

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: February 7, 2022****CASE NUMBER**

6443/6026/5917

APPLICANT NAME

Mitchell Signs, Inc. (Stephanie Nowell, Agent)

LOCATION56 St. Joseph Street
(Northeast corner of St. Joseph Street and St. Francis Street).**VARIANCE REQUEST****SIGN:** Sign Variance to allow increased size for a corner projecting sign and internally illuminated signage in a T-6 Sub-District of the Downtown Development District, and within a Historic District.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance limits the size of corner projecting signs and does not allow internally illuminated signage in a T-6 Sub-District of the Downtown Development District, and within a Historic District.**ZONING**

T-6 Sub-District of the Downtown Development District.

AREA OF PROPERTY

0.4± Acre

**ENGINEERING
COMMENTS**

No comments.

**TRAFFIC ENGINEERING
COMMENTS**

This request was not reviewed by Traffic Engineering.

**CITY COUNCIL
DISTRICT**

District 2

ANALYSIS

The applicant is requesting a Sign Variance to allow increased size for a corner projecting sign and internally illuminated signage in a T-6 Sub-District of the Downtown Development District, and within a Historic District; the Zoning Ordinance limits the size of corner projecting signs and does not allow internally illuminated signage in a T-6 Sub-District of the Downtown Development District, and within a Historic 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 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 site has been given a Downtown (DT) land use designation, per the 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.

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric.

As a land use district, Downtown (DT) is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes.

As the city's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 dwelling units per acre); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, 24/7-active Downtown Mobile.

Development in the DT district will focus on new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable public spaces, bicycle and pedestrian-friendly streets and convenient transit access to jobs, housing and entertainment. Accordingly, certain areas of Downtown will be more intensively developed to facilitate that pedestrian orientation.

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 purpose of the Sign Regulations is to protect the health, safety and welfare of the citizens of the City of Mobile and the general aesthetics of the city by providing for uniform standards for the locations, spacing, height, setback, lighting, and other regulation of off-premise and on-premise signs within the city.

The applicant states:

The purpose of this application is to allow Mitchell Signs, Inc., on behalf of Bank Plus, to file a Sign Variance Application for the property located at 56 St. Joseph Street to allow a two (2) sided projecting sign with internal illumination and increased size than allotted.

This site is located within the Lower Dauphin Street Commercial Historic District and currently zoned T-6 which only allows for only 64 square feet of signage. This historic building has an existing large projecting sign we are requesting to refurbish with a new face consisting of a backplate to match the building with internally illuminated channel letters and an LED border. The refacing will not damage or obscuring any architectural features of the building and will use the existing structure/bracket. The sign would read "Bank Plus". The ARB has ruled the materials are within conformance/spirit of the Guidelines.

It is our understanding that the ARB previously approved a sign package for 395 sq ft for a previous occupant (Regions Bank) in May 2007. The signage would fit within the existing structure and measure 13'-5-34" x 8'5" and is 114 sq ft per side or 228 sq ft total. We are also including a letter from McNair Historic Preservation, Inc. which states in part that the existing projecting sign "is historic and should be retained". The letters also notes that the proposed signage was submitted to the National Park Services (Department of the Interior) and was approved. The proposed signage has also been approved by the Alabama Historical Commission.

The subject corner projecting sign was initially installed in the 1960's as part of the renovations to what was then the Merchants National Bank and included the bank's logo in the upper portion, with a time/temperature display below. The sign has been rebranded and refaced at various times since, but the original sign framing size has been retained. At some point, the framing was revised from the original "boxy" style as architectural details to match the bank building were added. The sign is considered legal nonconforming as it existed at the time of the adoption of the Downtown Development District (DDD) in 2014, and refacing of the existing signage was allowed without having to bring the sign into compliance. As the applicant now proposes to install a BankPlus logo sign with new cabinetry and internal illumination within the structure, it must comply with the DDD signage regulations as there are no accommodations for nonconforming signage, and must also meet the Mobile Historic Development Commission regulations; hence this application.

