

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: July 10, 2017****CASE NUMBER**

6117

APPLICANT NAME

Sarah Smith for Harrison French and Associates

LOCATION5245 Rangeline Road
(South side of Rangeline Service Road South, extending to
the East side of Halls Mill Road).**VARIANCE REQUEST****SIGNAGE:** Sign Variance 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.**ZONING ORDINANCE
REQUIREMENT****SIGNAGE:** The Zoning Ordinance limits informational
wall signs to 20 square feet each and banners to 32 square
feet in a B-3, Community Business District**ZONING**

B-3, Community Business District.

AREA OF PROPERTY

22.1± Acres

**ENGINEERING
COMMENTS**

No comments

**TRAFFIC ENGINEERING
COMMENTS**

No comments

**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 (State Act
2015-116 and City Code Chapters 57 and 64).**FIRE DEPARTMENT****COMMENTS**All projects within the City Limits of Mobile shall comply
with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code).**CITY COUNCIL
DISTRICT**

District 4

ANALYSIS

The applicant is requesting a Sign Variance 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; the Zoning Ordinance limits informational wall signs to 20 square feet each and banners to 32 square feet in a B-3, Community Business District.

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 subject site is a multi-tenant location with two street frontages, Rangeline Service Road South and Halls Mill Road. Walmart, the subject business, has frontages along both streets and is therefore allowed two wall signs in addition to a freestanding tenant panel. The other two businesses at the site each have a wall sign, and no freestanding tenant panels. The site was developed prior to annexation into the City of Mobile in 2009, and Walmart currently has one (1) wall sign, one (1) freestanding sign, four (4) informational signs larger than 20 square feet, and four (4) informational signs less than 20 square feet. The applicant wishes to have two (2) wall signs, one (1) freestanding sign, five (5) informational signs larger than 20 square feet, and five (5) informational signs less than 20 square feet.

Section 64-11.1.1 of the Zoning Ordinance defines a “*Directional Sign*” as “[a] sign that provides on-site directional assistance for the convenience of the public such as location of exits, entrances, and parking lots.” As such, the proposed signs are indeed directional in nature considering they direct the public to specific areas within the large building that provide specific goods and services. Directional signs less than 20 square feet typically enjoy exemption from permitting under Section 64-11.5.g. of the Zoning Ordinance; however, as a result of their excess size, the proposed signs may be considered wall signs and are no longer exempt from permitting requirements.

The informational/directional signs larger than 20 square feet are as follows:

<u>Proposed</u>	<u>Existing</u>
1. “Auto Center” = 34.5± sq ft	1. “Tire & Lube” = 28.94± sq ft
2. “Auto Center” = 34.17± sq ft	2. “Market” = 28.17± sq ft
3. “Grocery” = 42.05± sq ft	3. “Home & Pharmacy” = 97.66± sq ft
4. “Home & Pharmacy” = 97.66± sq ft	4. “Outdoor Living” = 77.17± sq ft
5. “Lawn & Garden” = 63.89 sq ft	Total = 231.94± sq ft
Total = 272.27± sq ft	Difference = 40.33± sq ft increase

The informational/directional signs less than 20 square feet are as follows:

Proposed	Existing
1. "Tire" = 4.76± sq ft	1. "Tire" = 4.76± sq ft
2. "Tire" = 4.76± sq ft	2. "Tire" = 4.76± sq ft
3. "Lube" = 6.26± sq ft	3. "Lube" = 6.26± sq ft
4. "Lube" = 6.26± sq ft	4. "Lube" = 6.26± sq ft
5. <u>"Vision Center" = 8.81± sq ft</u>	Total = 22.04± sq ft
6. Total = 30.85± sq ft	Difference = 8.81± sq ft increase

The standard wall signage is as follows:

Proposed	Existing
1. "Walmart" = 299.04± sq ft	1. "Walmart" = 298± sq ft
2. <u>"Pickup"* = 66.76± sq ft</u>	Total = 298± sq ft
Total = 365.8± sq ft	Difference = 67.8± sq ft increase

*"Pickup" is considered a standard wall sign instead of informational as it is accompanied by the Walmart "spark" logo

It should be noted that the Zoning Ordinance only has regulations regarding the maximum size and number of standard signage, and not informational signage. Both of the proposed standard wall signs as well as the freestanding sign are approvable as illustrated.

The applicant states:

This letter is to detail our variance request for the above mentioned project. We would like to request a variance, on behalf of Walmart, to go above the maximum of one (1) sign per building. Currently the store has a total of eight (8) wall signs existing. The ordinance has since changed to only allow one wall sign for each building. Walmart is a very large building with multiple services that will not be advertised if only one sign is allowed.

