

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

<u>CASE NUMBER</u>	6311/5363
<u>APPLICANT NAME</u>	Wrico Signs (Conn's Home Plus)
<u>LOCATION</u>	3250 Airport Boulevard (Northeast corner of Airport Boulevard and Interstate 65)
<u>VARIANCE REQUEST</u>	SIGN: Sign Variance to allow informational wall signs larger than 20 square feet and temporary vehicular signage in a B-3, Community Business District.
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGN: The Zoning Ordinance limits informational wall signs to 20 square feet, and does not allow vehicular signage in a B-3, Community Business District.
<u>ZONING</u>	B-3, Community Business
<u>AREA OF PROPERTY</u>	9.0± Acres
<u>ENGINEERING COMMENTS</u>	No comments.
<u>TRAFFIC ENGINEERING COMMENTS</u>	This request was not reviewed by Traffic Engineering.
<u>CITY COUNCIL DISTRICT</u>	District 5

ANALYSIS The applicant is requesting a Sign Variance to allow informational wall signs larger than 20 square feet and temporary vehicular signage in a B-3, Community Business District; the Zoning Ordinance limits informational wall signs to 20 square feet, and does not allow vehicular signage in a B-3, Community Business District.

The site has been given a District Center (DC) land use designation per the adopted Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. 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 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.

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 dwelling units per acre) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers (DC) 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.

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 substantial justice 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:

Summary of purpose for this application:

To request allowance for (4) additional wall signs on the front elevation of the tenant space, as well as the allowance of a storage trailer to be stationed in an approved location within the parking lot during construction and opening. The trailer will have vinyl wrap to advertise the nature of the business and the upcoming grand opening of the store.

Requested wall sign additions: APPLIANCES, ELECTRONICS, FURNITURE AND MATTRESSES

- *Conn's corporate branding standards contain their logo and category signage as shown in the proposed drawings. Having the category signage is vital to maintaining nationwide corporate brand standards and image consistency. In other markets, it is arguable that when stores have been denied the allowance of the sub-copy it has negatively impacted local awareness and overall store success in comparison to stores where the sub-copy is allowed.*

Requested Trailer Addition:

- *We are also requesting allowance for a dry-van trailer to be stationed in the parking lot of the space during construction, as well as up to 60 days after store opening. The surface of this trailer is covered with Conn's promotional graphics, and it helps bring brand awareness and attention to store opening. It also serves as additional construction storage when required.*

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

As the City of Mobile sign ordinance is written, only 1 wall sign is allowed per street front which would require us to exclude the category signage shown in the proposed renderings. It was also confirmed that the trailer would not be allowed per local ordinance.

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

An existing ordinance limits 1 wall sign per street frontage. After discussion with the zoning department we are applying for a Sign Variance to request the additional signage in our proposed drawings.

How is this property different from the neighboring properties?

Sam's Club has been allowed an additional sign on their storefront within the same shopping center.

The previous tenant, Burlington Coat Factory, added much smaller category signage underneath their main logo over the exterior store entry. After reviewing, the smaller category signs severely lacked visibility by passing motorist from Airport Blvd, the road fronting the main elevation of this business. We believe that spreading them out across the building as shown in the proposed not only reduces overall signage clutter; however, allows the business to utilize the MAX allowed square footage for the space effectively, as well as, increase overall visibility of available goods provided by the business.

The applicant has been approved for the primary logo wall sign of 260.4 square feet for the proposed Conn's home furnishings store. In addition, the applicant proposes to install four additional informational wall signs consisting of:

- **APPLIANCES @ 31.88 square feet**
- **ELECTRONICS @ 35.32 square feet**
- **FURNITURE @ 28.24 square feet**
- **MATTRESSES @ 33.34 square feet**

Each exceeds the allowable 20 square feet for informational signage, hence this request for the increased square footage. The applicant also proposes to park a semi transfer trailer with advertising for the store on the site during construction and for up to 60 days following the store's opening. Vehicular signage is not allowed; hence the request for the vehicular signage.

