

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: January 5, 2015****CASE NUMBER**

5942

APPLICANT NAME

Goodwyn, Mills & Cawood / Attn: Tracy Bassett

LOCATION101 Dauphin Street
(Southwest corner of Dauphin and Royal Streets)**VARIANCE REQUEST****SIGN:** Sign Variance to allow 1 logo wall sign, 2 hanging blade signs and 2 backlit upper building signs for a total of 161 sf. of signage on a multi-tenant office building with 2 previously approved upper building signs in the Downtown Development District.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance allows hanging blade signs a maximum 10 sq. ft. per face, a maximum of 2 upper building signs with external illumination and does not allow logo wall signs in the Downtown Development District.**ZONING**

T-6, high intensity mixed-use

AREA OF PROPERTY

14,810± sf.

**TRAFFIC ENGINEERING
COMMENTS**

No traffic impacts anticipated by this variance request.

**CITY COUNCIL
DISTRICT**

District 2

ANALYSIS

The applicant is requesting a Sign Variance to allow 1 logo wall sign, 2 hanging blade signs and 2 backlit upper building signs for a total of 161 sf. of signage on a multi-tenant office building with at least 2 previously approved upper building signs in the Downtown Development District; the Zoning Ordinance allows hanging blade signs a maximum 10 sq. ft. per face, a maximum of 2 upper building signs with external illumination and does not allow logo wall signs in the Downtown Development District.

It should be pointed out that upon further review, it appears that a total of 4 separate upper building signs have been granted ARB approval; however, the required sign permits have not been obtained. As this site is within the Lower Dauphin Street Historic District, all proposed signs (except the proposed ATM logo) within this request appeared before the City of Mobile's Architectural Review Board (ARB) at its November 5, 2014 meeting. Although ARB approval

was granted, the approval was provisional pending the issuance of a variance from the Board of Zoning Adjustment, hence the current request.

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.

Applicant's statement: *The total square footage of existing approved upper building signage of "RSA" and "Van Antwerp" on Royal Street and Dauphin Street elevations is equal to **512 square feet**. (*In current renovations, the RSA logo has been approved to be added to the historic name of the structure "Van Antwerp Bldg" which runs down the south and west faces.)*

Requested Location A Signage per City Ordinance is Upper Building Sign

See additional sign details under ARB Application & Approval

*Allowable Area is 3' tall by building length (61') = 183 sf (1 per building located within the frieze) Requested Area is 1'-9" tall by 16' = **30.4 square feet***

Approval of back lighting for this signage is also requested (*see attached rendered night images of renovation lighting on other signage)

Requested Location B Signage per City Ordinance is Upper Building Sign

See additional sign details under ARB Application & Approval

*Allowable Area is 3' tall by building length (61') = 183 sf (1 per building located within the frieze) Requested Area is 2'-8" tall by 24' = **62.4 square feet***

Approval of back lighting for this signage is also requested (*see attached rendered night images of renovation lighting on other signage)

Requested Location D Signage per City Ordinance is Hanging Blade Sign BBVA/Compass (Tenant)

*See additional sign details under ARB Application & Approval Allowable Area is Maximum 10 sf each face (1 per business) Requested Area is 14'-2" wide x 1'-6" tall = **21.8 sf** (single face) No External Lighting Proposed*

Requested Location E Signage per City Ordinance is Hanging Blade Sign (Future Tenant)

*See additional sign details under ARB Application & Approval Allowable Area is Maximum 10 sf each face (1 per business) Requested Area is 7' wide x 3' tall = **42 sf** (double face) Exterior lit under canopy*

*Requested Location G Logo Sign located on Bank ATM Equipment
We cannot locate allowable area in City Ordinance
Area for Surround 4'wide x 6'-8" tall = 26.7 sf*

*Requested Area is 3'-6" wide by 1'-3" tall = 4.4 sf (for logo portion of sign only)
Exterior security lighting*

*The total area allowable for signage is 64 sf
The total area requested for new signage is 161 sf
The total variance area requested for signage is 97 sf (total includes ATM logo only)*

1. The purpose of this application is to allow:

This application recognizes the current signage standards are set up as a guideline for downtown Mobile. However, for more urban and taller buildings, we respectfully request variance to those guidelines as are indicated in this submittal. None of the proposed higher signage is placed upon the historic East and North facades. We have taken care to apply these signage requests made by the Owner as well as the major tenant, in conjunction with the in-progress renovation. We ask for each location to be approved/disapproved rather than wholesale approval or disapproval.