*We ask for more than one sign due to the length of the façade, which is 613'-4", and the multiple services offered within the store. Our request is for a total of thirteen (13) signs, which will include a new *Pickup sign to advertise the online grocery pickup service. We believe that the signs will make parking lot traffic safer for pedestrians and property, while still being aesthetically pleasing.*

Applications have been made by Walmart to request an increase either in the amount of signage allowed on site at their other Supercenters or Neighborhood Markets in Mobile, the type of signage allowed, or the size of signage. The requests most similar to this application, or portions thereof, were made to the Board at its June 3, 2013, August 3, 2015, and March 7, 2016 meetings for larger directional signs for a Walmart Neighborhood Market drive-thru pharmacy at 6575 Airport Boulevard, 2570 Government Boulevard, and 6350 Cottage Hill Road respectively. The application for 6575 Airport Boulevard was recommended for denial and subsequently withdrawn, the same request for 2570 Government Boulevard was denied, and the request for 6350 Cottage Hill Road was recommended for denial and was partially approved (applicant requested two signs, only one was approved). It should also be noted that at the Board's March 4, 2002 meeting an application was considered for the Walmart at 101 East I-65 Service Road

South to consider the allowance of eight (8) oversized informational signs that was recommended for denial and was ultimately denied by the Board due to the ability of that site to advertise those same services on the freestanding sign.

The site plans illustrating the proposed signage include a note stating that a 5' x 25' banner will be displayed at the site, however, no additional information was provided regarding the placement of the banner or the time frame. When staff reached out to the applicant to obtain additional information regarding the banner, staff was advised that there would not be a banner at this location, making the variance request for the banner moot.

It is reasonable to assume that the ratio of the area of the façade to that of the proposed signs may affect the visibility of directional signs; however, it should be noted that existing non-conforming signs directing traffic to appropriate areas within the store will be allowed to remain and be refaced, and it is simply the applicant's desire to replace and increase the amount of signage. As such, and in considering the precedence of similar requests, the applicant has failed to show the existence of any hardship associated with the property and denial of the application may, therefore, be appropriate.

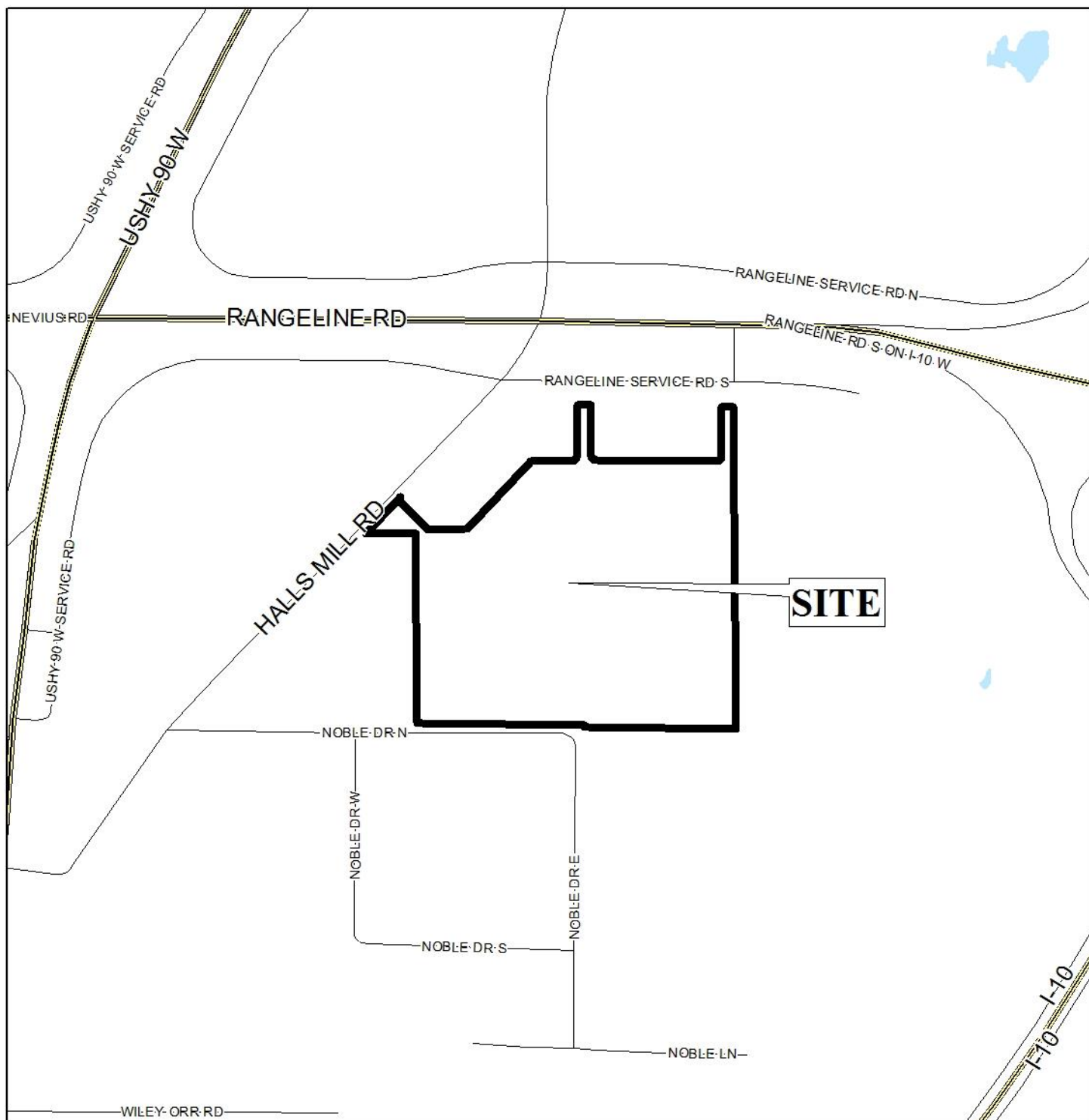
RECOMMENDATION

Staff recommends to the Board the following findings of facts for Denial:

- 1) allowing an increase in the size of directional signage would be contrary to the public interests inasmuch as existing, non-conforming directional signage is allowed to remain on the site and be refaced;
- 2) that special conditions requiring increased visibility of directional signs do not exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship, especially due to the effectiveness of existing directional signage; and
- 3) that the spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance because the dimensions of directional signage authorized by the Ordinance have thus far proven sufficient in this instance.