The DDD allows corner projecting signs with a maximum size of three feet wide by fifteen feet high, for a total of 45 square feet per face. Signs in historic districts are limited to a total of 64 square feet per business by the Architectural Review Board. Internal illumination is not allowed for signage within the DDD or historic districts. The proposed sign would be approximately 8-

5” wide by 13’-6” high, or approximately 114 square feet per face. The proposed sign has been approved by the Architectural Review Board. The building is a contributing structure on the National Register of Historic Places (Lower Dauphin Street Historic Districts), and both the National Park Service and the Alabama Historical Commission have approved the sign and have agreed that it would not detract from the historic character of the building.

Given the scale of the building in relation to the proposed sign and the existing framework, the allowance of the proposed size would seem in character with the area. Furthermore, as the existing sign is internally illuminated, and as the proposed sign has been approved by the National Park Service, the Alabama Historical Commission and the Architectural Review Board, a hardship would certainly seem to be imposed by not approving the requested variances, and the Board should consider this application for Approval.

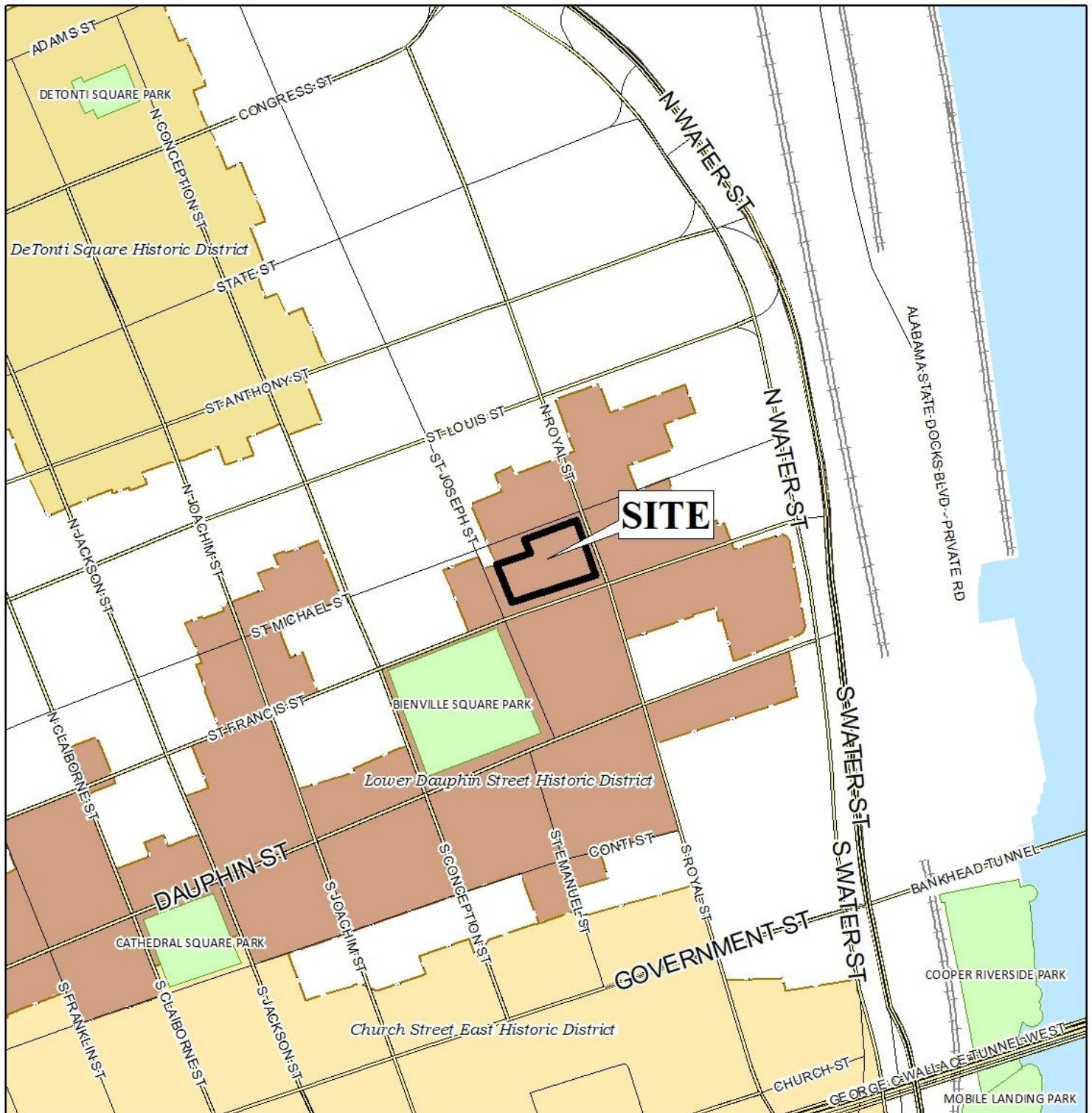
RECOMMENDATION: Staff recommends to the Board the following findings of fact for Approval:

- 1) Approving the variance will not be contrary to the public interest in that it will allow the re-use of a sign structure which has been an integral part of Downtown Mobile since the 1960’s;
- 2) Special conditions (the proposed sign has been approved by the National Park Service, the Alabama Historical Commission and the Architectural Review Board) exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the variance since not approving the variance would be contrary to the opinion of national, state and local historic preservation entities.

The Approval is subject to the following conditions:

- 1) signage to comply with the type and size as submitted with this application;
- 2) obtaining of the necessary sign permit;
- 3) approval of the sign by the Consolidated Review Committee; and
- 4) full compliance with all other municipal codes and ordinances.

LOCATOR MAP



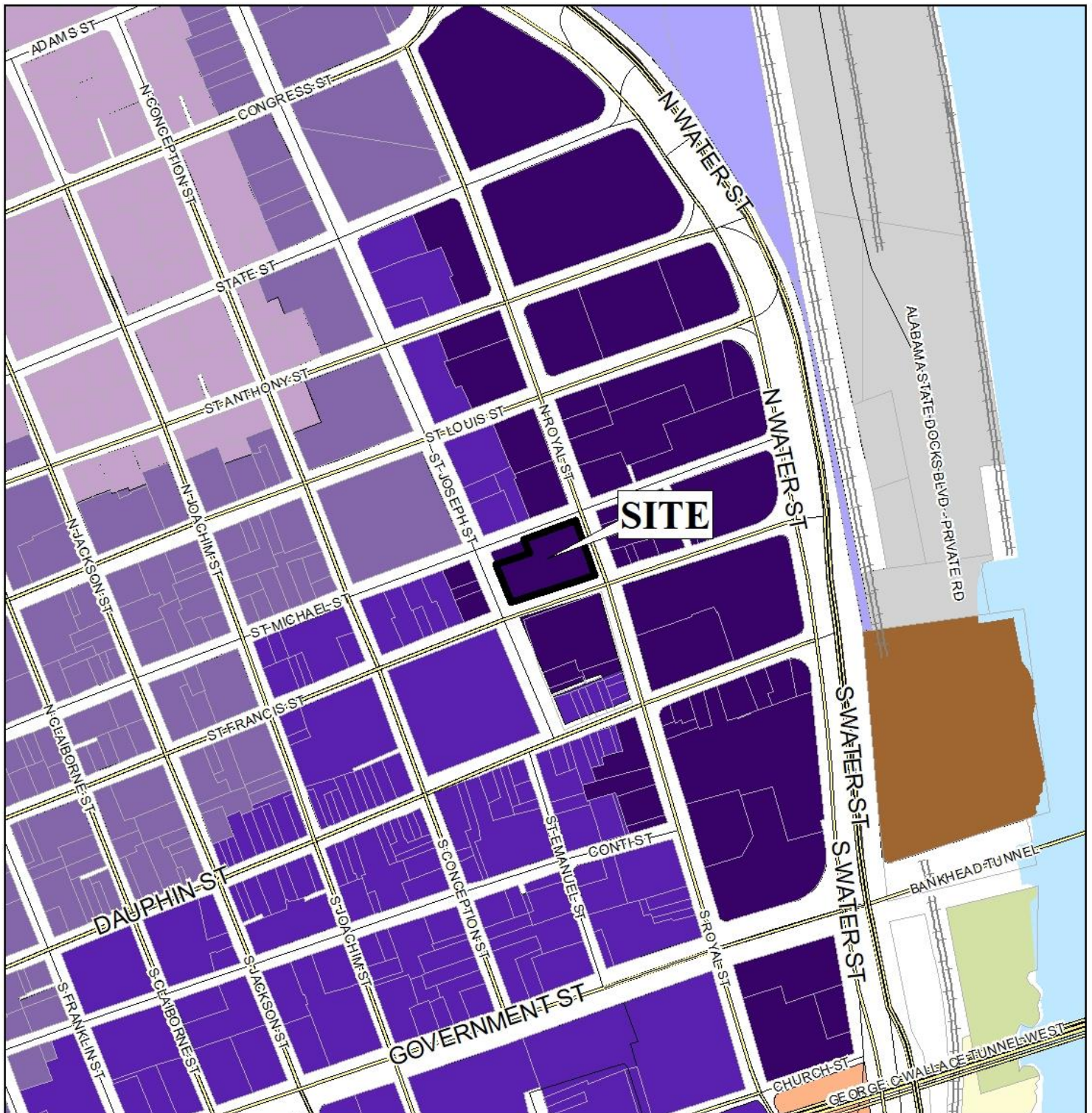
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APPLICANT Mitchell Signs, Inc (Stephanie Nowell, Agent)