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

The original building signage was historical in nature and is approved to reapply verbiage. We believe this is with keeping the historical context alive, rather than "typical signage" requests.

Since this building is a high rise, the major tenant (BBVA/Compass) believes upper building signage is required for recognition and denotation of the building from a greater distance other than from street level. For street level tenant signage, owner requests slightly larger scale signage in proportion to building size.

Lighting for upper building signage is tasteful, diffused silhouette for signage letters similar to previously approved building signage. We respectfully request variance from City Ordinance banning back lighting.

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

These occurred due to the requests by the Owner on behalf of major tenant requesting signage to be larger in order to be visible from the upper heights.

4. *How is the property different from the neighboring properties?*

This building differs from the surrounding properties as it is one of the taller buildings in Mobile and the tenant is a major national bank.

Completed 1908, the Van Antwerp Building was the first skyscraper in Mobile and has undergone extensive renovations recently in an attempt to restore the building to its former prestige condition. Renovations are to include 4 backlit upper building signs – 2 large vertical signs to display the name of the building, “Van Antwerp,” and 2 smaller horizontal signs to display “RSA”. The upper building signs will be visible for both passerby on the nearby interstate highways and local traffic alike.

The 2013 ARB approval of the 4 backlit upper building signs has appeared to subsequently create a hardship for this site as a new zoning code was adopted in May of 2014, after the 2013 ARB approval, and has since limited the maximum number of upper building signs to a total of two (2) for this building and has disallowed backlit signage. Consequently, the building’s primary tenant, BBVA Compass, is not allowed any advertisement near the upper portion of the building, which would seem vital, given the fact that this building is located in Downtown and surrounded by other tall skyscrapers with some having backlit signs for their major tenants (and which also were allowed by variance). As proposed, the applicant is proposing 2 backlit upper building signs on the building’s elevator shaft. Location A measures 1’-9” tall by 16’ long and is proposed on the tower’s north side and Location B is 2’-8” tall by 24’ long and is proposed on the shaft’s east side. Adequate signage for any business is necessary to both the business owner and customers and both signs would seem necessary and appropriate as other backlit signs in the vicinity exist, should the Board decide to approve this request.

In regards to the 2 proposed hanging blade signs, the Location D (BBVA Compass) is 21.8 sf. and Location E (reserved for future tenant) measures 21 sf. per face. The Downtown Development District only allows up to 10 sf. per face; however, given the building’s size which includes a large façade and length of street frontage, a larger hanging blade sign would not seem out of character with the surrounding area and would seem proportionate to the building’s size.

The logo wall sign on the proposed ATM along South Royal Street measures 1’-3” tall by 3’-6” wide and is 4.4 sf. The Downtown Development District does not allow logo wall signs and the proposed sign would not be allowed under the current regulations, which could create an unnecessary hardship to pedestrians and customers. Any unidentified ATM may lead to unexpected fees and charges to unknowing customers, which would appear to be contrary to the public interest and not provide substantial justice to the applicant nor surrounding community.

It is important to note that none of the proposed signage would appear to compromise the historic integrity of the building or the surrounding area nor be contrary to the public interest, further substantiated the previous review and approvals granted by the City of Mobile’s Architectural Review Board.

Should the Board move to approve the current variance request, proper sign-related permitting would be required.