Based on the preceding, the request for a 125 square foot banner is moot.

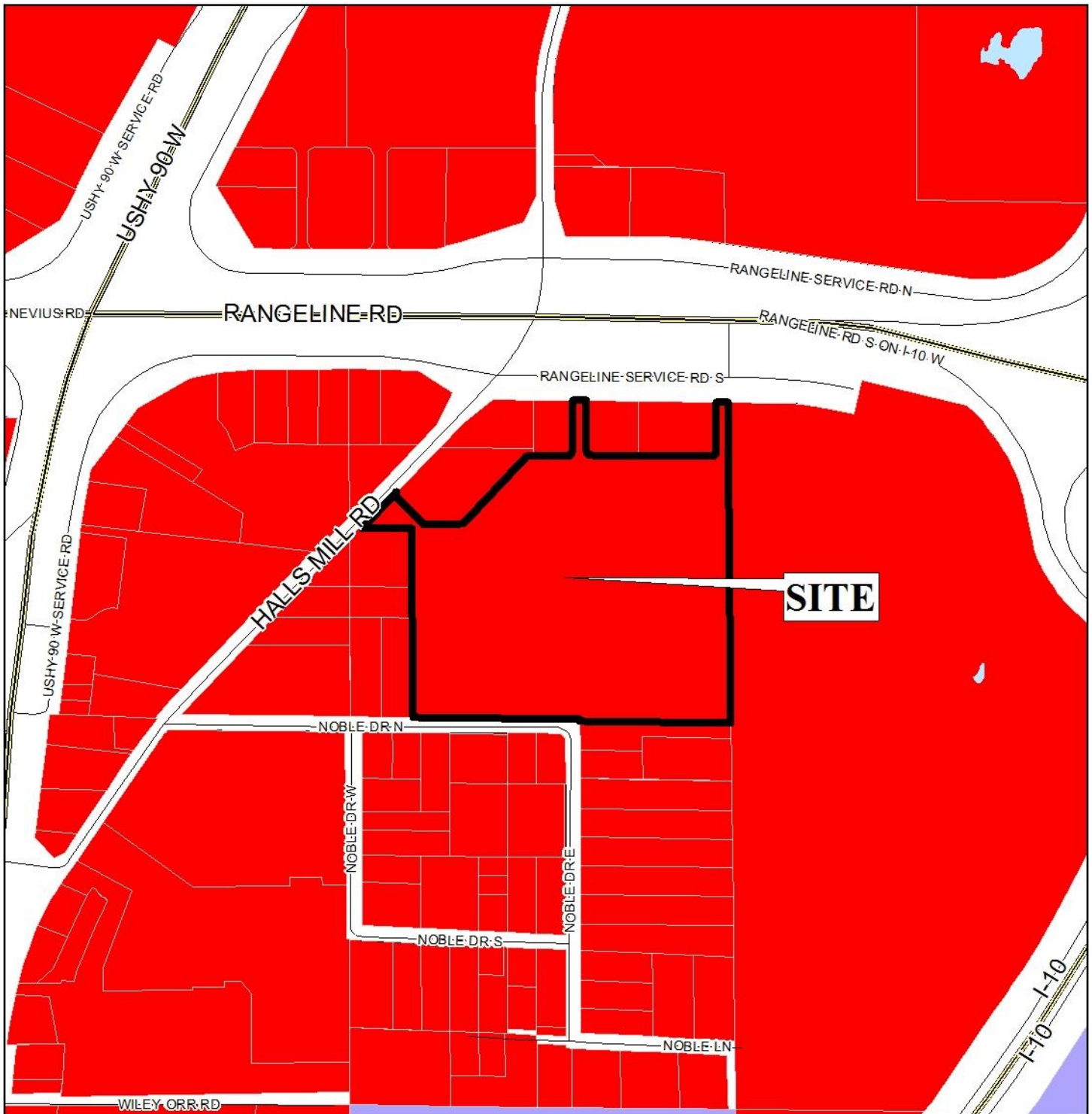
LOCATOR MAP



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LOCATOR ZONING MAP



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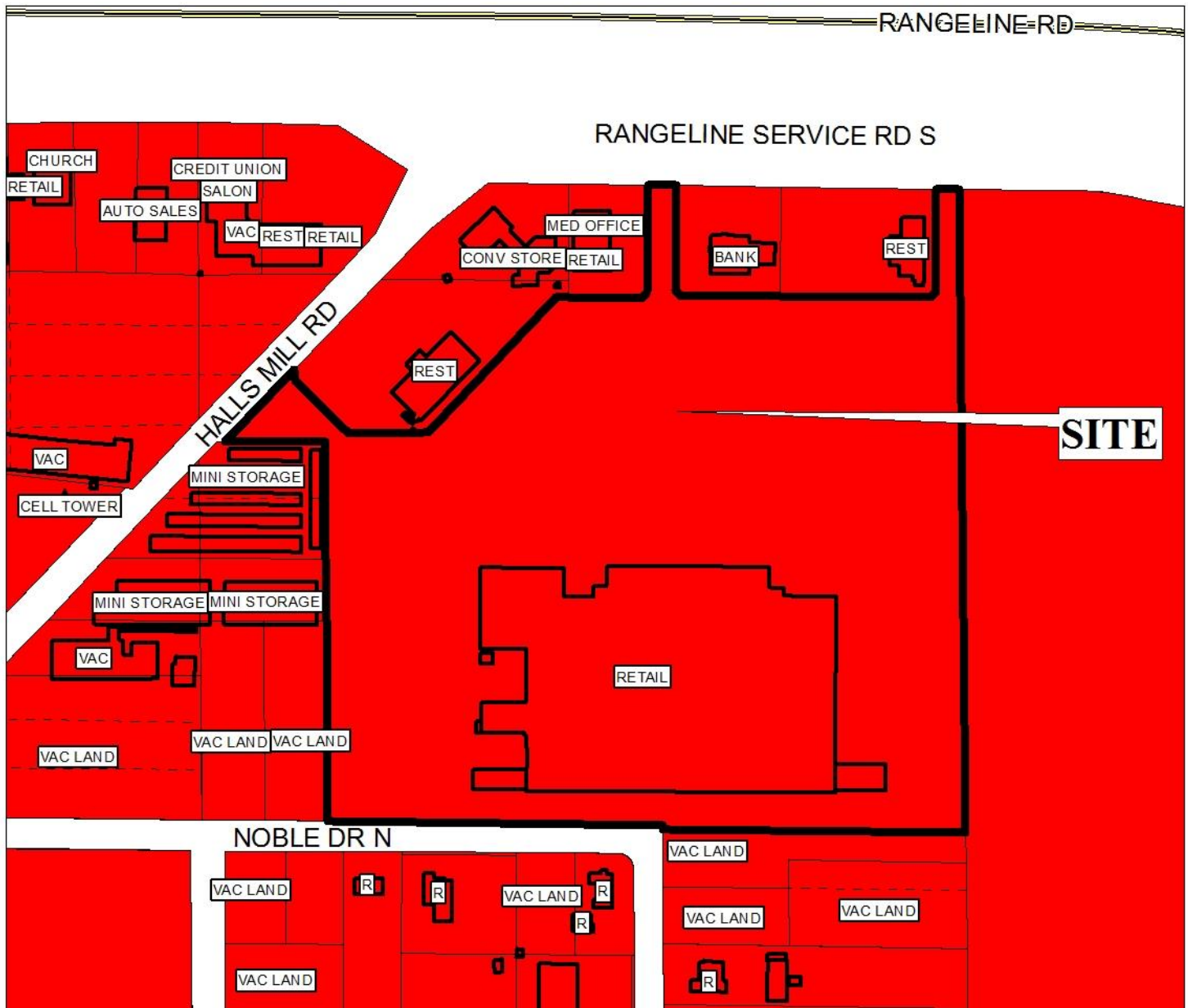
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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the