REQUEST Sign Variance



LOCATOR ZONING MAP



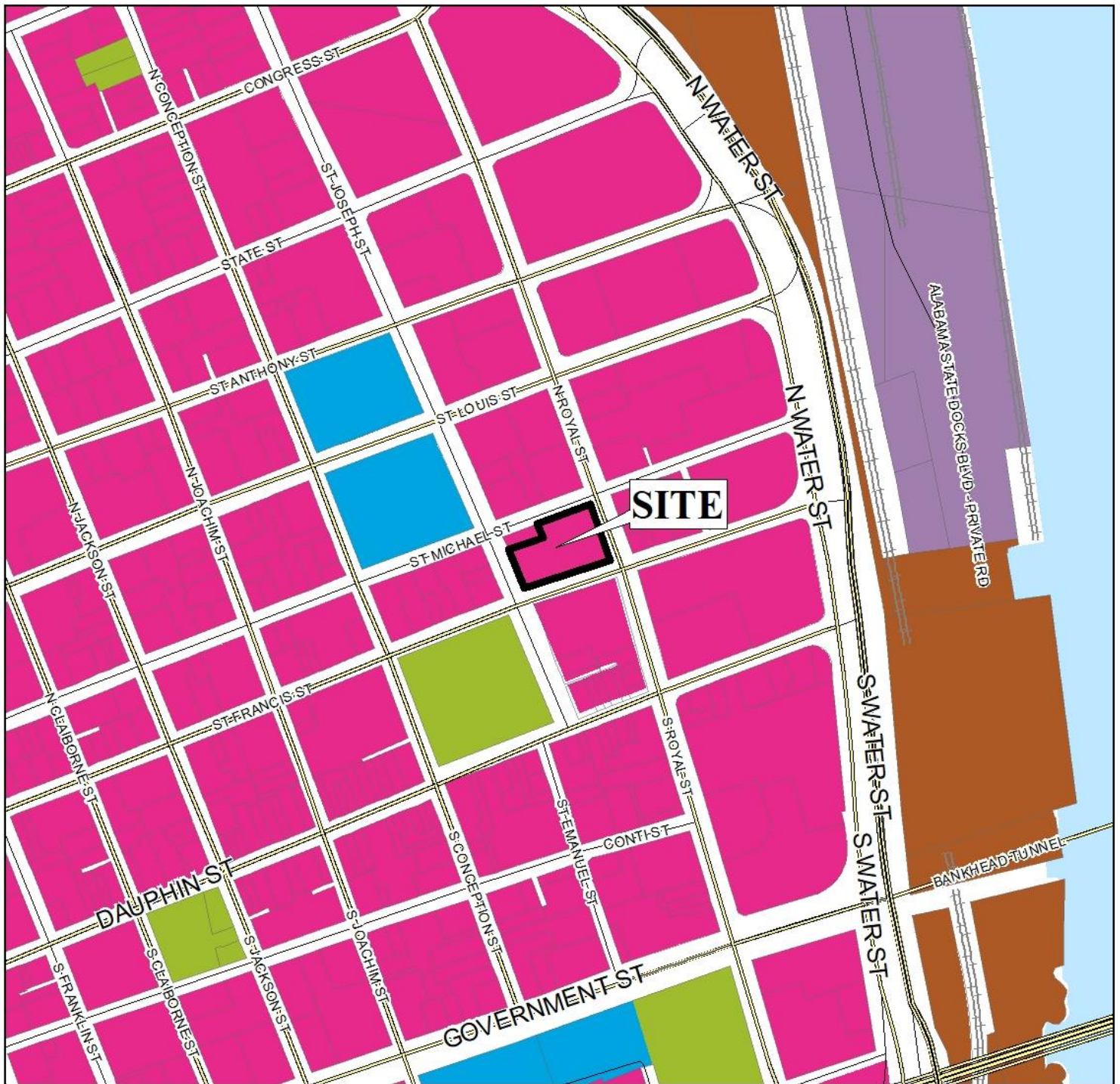
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FLUM LOCATOR MAP