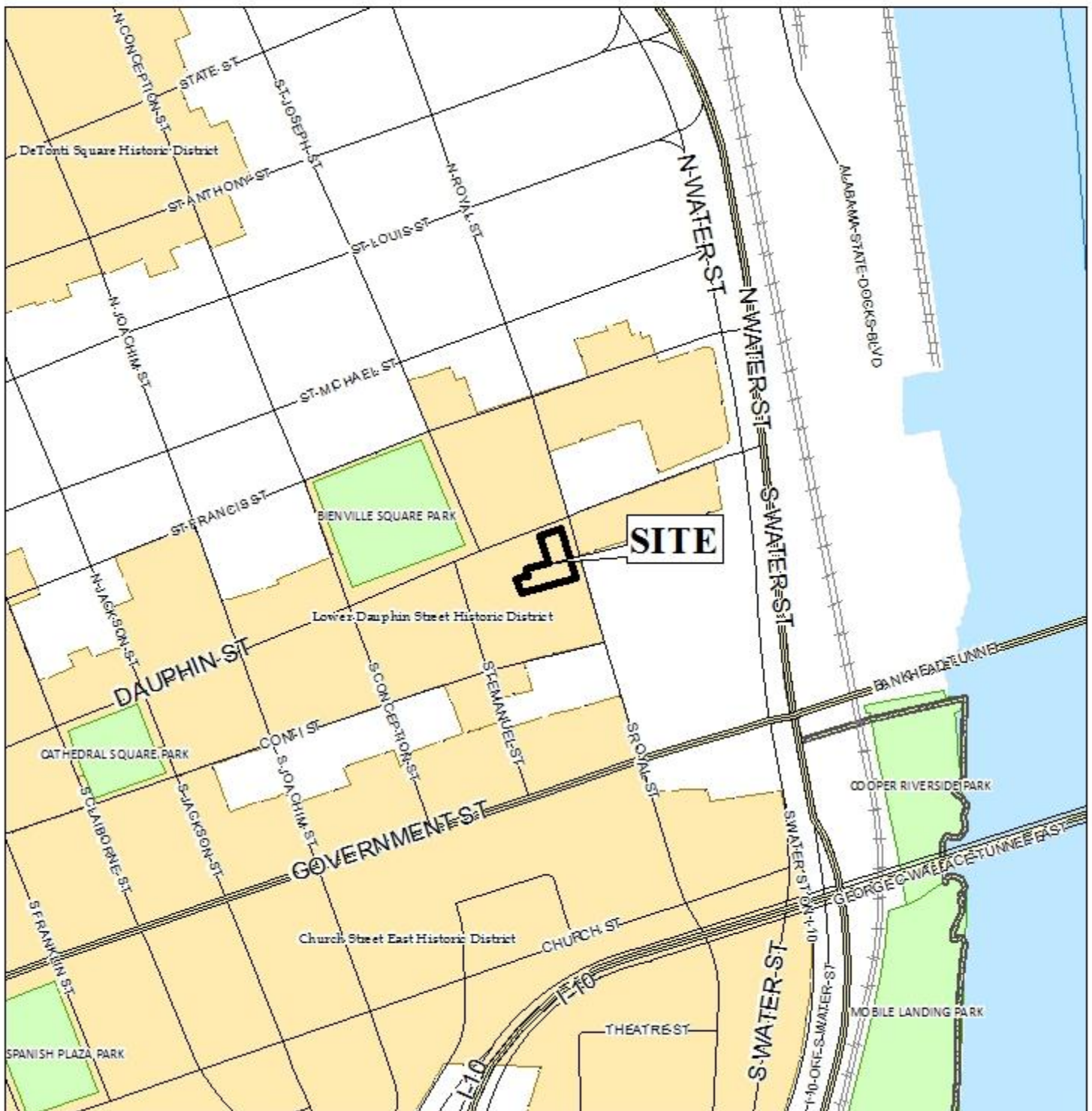
RECOMMENDATION: Based upon the preceding, Staff recommends to the Board the following findings of fact for approval:

- 1) Approving the variance request will not be contrary to the public interest as all of the proposed signs have been granted approval by the City of Mobile's Architectural Review Board (ARB) and the fact that adequate signage for any business is necessary to both the business owner and customers alike;
- 2) Special conditions appear to exist, including the buildings size, location within a downtown environment, and prior ARB signage approvals, 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 since not approving the variance would result in an unnecessary hardship for the business owner and potential customers due to an insufficient amount of identifying signage.

The approval is subject to the following conditions:

- 1) Obtainment of the proper sign-related permitting for all proposed signage and the four (4) previously approved upper building signs.