south and commercial units to the west and north.

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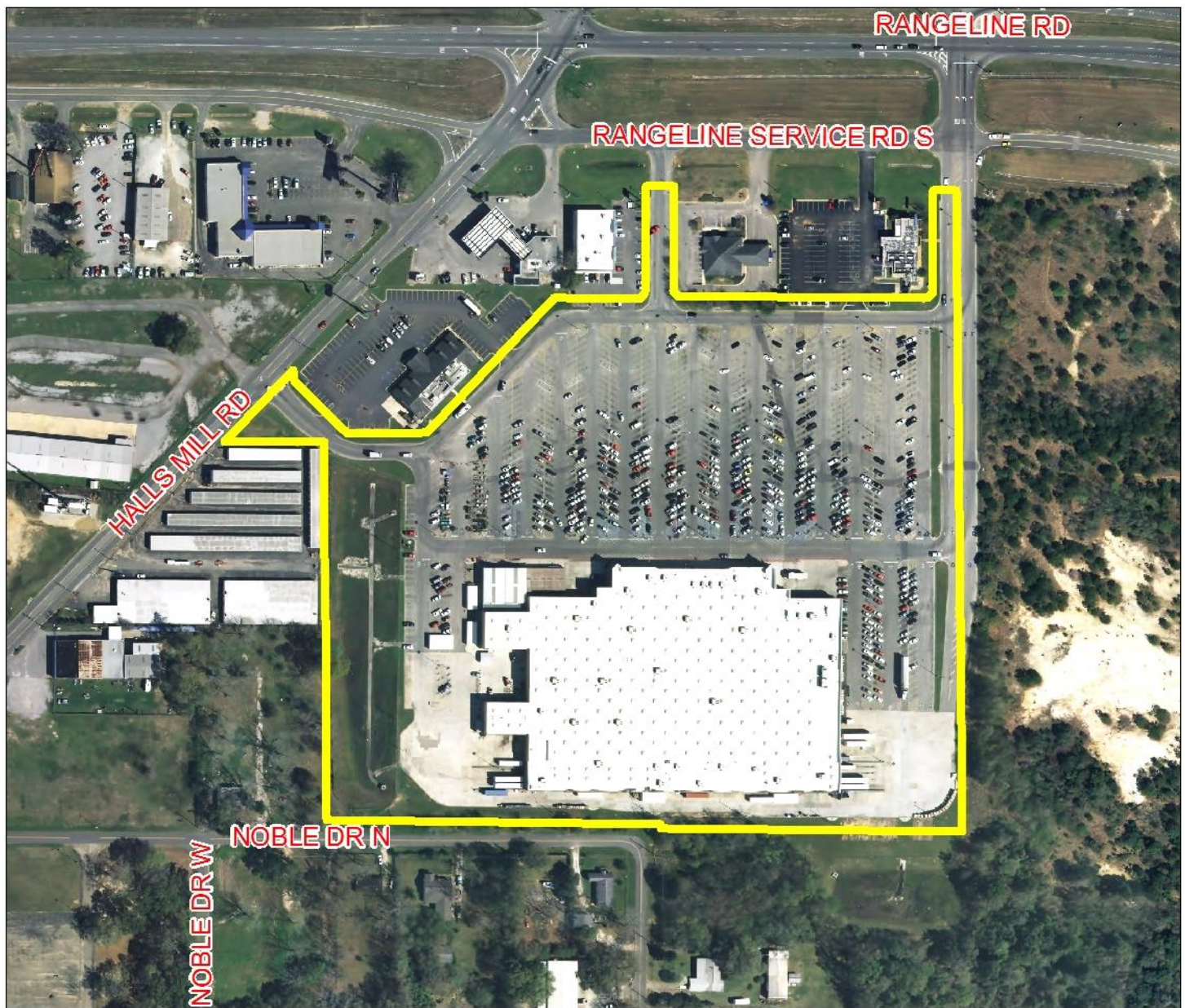
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 R-A	 R-3	 T-B	 B-2	 B-5	 MUN	 SD-WH	 T5.1
 R-1	 R-B	 B-1	 B-3	 I-1	 OPEN	 T3	 T5.2
 R-2	 H-B	 LB-2	 B-4	 I-2	 SD	 T4	 T6



