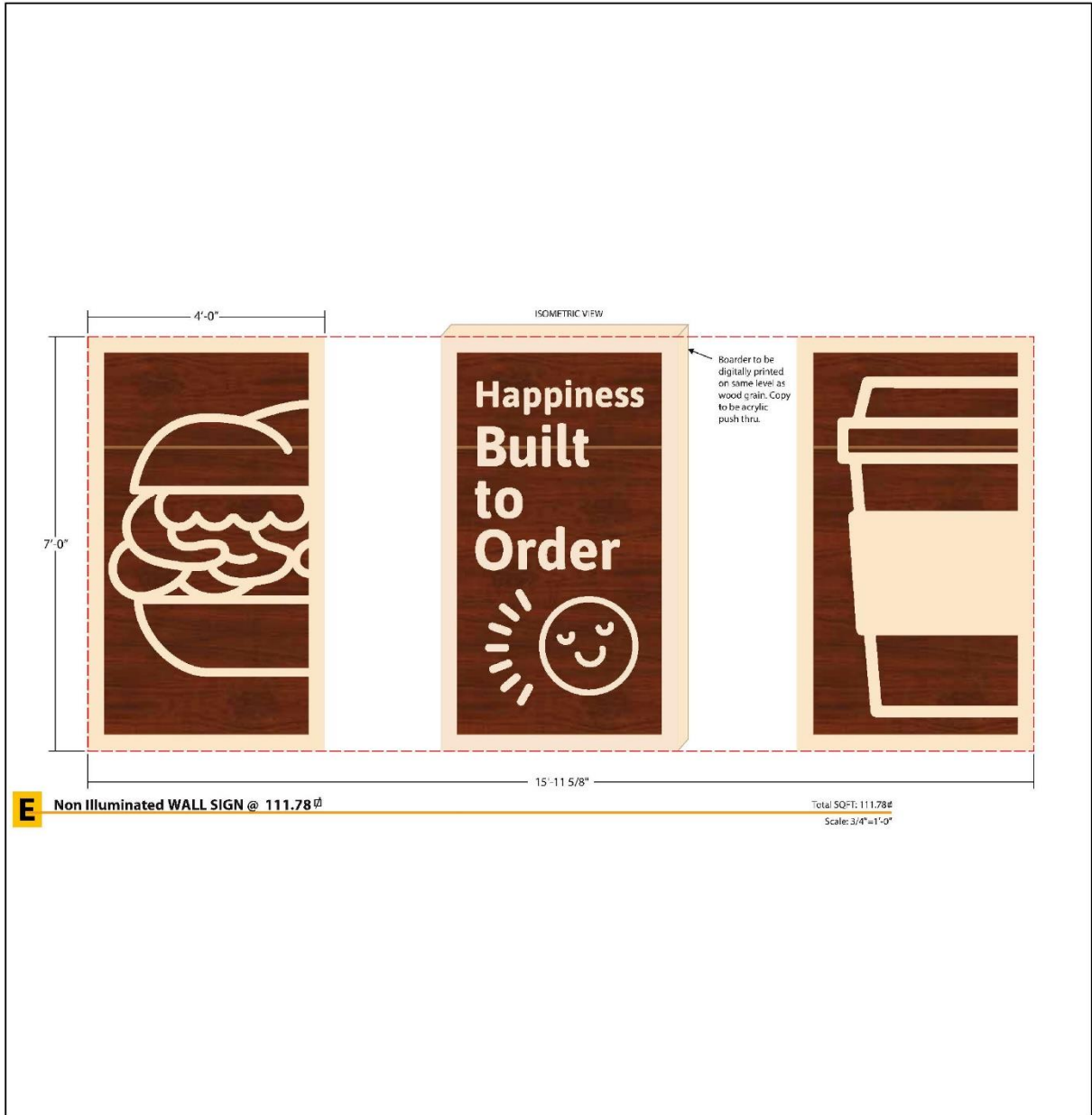
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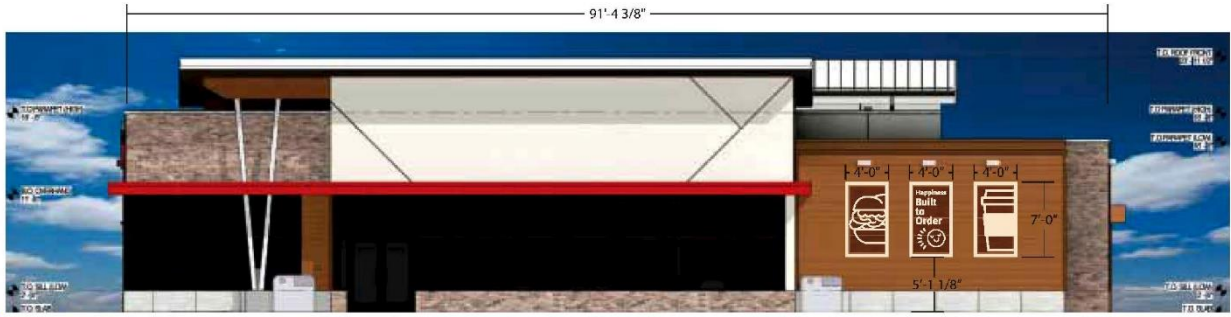
DETAIL SITE PLAN



E Non Illuminated WALL SIGN @ 111.78#

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DETAIL SITE PLAN



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ZONING DISTRICT CORRESPONDENCE MATRIX			LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A															
ONE-FAMILY RESIDENCE	R-1	■				■		■						□		
TWO-FAMILY RESIDENCE	R-2	■				■		■						□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■							□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■						□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■						□		
HISTORIC BUSINESS	H-B			■		■		■						□		
VILLAGE CENTER	TCD					■	■							□		
NEIGH. CENTER	TCD					■	■							□		
NEIGH. GENERAL	TCD					■								□		
DOWNTOWN DEV. DDD	T-6			■										□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□						□		
DOWNTOWN DEV. DDD	T-5.2			■		■		□						□		
DOWNTOWN DEV. DDD	T-4			■		■		□						□		
DOWNTOWN DEV. DDD	T-3			■		■								□		
DOWNTOWN DEV. DDD	SD-WH									○	○			□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○			□		
BUFFER BUSINESS	B-1		□			□	■	■	■					□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■					□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■					□	○	
COMMUNITY BUSINESS	B-3				■				■				○	□	○	
GEN. BUSINESS	B-4			■					■				○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■				□	□	
LIGHT INDUSTRY	I-1									■				□	□	□
HEAVY INDUSTRY	I-2										■			□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)



DISTRICT CENTER (DC)

This designation applies across the city to larger areas of existing mixed-use character or where such character is encouraged. These areas will include moderate to high-density residential (minimum densities of 6 du/ac) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers generally serve several surrounding neighborhoods and may even have a city-wide or region-wide reach. As such, they are often anchored by a major commercial or institutional employer such as a shopping mall or a medical center.

Depending on location and assigned zoning, residential areas in District Centers may incorporate a mix of housing types, ranging from mid-rise multifamily buildings containing apartments and lofts, to townhouses and detached single-family homes. Major civic cultural institutions and public spaces provide regional and neighborhood destinations.

District Centers should be designed to induce pedestrian activity, with high quality streetscapes connecting the different components of a center as well as the center to its surrounding area. DC districts may be served by transit and include development of an intensity and design that supports transit use.