LOCATOR MAP



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REQUEST Sign Variance



A detailed map of the Downtown Core Area, showing a grid of streets and various land uses. The streets shown are ST JOSEPH ST, N. ROYAL ST, DAUPHIN ST, S. ROYAL ST, ST EMANUEL ST, and CONFIDENTIAL ST. Land uses are labeled in white boxes: OFFICES, BANK, VAC, BARBER, REST, PRINT SVC, COFFEE CO, MUSEUM, APTS, OFFICE, REST, VAC LAND, RETAIL, and BANK/OFFICES. A green area in the top left is labeled BIENVILLE SQUARE PARK. A red line runs along the top of the map, labeled 'Downtown Core Area'. A red arrow points to a specific location on the map, labeled 'SITE'.

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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING

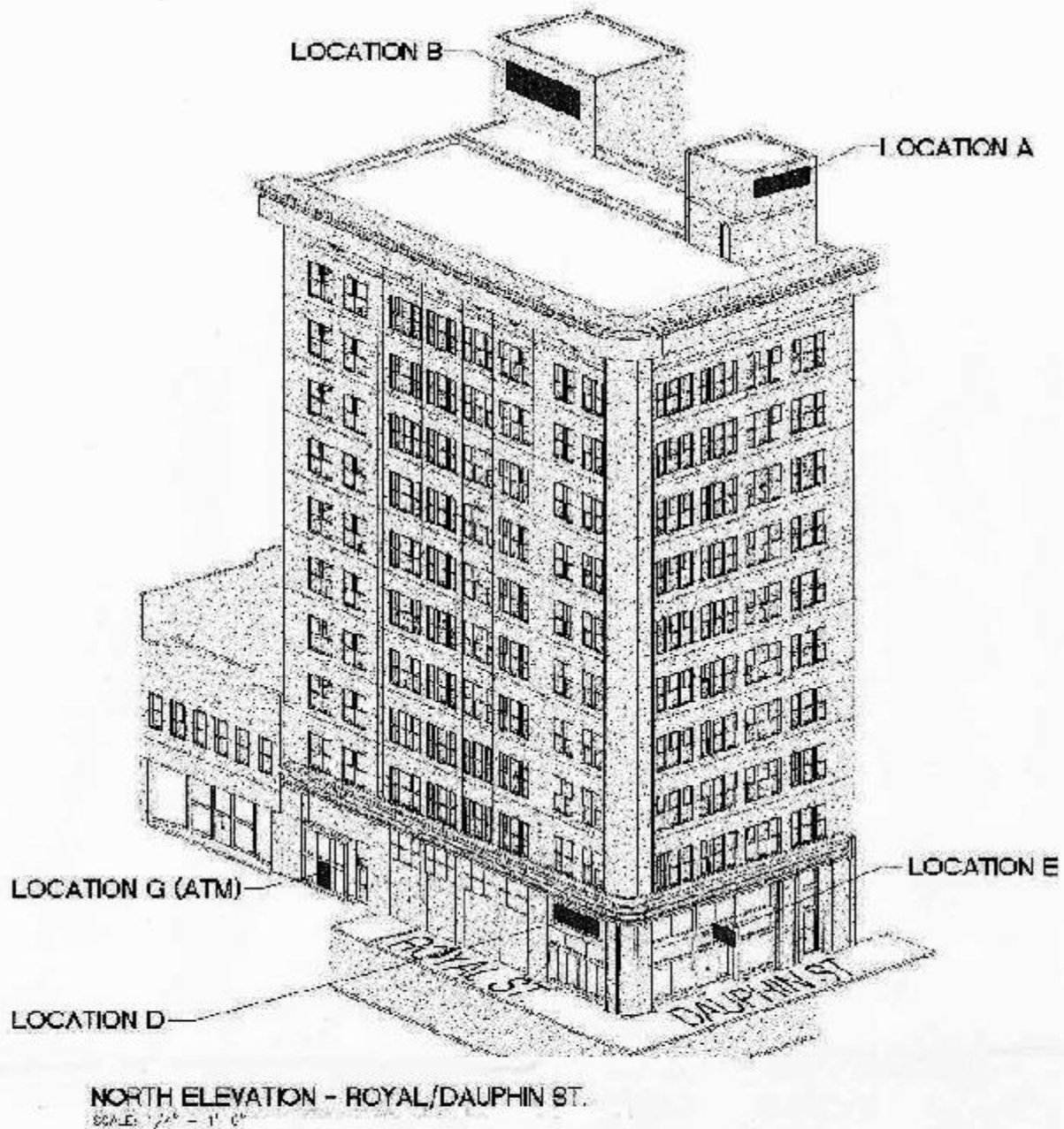


The site is surrounded by commercial units.