It should be noted that the front façade where the informational wall signs are proposed is slightly over 500' from the Airport Boulevard right-of-way. In instances where the visibility of wall signage has been limited by the distance from the public right-of-way, the Board has been sympathetic to the granting of requests for increased signage sizes. The applicant has demonstrated that a hardship may be imposed by a literal interpretation of the Zoning Ordinance, and the Board should consider this request for increased wall signage size for approval.

With regard to the proposed vehicular sign, no dimensions were provided for the trailer on which the sign is proposed, but a standard semi-trailer has box dimensions of approximately 48' long by 9' high, or 432 square feet per side, and both sides are proposed to be wrapped in promotional graphics. The applicant states that the trailer can be used for additional construction storage when required, and a removable portion of the signage reads COMING SOON. Upon the store opening, that portion can be removed and replaced with NOW OPEN. The Zoning Ordinance allows contractors' and craftsmen's signs on construction sites, but the names of the contractors and craftsmen are displayed on the sign along with the development name. These signs are normally removed upon completion of the construction project. The proposed signage does not display any information relating to contractors and craftsmen, and is proposed to remain on the site for up to 60 days following the opening of

the store. As no hardship has been illustrated with the request for the vehicular signage, the Board should consider this request for denial.

RECOMMENDATION: Based upon the preceding, Staff recommends to the Board the following findings of fact for Approval of a Sign Variance to allow increased informational wall signs larger than 20 square feet for a business on a multi-tenant site in a B-3, Community Business District:

- 1) Approving the variance request will not be contrary to the public interest due to the fact that it will allow a fair opportunity for location identification;
- 2) Special conditions appear to exist, primarily the distance from the public right-of-way, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- 3) That the spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance in that it will allow a business public street visibility which would ordinarily not be possible under existing conditions.

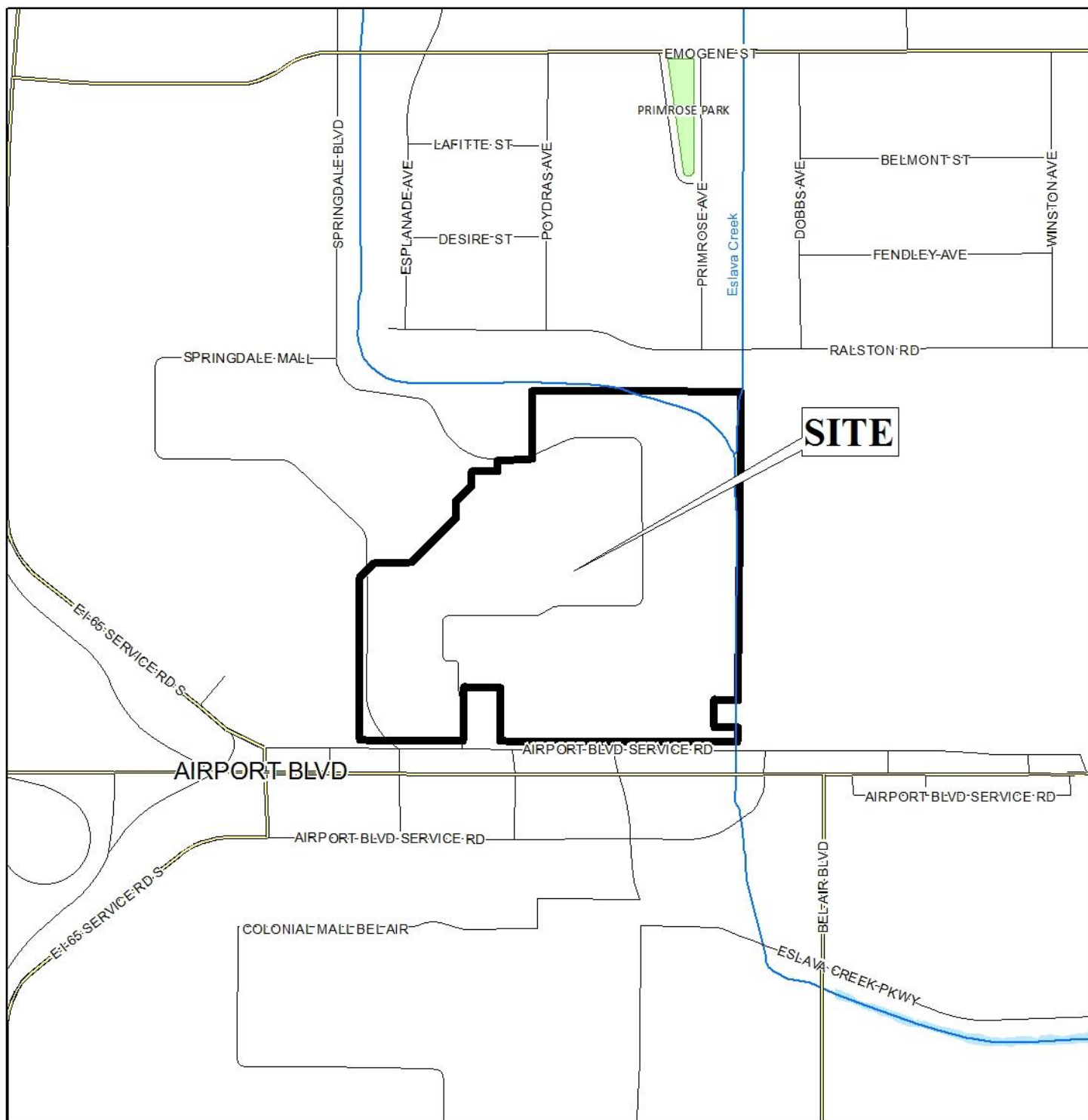
The approval is subject to the following conditions:

- 1) limitation of the signs to the sizes as submitted in the application;
- 2) the obtaining of the proper sign permits for the signs; and
- 3) full compliance with all municipal codes and ordinances.

Staff recommends to the Board the following findings of fact for Denial of the request to allow temporary vehicular signage in a B-3, Community Business District.

- 1) Approving the variance request will be contrary to the public interest due to the fact that no hardship for its allowance has been demonstrated;
- 2) Special conditions do not appear to exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- 3) That the spirit of the chapter shall not be observed and substantial justice shall not be done to the applicant and the surrounding neighborhood by granting the variance in that it would allow a business further public visibility which would ordinarily not be possible without the demonstration of a hardship.

LOCATOR MAP



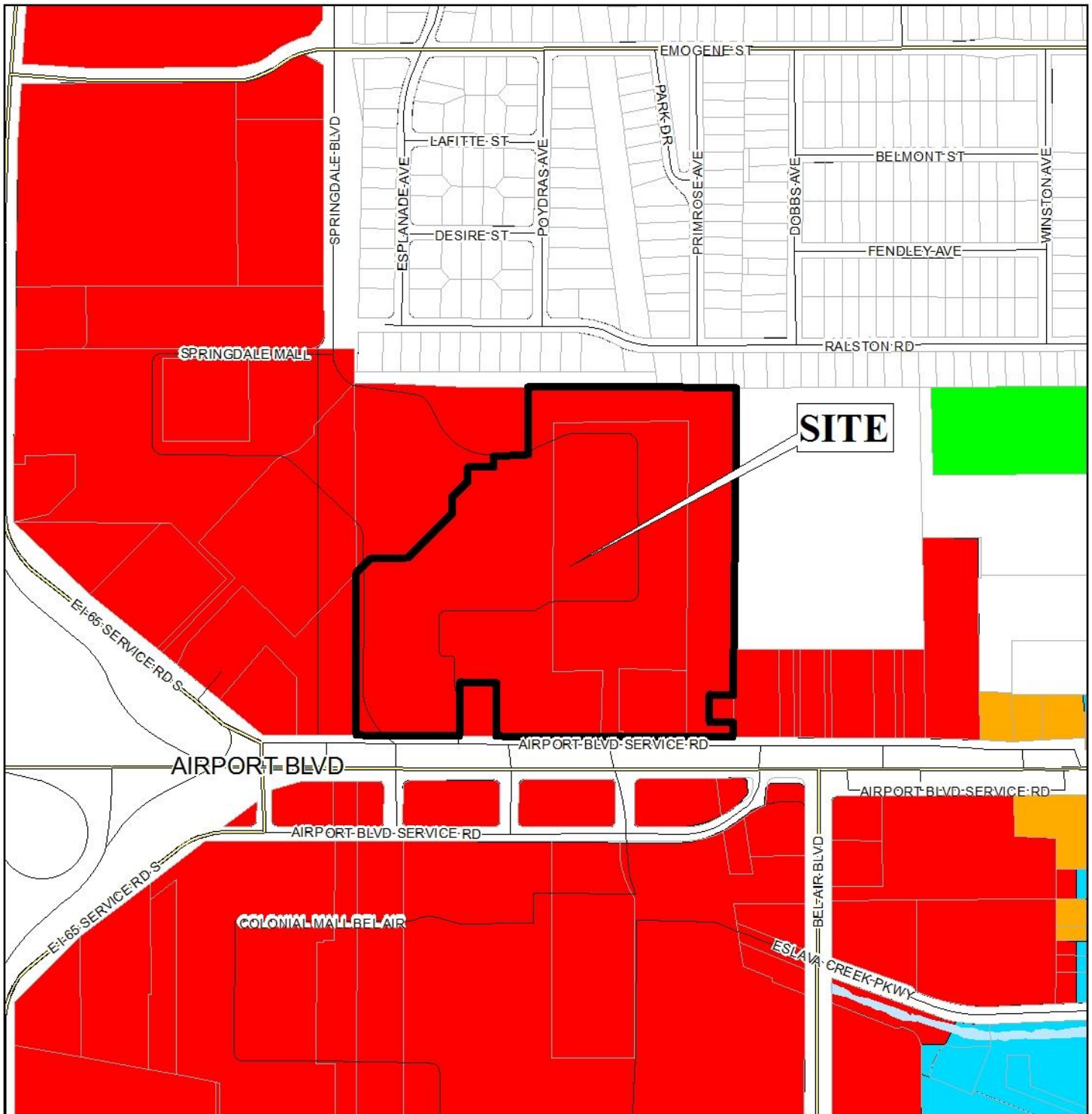
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APPLICANT Wrico Signs for Conn's Home Plus

