



Agenda Item # 5

BOA-002898-2024

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

1500 Government Street

Applicant / Agent:

Sage Health / Sign Medics, Agent

Property Owner:

GRP Enterprises, LLC

Current Zoning:

LB-2, Limited Neighborhood Business Urban District

Future Land Use:

Traditional Mixed-Use Corridor

Case Number(s):

6585/6317/1387/1286/452/272/243

Unified Development Code (UDC) Requirement:

- The UDC does not allow more than 64 square feet of signage for a tenant in an LB-2, Limited Neighborhood Business Urban District along the Government Street Corridor.

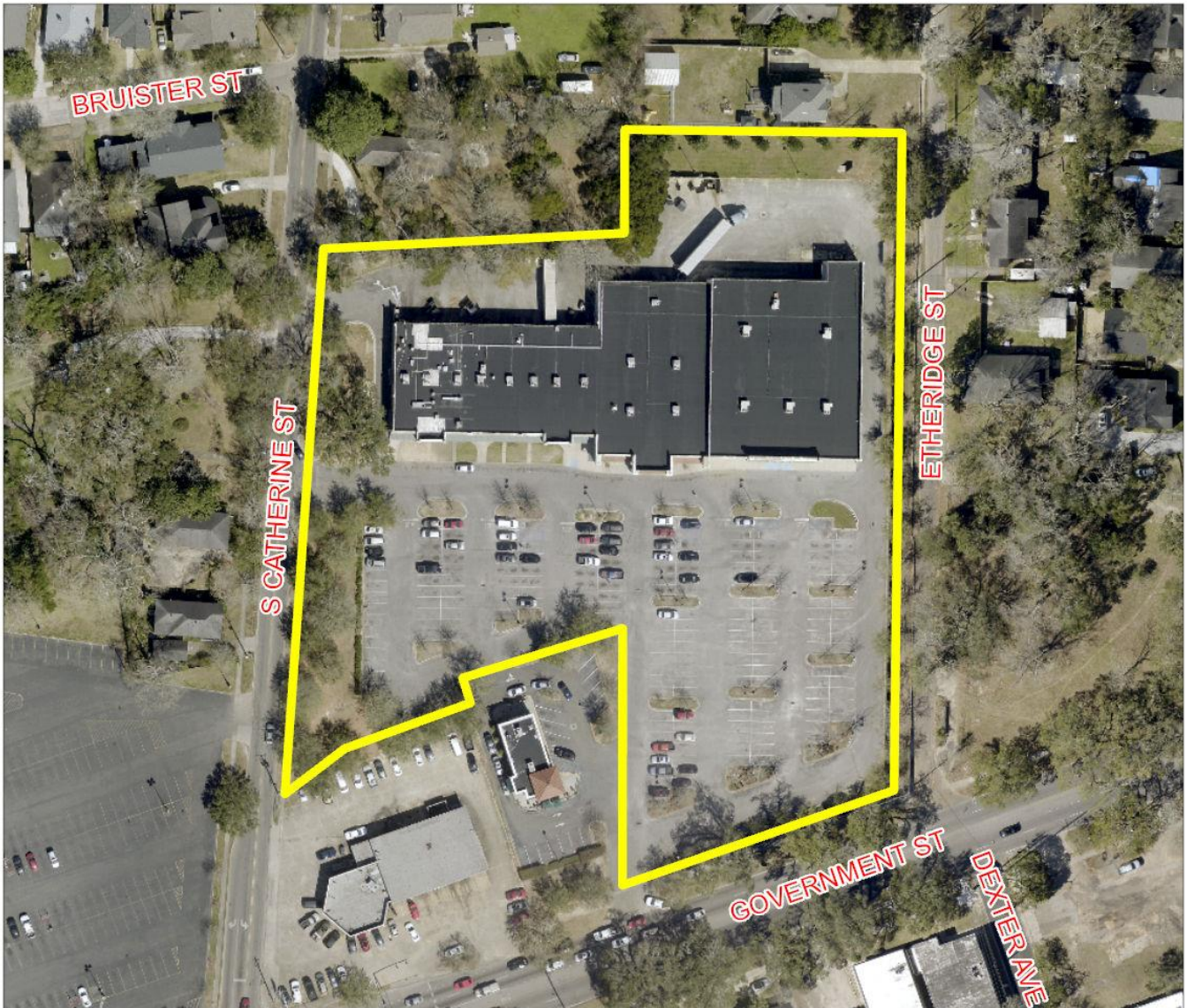
Board Consideration:

- To allow more than 64 square feet of signage for a tenant in an LB-2, Limited Neighborhood Business Urban District along the Government Street Corridor.