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DETAIL SITE PLAN

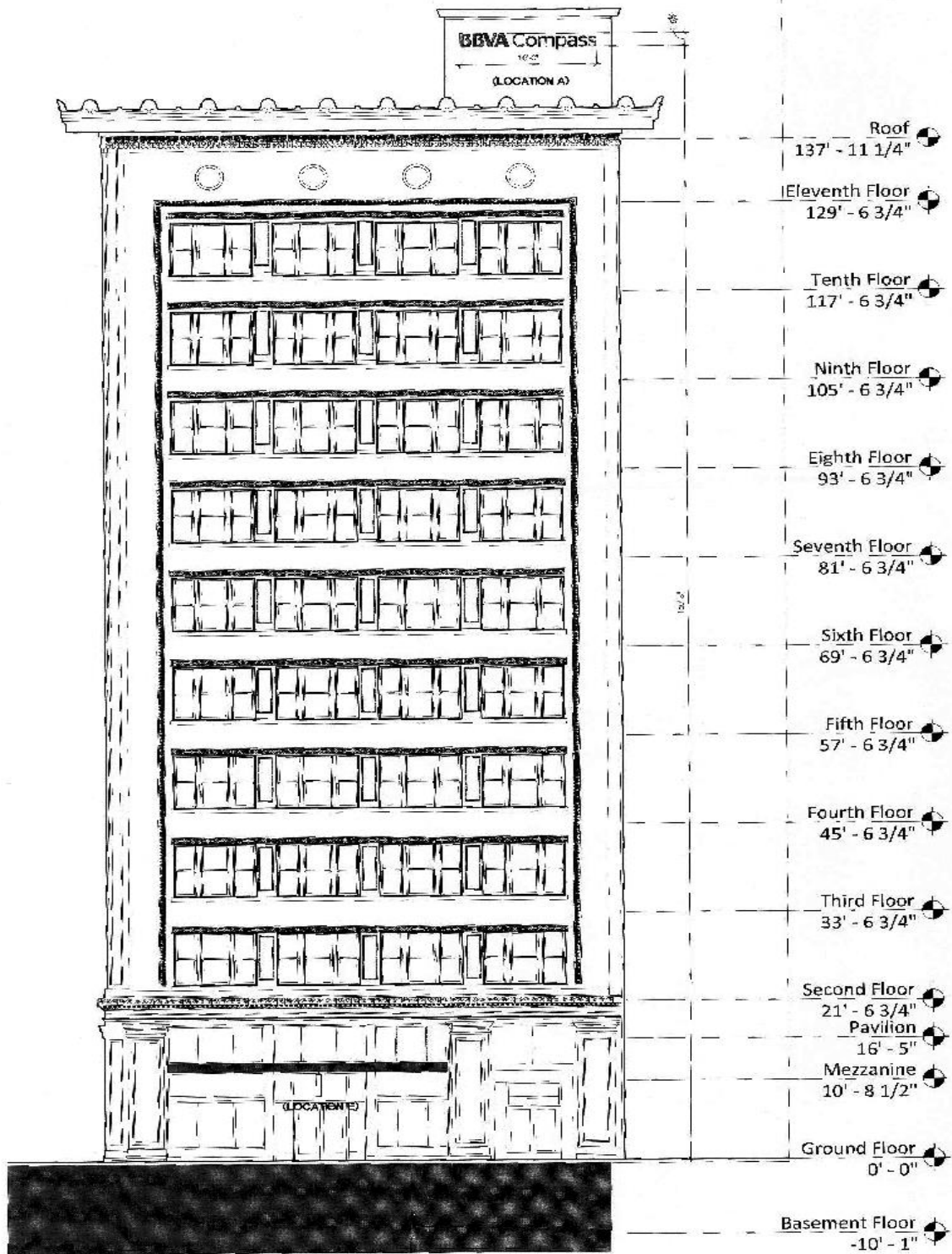


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DETAIL SITE PLAN



NORTH ELEVATION - SIGN LOCATIONS A + E

SCALE: 1/8" = 1' 0"