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

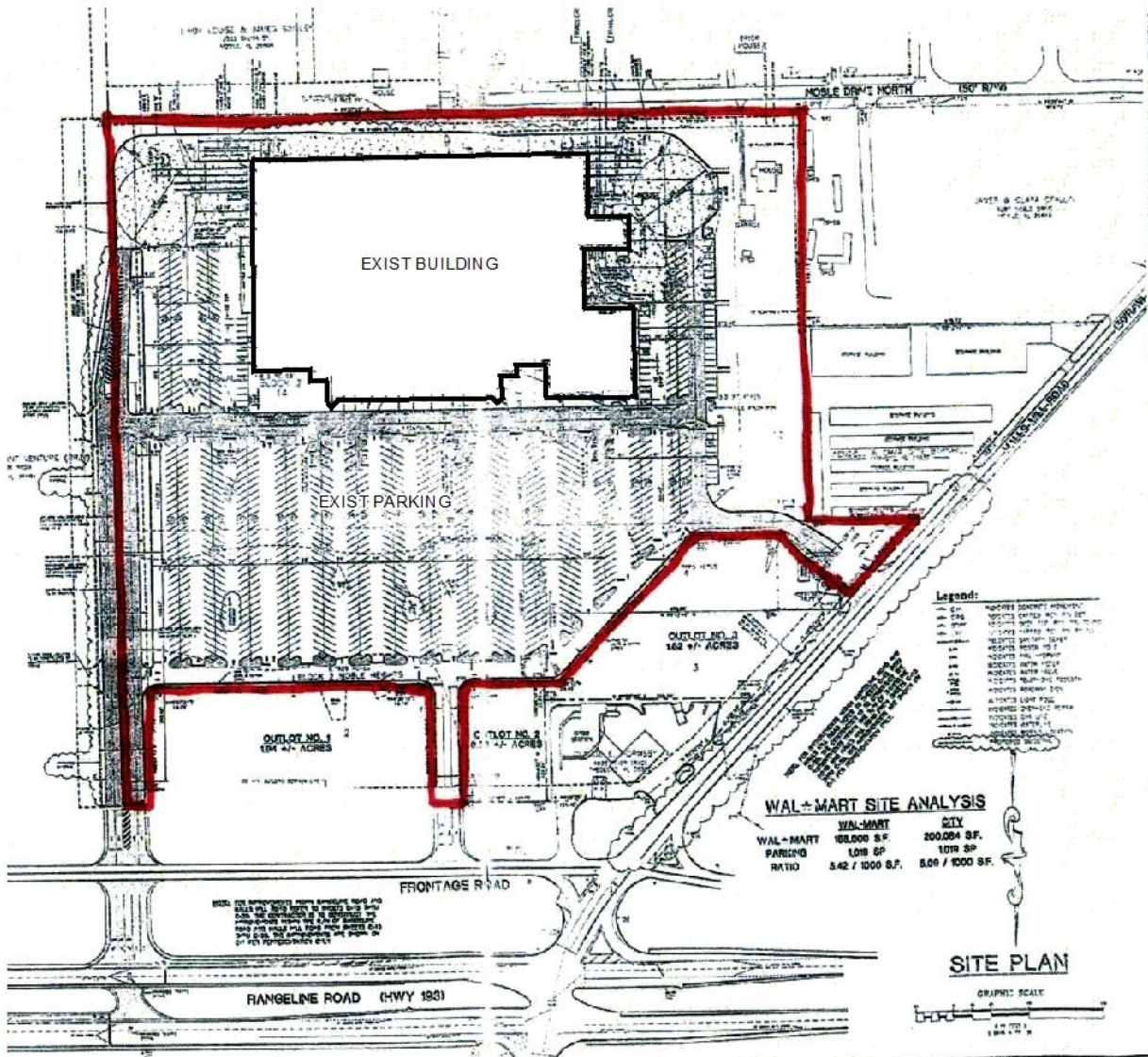


The site is surrounded by residential units to the south and commercial units to the west and north.