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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and commercial units.

APPLICATION NUMBER <u> 6585 </u> DATE <u> May 6, 2024 </u>	 NTS
APPLICANT <u> Sage Health / Sign Medics, Agent </u>	
REQUEST <u> Sign Variance </u>	

SITE HISTORY

The site was the subject of a Special Exception Variance, approved in September 1954, to allow an apartment house under the 1951 Zoning Ordinance.

In December 1954, a Site Coverage Variance was approved to allow 125 dwelling units on the site.

In April 1956, a Use Variance was approved to allow a motel on the site.

In August 1960, another Use Variance was approved to allow a motel on the site. That variance expired and was re-applied for and approved in April 1961.

The 1951 Zoning Ordinance was superseded by the adoption of the 1967 Zoning Ordinance, and the site was assigned a B-2, Neighborhood Business District classification with the adoption of that ordinance.

In 2003, the site was rezoned from B-2 to its current LB-2 classification, and was made a legal lot of record by virtue of Shoppes of Midtown Subdivision.

In May 2020, a Use Variance was approved to allow a liquor store in the LB-2 district, while a request to rezone from LB-2 to B-2 was withdrawn.

STAFF COMMENTS

Engineering Comments:

No comments.

Traffic Engineering Comments:

No traffic impacts anticipated by this variance request.

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 non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The applicant is requesting a Sign variance to allow more than 64 square feet of signage for a tenant in an LB-2, Limited neighborhood Business Urban District along the Government Street Corridor; the Unified Development Code (UDC) does not allow more than 64 square feet of signage for a tenant in an LB-2, Limited Neighborhood Business Urban District along the Government Street Corridor.

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.

The subject site is a multi-tenant shopping center. The Western portion of the site is within the Old Dauphin Way Historic District. The Eastern portion, on which the subject sign is proposed, is not within a historic district. However, as the site has frontage along the Government Street Corridor (the portion of Government Street between Water Street and the intersection of Government Street and Dauphin Island Parkway), it is subject to the historic district sign regulations of the UDC which limits a tenant to a maximum of 64 square feet of signage.

The applicant received a sign permit for a "Sage Health" wall sign totaling 60.3 square feet in July 2023. An adjacent leaf logo sign of 23.6 square feet is now proposed. Since only one wall sign is allowed, the two individual signs must be "blocked" into one sign. Signage square footage is calculated by "blocking" the total width and total height of a proposed sign. In this instance, the total square footage is calculated to be approximately 140 square feet.

The applicant also has a permitted double-faced tenant panel totaling 12.8 square feet within a freestanding monument sign at the Government Street entrance to the subject site. Along with the proposed wall sign, this would bring the total signage for Sage Health to approximately 152.8 square feet.

The applicant states that the size of allowable signage is not proportionate to the building, and allowing the leaf logo to be added it will be easier to see as well as making the sign more proportionate to the building wall.

It should be noted that the sign, as proposed, has been approved by the Architectural Review Board, and a Certificate of Appropriateness has been issued.

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:

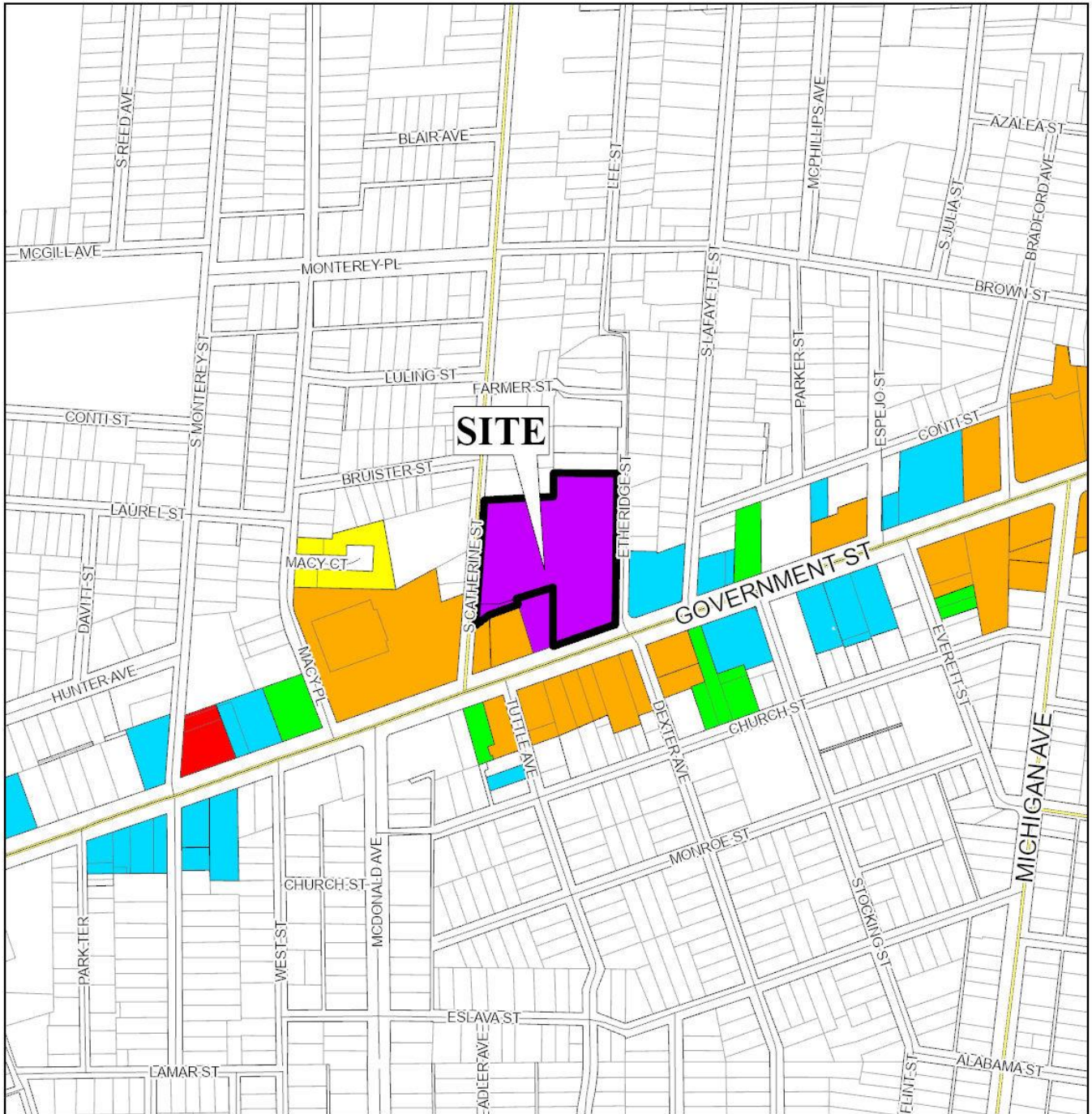
- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

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.