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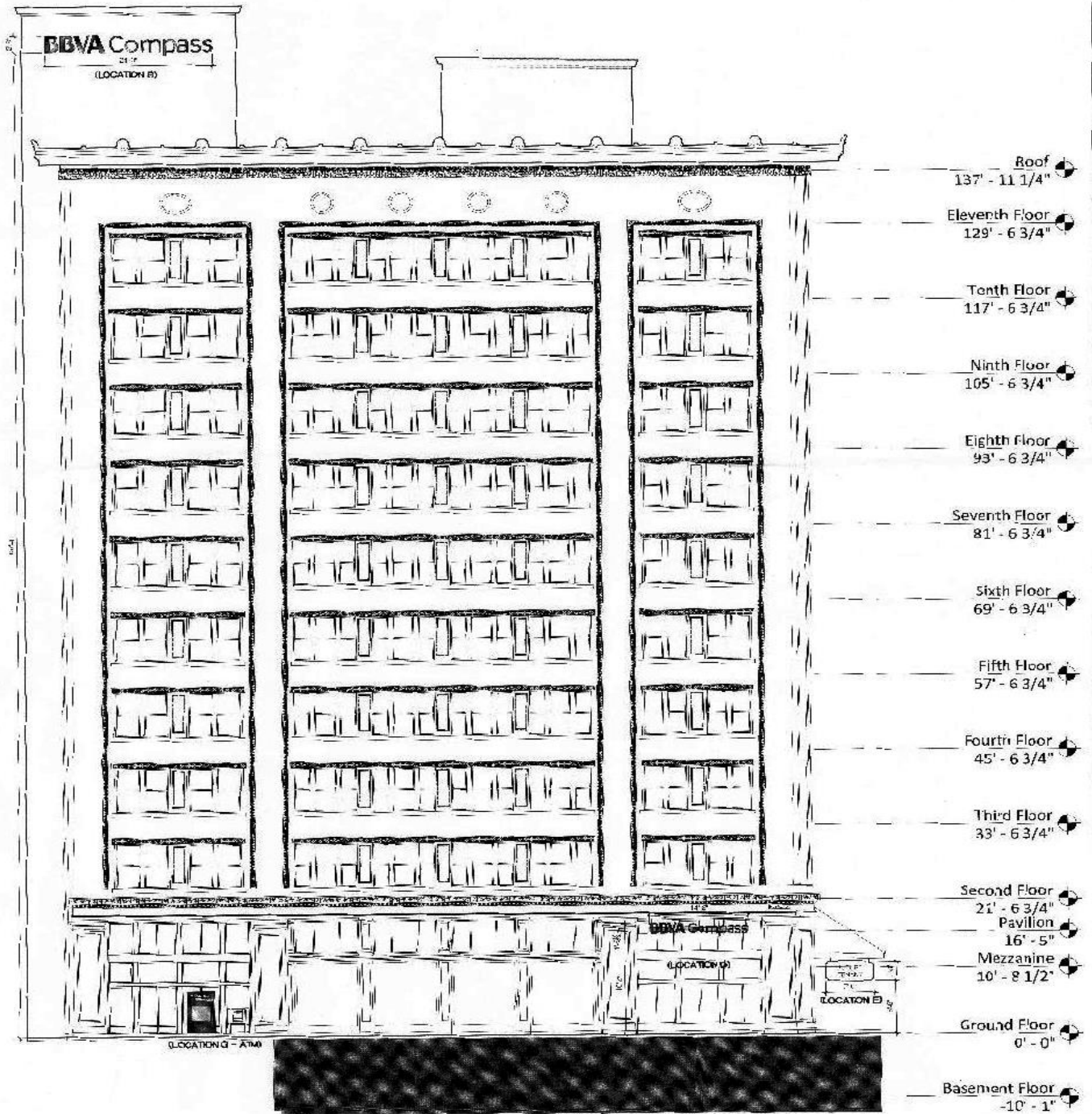
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DETAIL SITE PLAN