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SITE PLAN



The site plan illustrates the existing building and existing parking.

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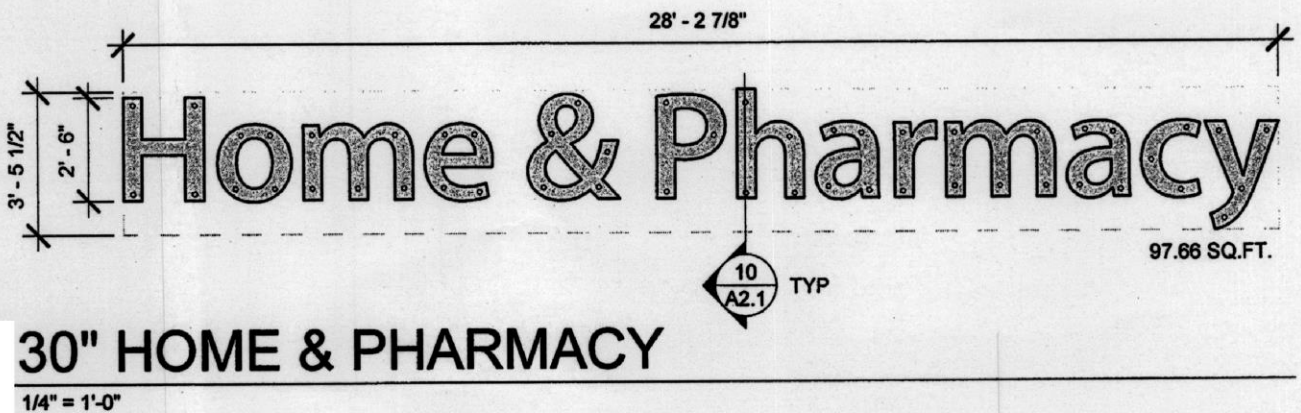


The architectural drawings include the following elevations and signage proposals:

- REAR SEASONAL SHOP** (Elevation 6): Shows the rear view of the seasonal shop with a height of 7'-3 1/2".
- AUTO CENTER ELEVATION** (Elevation 5): Shows the rear view of the auto center with a height of 7'-3 1/2". A red circle highlights a specific area on the elevation.
- LEFT ELEVATION** (Elevation 4): Shows the left side elevation with a height of 7'-3 1/2".
- REAR ELEVATION** (Elevation 3): Shows the rear side elevation with a height of 7'-3 1/2".
- RIGHT ELEVATION** (Elevation 2): Shows the right side elevation with a height of 7'-3 1/2".
- FRONT ELEVATION** (Elevation 1): Shows the front view of the building with a height of 7'-3 1/2". It includes a Walmart logo and several red circles highlighting proposed signage locations:
 - PROP SIGN 2**: Located on the left side of the front elevation.
 - PROP SIGN 1**: Located in the center of the front elevation, above the Walmart logo.
 - PROP SIGNS 3 & 4**: Located on the right side of the front elevation.