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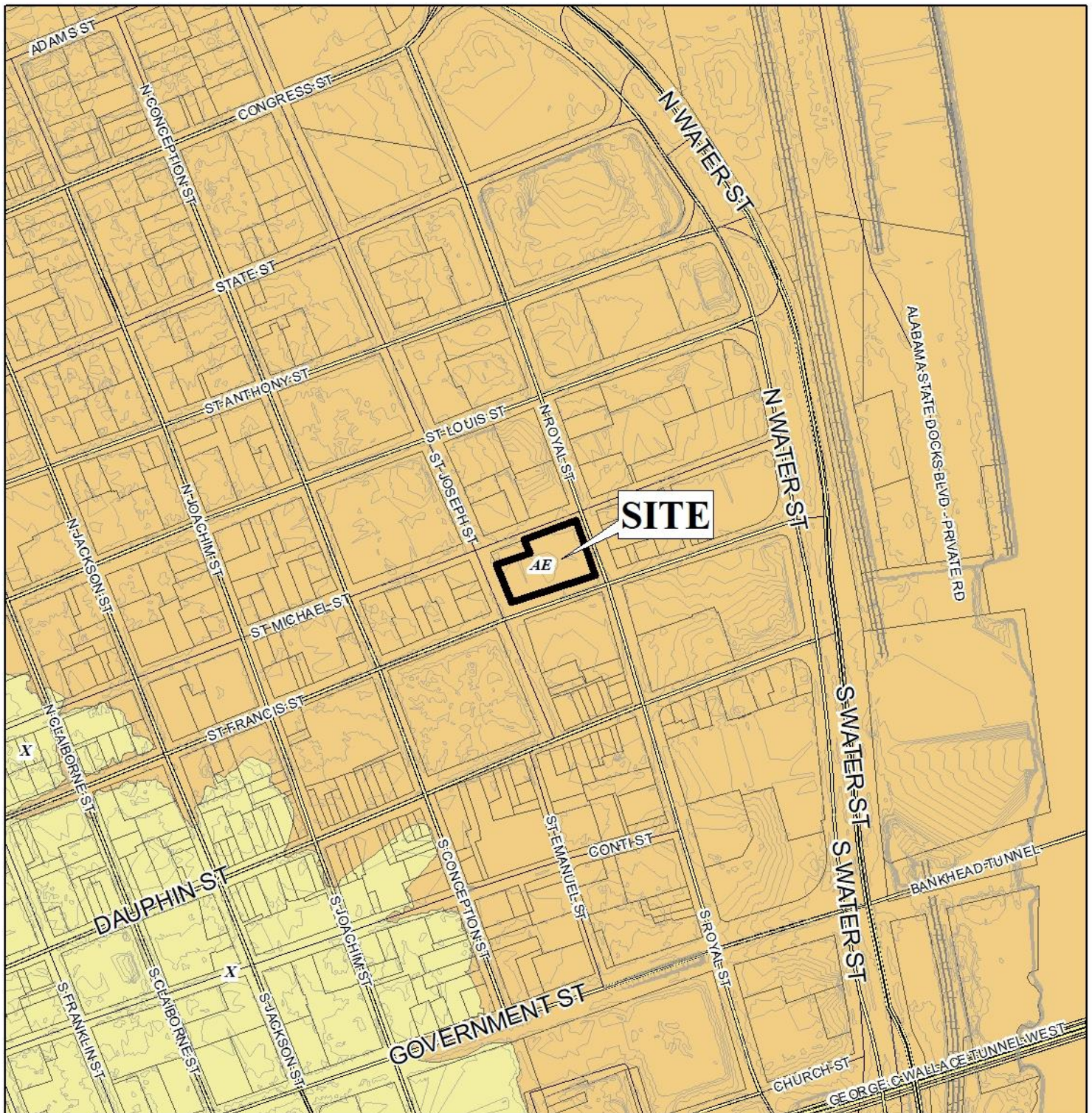
REQUEST Sign Variance