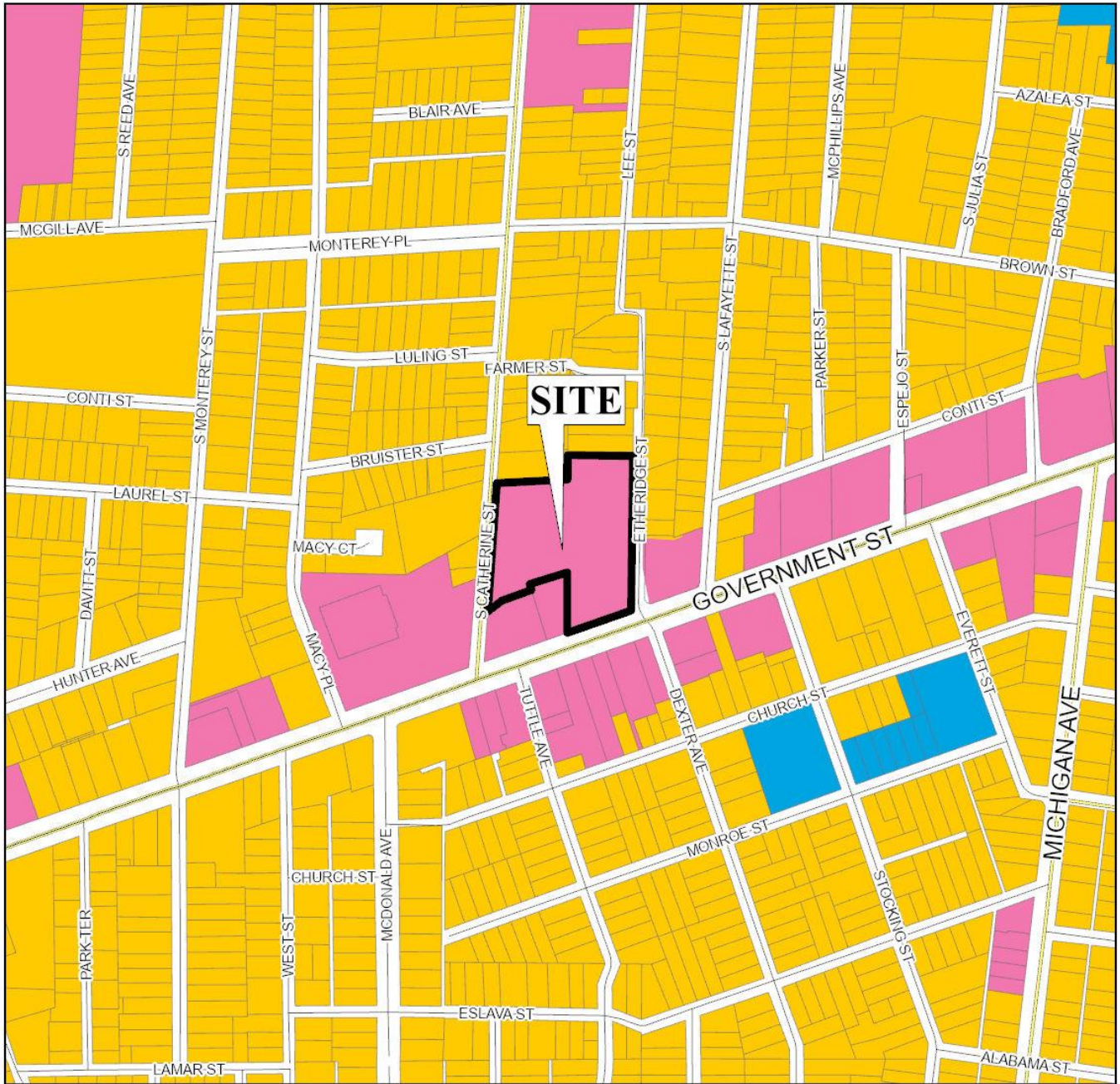
LOCATOR ZONING MAP



APPLICATION NUMBER	6585	DATE	May 6, 2024
APPLICANT	Sage Health / Sign Medics, Agent		
REQUEST	Sign Variance		