NTS

DETAIL SITE PLAN



PROPOSED SIGN 1

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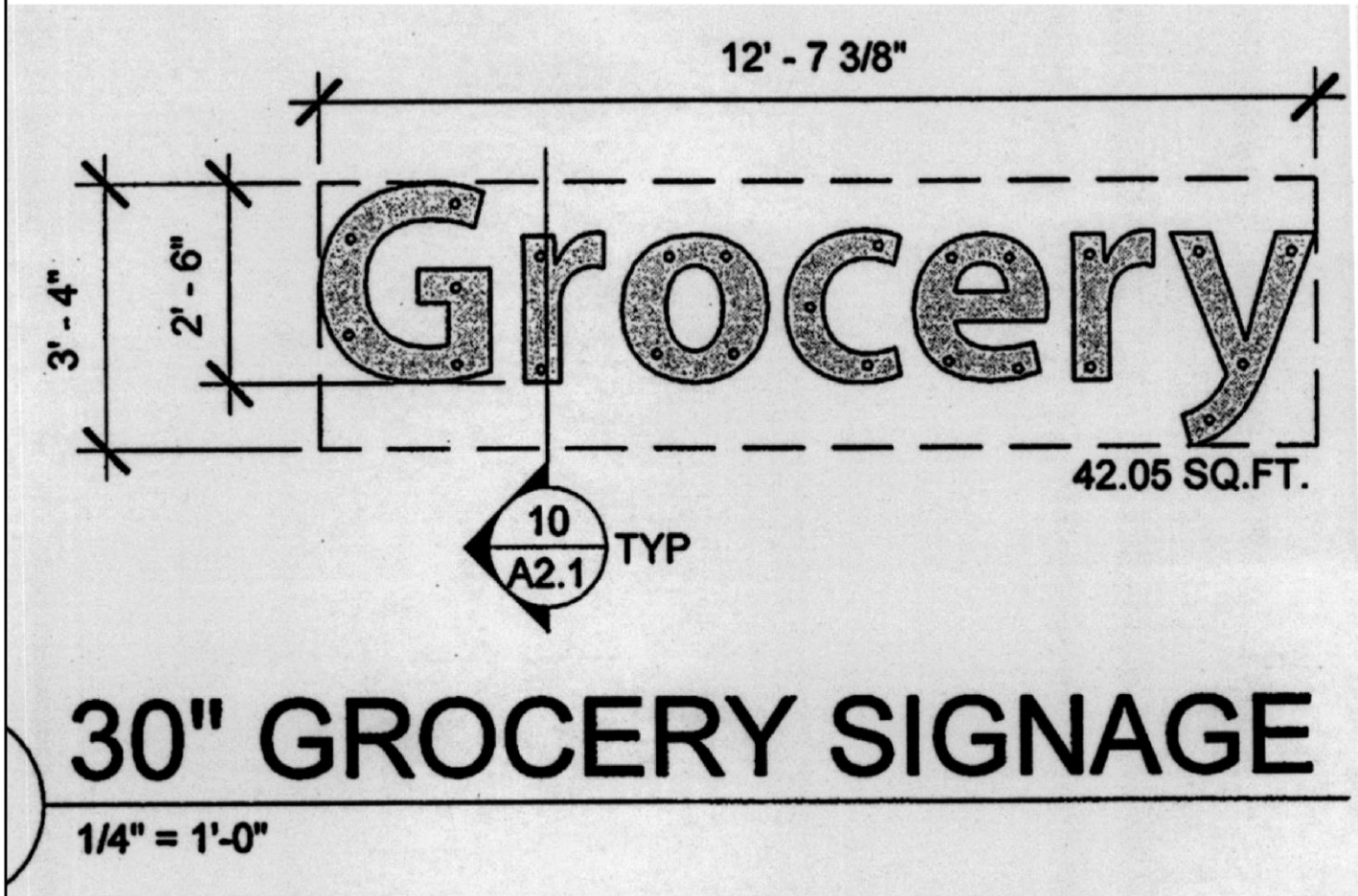
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DETAIL SITE PLAN



PROPOSED SIGN 2

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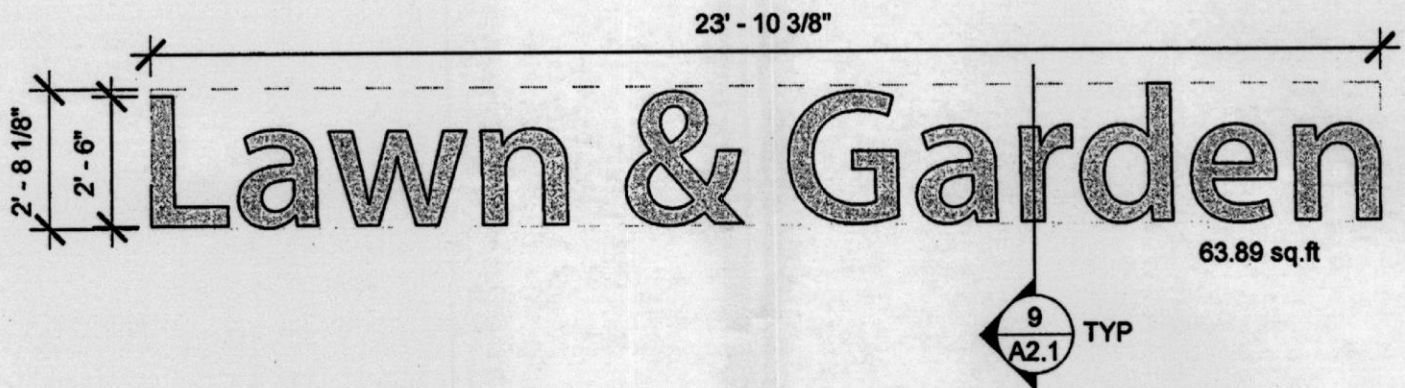
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REQUEST Sign Variance



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DETAIL SITE PLAN



30" LAWN & GARDEN SIGNAGE

1/4" = 1'-0"