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	



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ENVIRONMENTAL LOCATOR MAP



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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 AERIAL

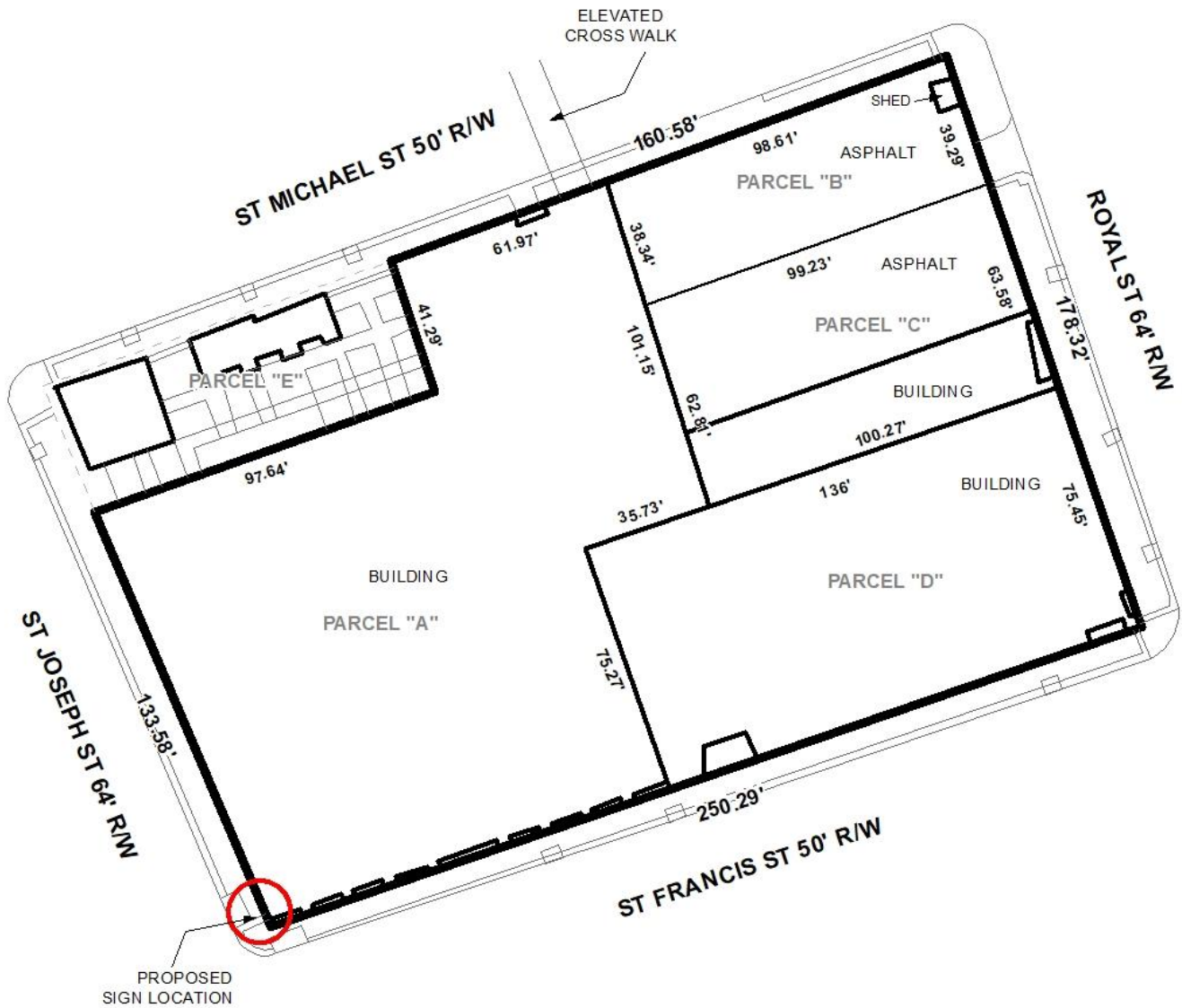


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SITE PLAN



The site plan illustrates the existing buildings, and proposed bank sign location.