REQUEST Sign Variance



LOCATOR ZONING MAP



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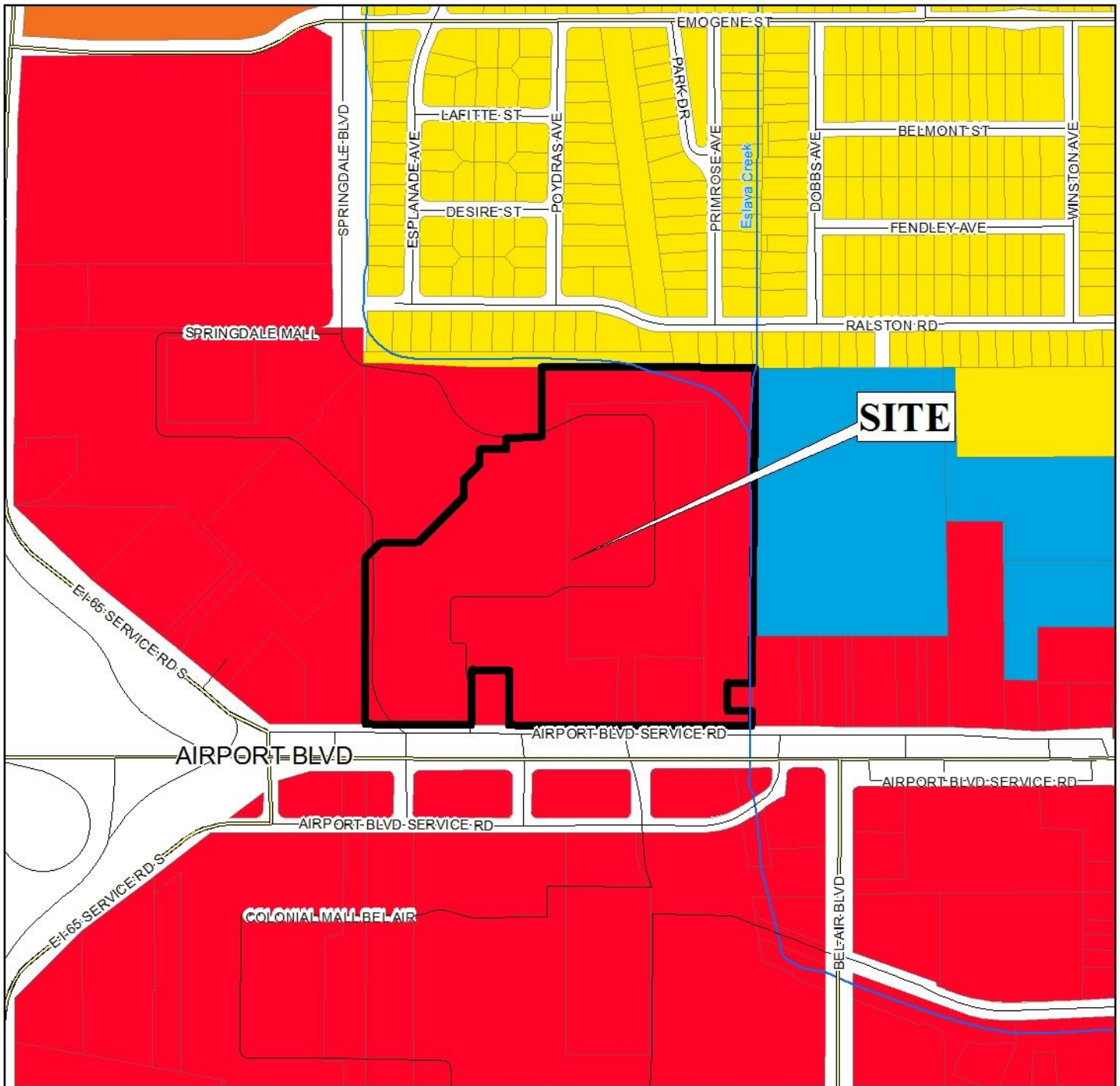
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FLUM LOCATOR MAP