FLUM LOCATOR MAP



APPLICATION NUMBER 6585 DATE May 6, 2024

APPLICANT Sage Health / Sign Medics, Agent

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 | |



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

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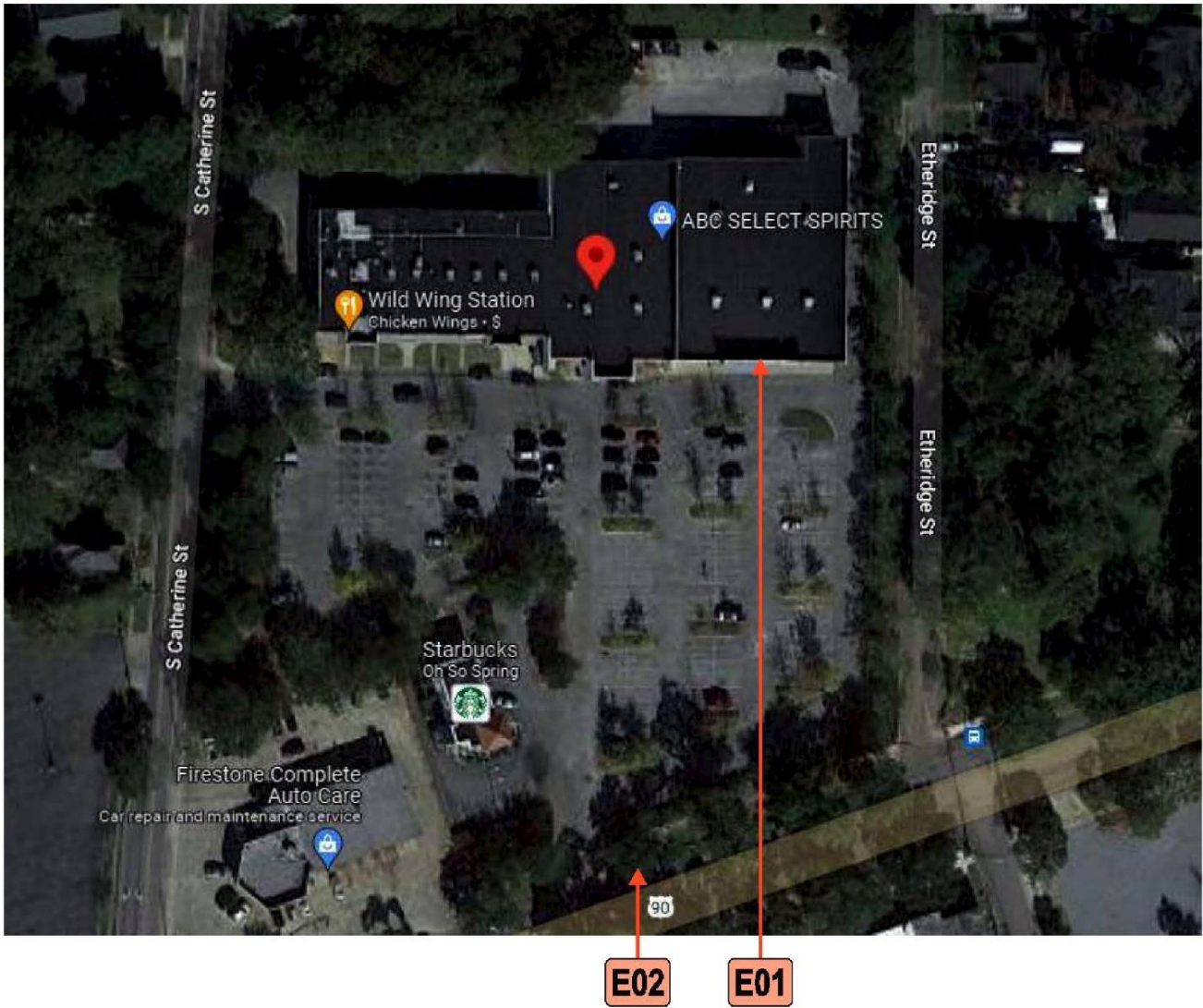
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■ R-A	■ R-3	■ B-1	■ B-2	■ B-5	■ ML	■ I-2	■ OPEN	■ T-3	■ T-5.2
■ R-1	■ R-B	■ T-B	■ B-3	■ CW	■ MH	■ PD	■ SD	■ T-4	■ T-6
■ R-2	■ H-B	■ LB-2	■ B-4	■ MM	■ I-1	■ MUN	■ SD-WH	■ T-5.1	



SITE PLAN




The site plan illustrates the proposed sign locations.

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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)

TRADITIONAL CORRIDOR (TC)

This land use designation generally applies to transportation corridors east of I-65, which serve as the primary commercial and mixed-use gateway to Downtown and the City's traditional neighborhoods (equivalent to Map for Mobile's Traditional Neighborhoods).

Depending on their location (and as allowed by specific zoning), TC designations incorporate a range of moderately scaled single-use commercial buildings holding retail or services; buildings that combine housing units with retail and/or office; a mix of housing types including low- or mid-rise multifamily structures ranging in density from 4 to 10 du/ac; and attractive streetscapes and roadway designs that safely accommodate all types of transportation – transit, bicycling, walking, and driving. In these areas, special emphasis is placed on the retention of existing historic structures, compatible infill development, and appropriate access management.