PROPOSED SIGN 3

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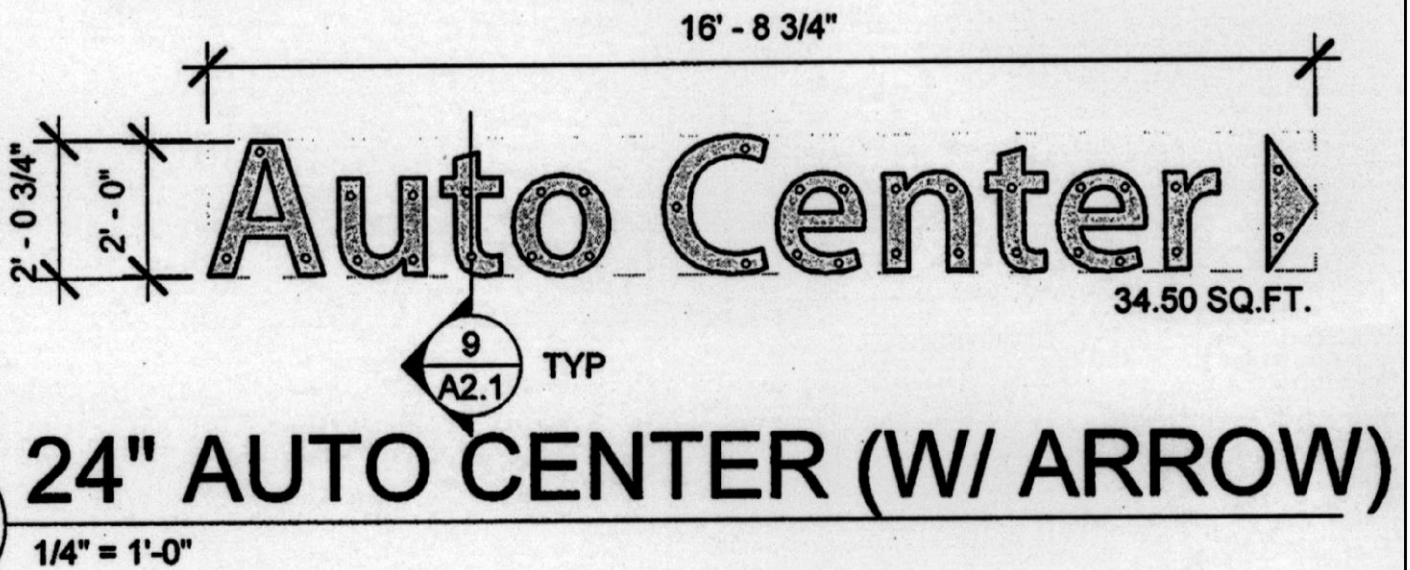
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REQUEST Sign Variance



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DETAIL SITE PLAN



PROPOSED SIGN 4

APPLICATION NUMBER 6117 DATE July 10, 2017

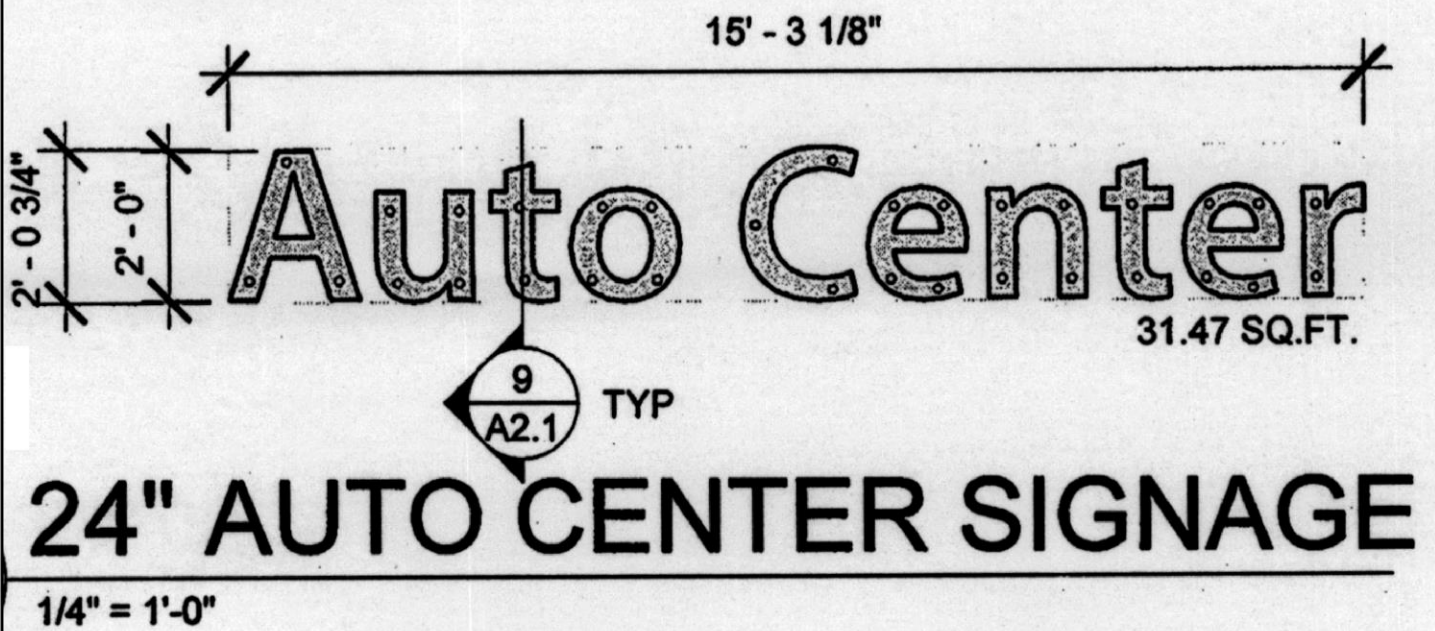
APPLICANT Sara Smith for Harrison French and Associates

REQUEST Sign Variance



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DETAIL SITE PLAN



PROPOSED SIGN 5

APPLICATION NUMBER 6117 DATE July 10, 2017

APPLICANT Sara Smith for Harrison French and Associates

REQUEST Sign Variance



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