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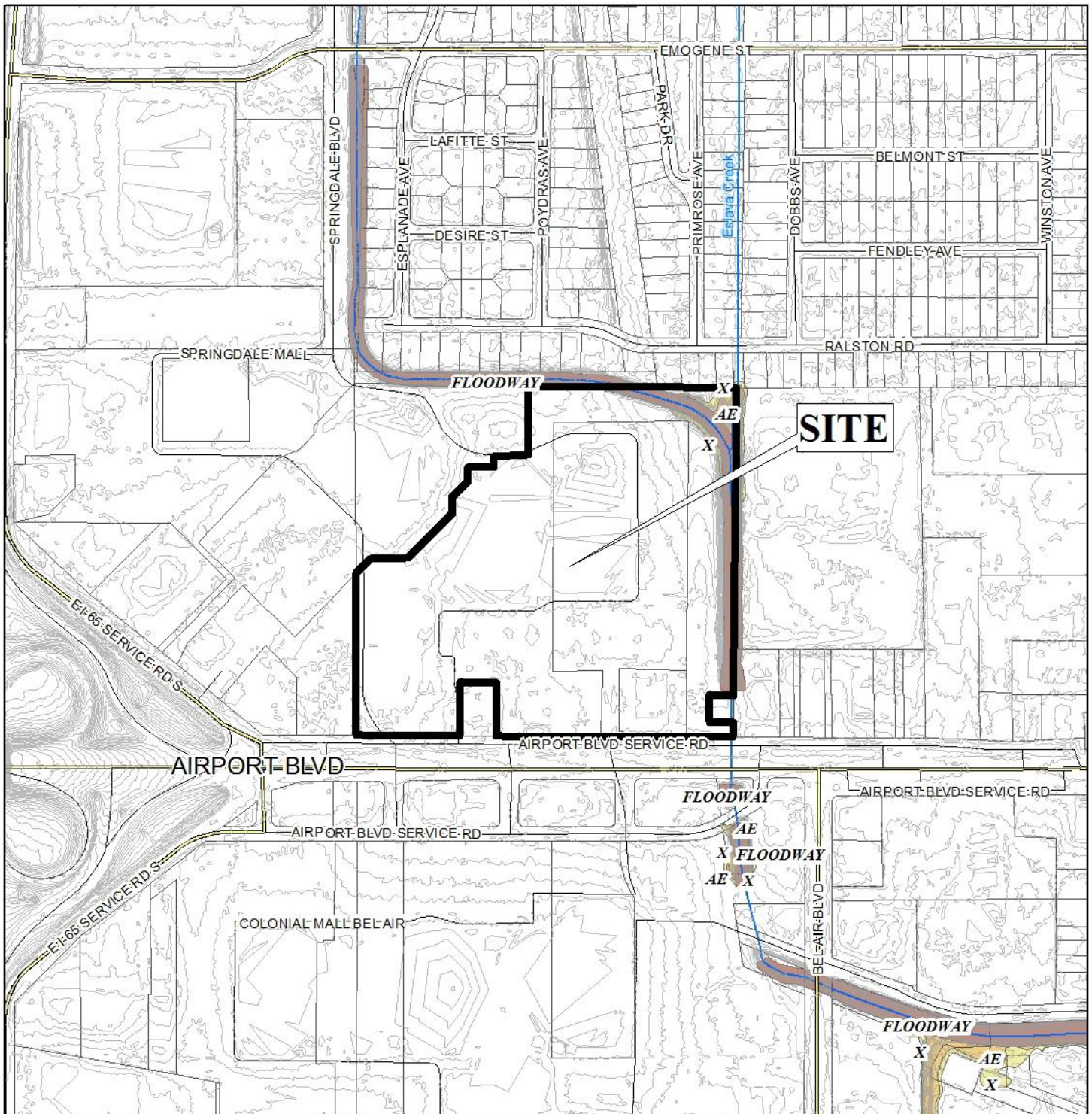
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



ENVIRONMENTAL LOCATOR MAP



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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