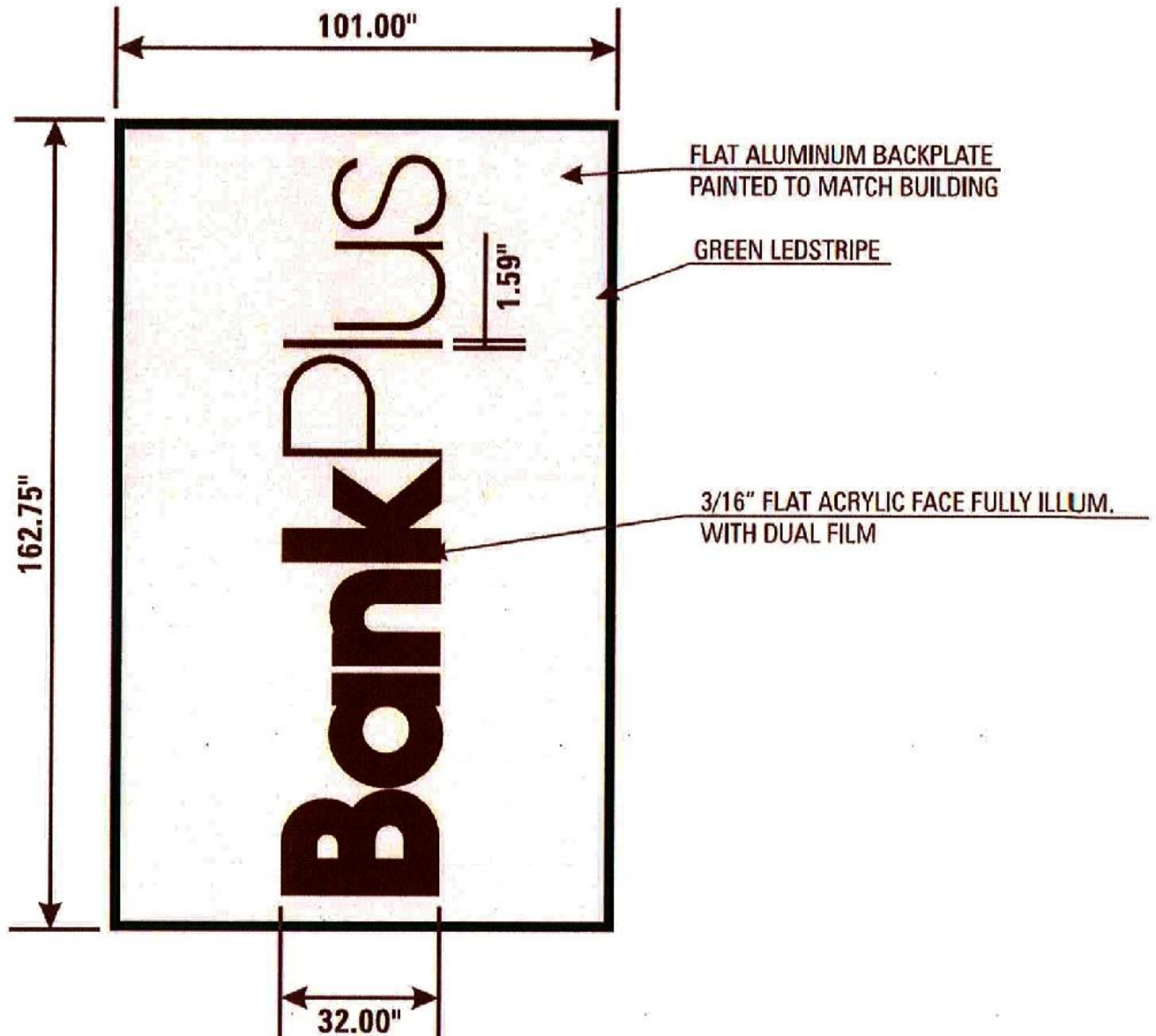
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DETAIL SITE PLAN



FRONT VIEW
SCALE 1/2" = 1'-0"

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DETAIL SITE PLAN



PROPOSED SIGNAGE



NIGHT VIEW OF PROPOSED SIGNAGE

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