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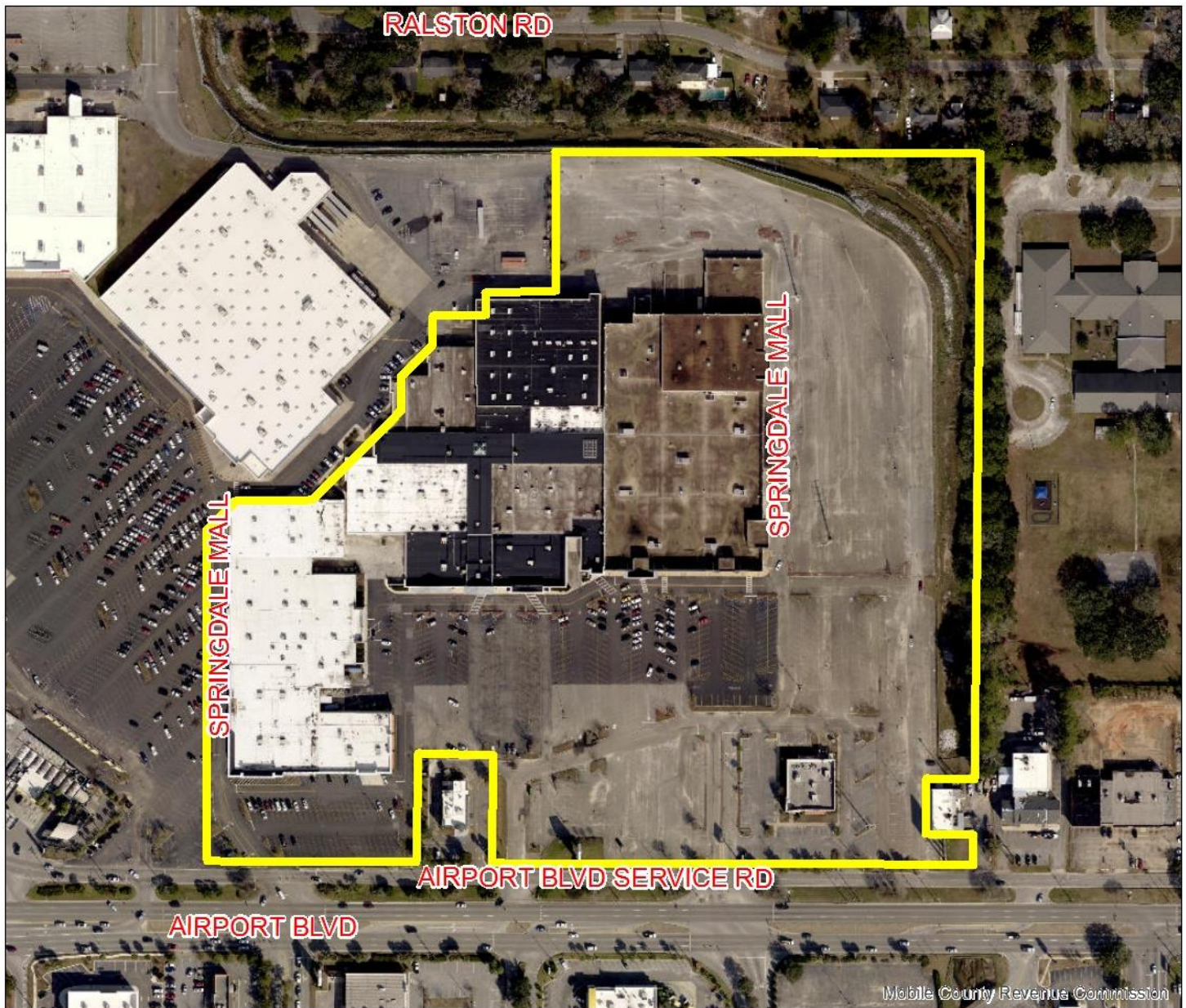
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

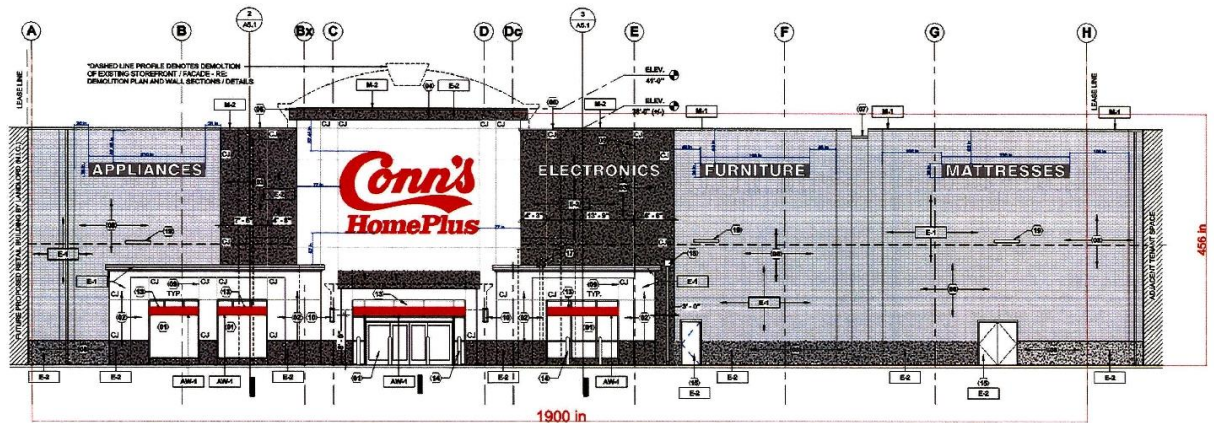


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DETAIL SITE PLAN



2 PROPOSED FRONT ELEVATION
SCALE: 1/8" = 1'-0"

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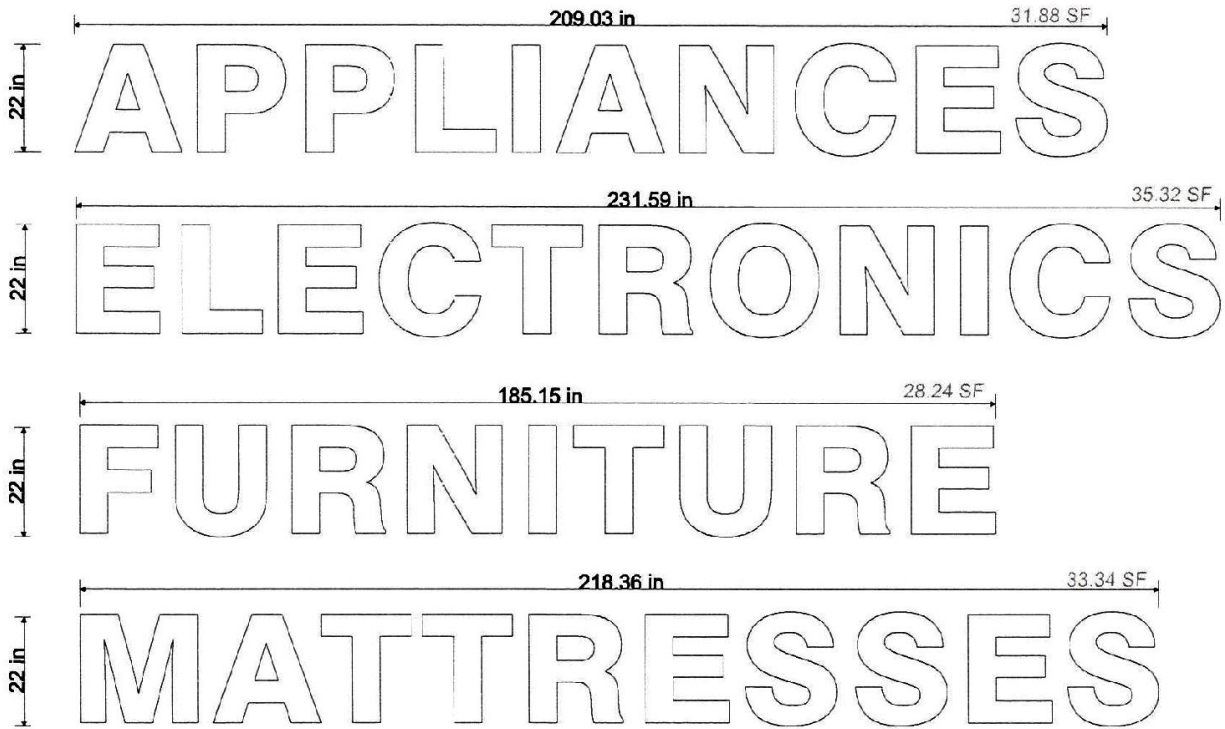
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DETAIL SITE PLAN



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DETAIL SITE PLAN

Passenger Side - Coming Soon



same graphic on driver side

Passenger Side - Now Open



same graphic on driver side

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