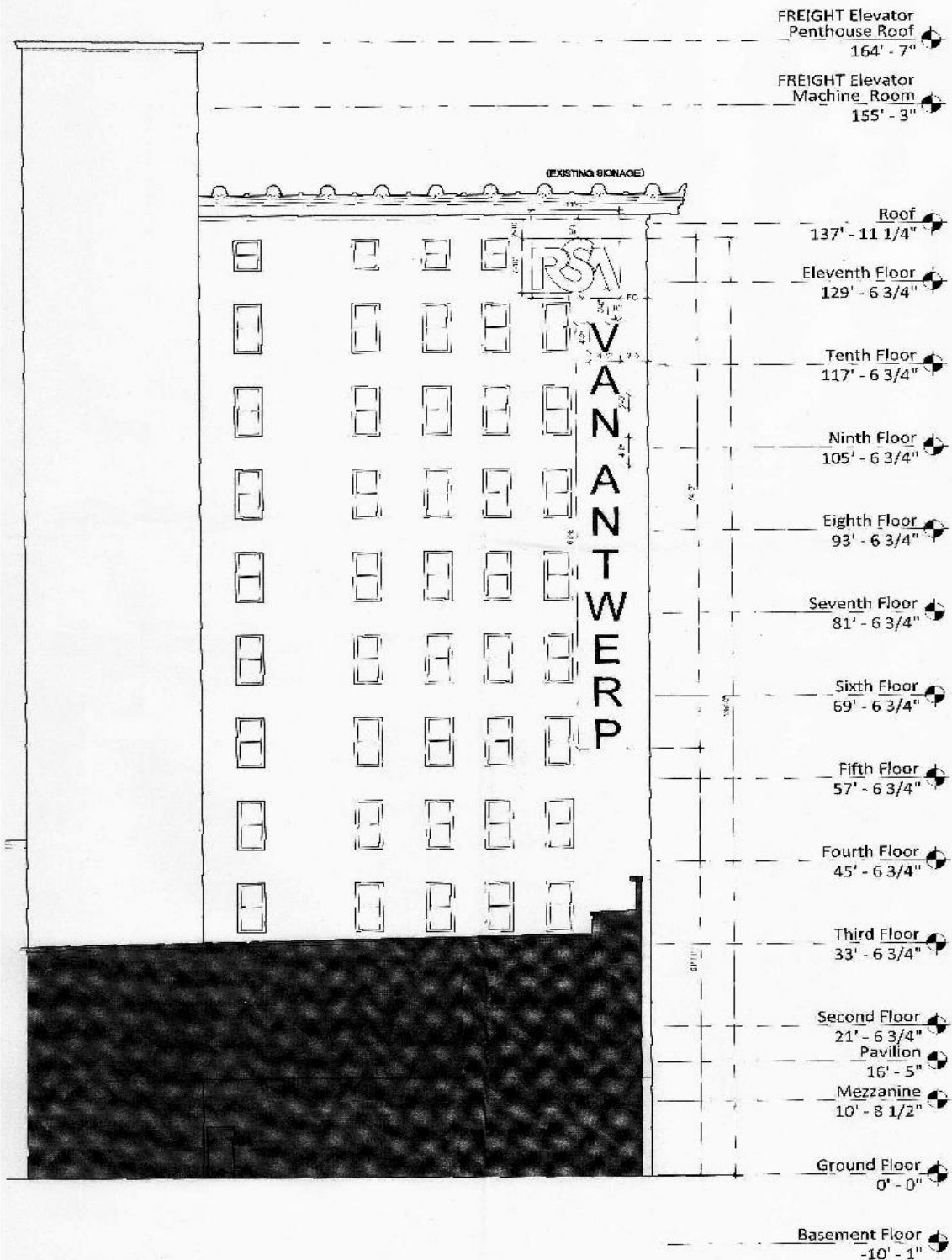
EAST ELEVATION - SIGN LOCATIONS B, D, + E
SCALE: 1/8" = 1'-0"

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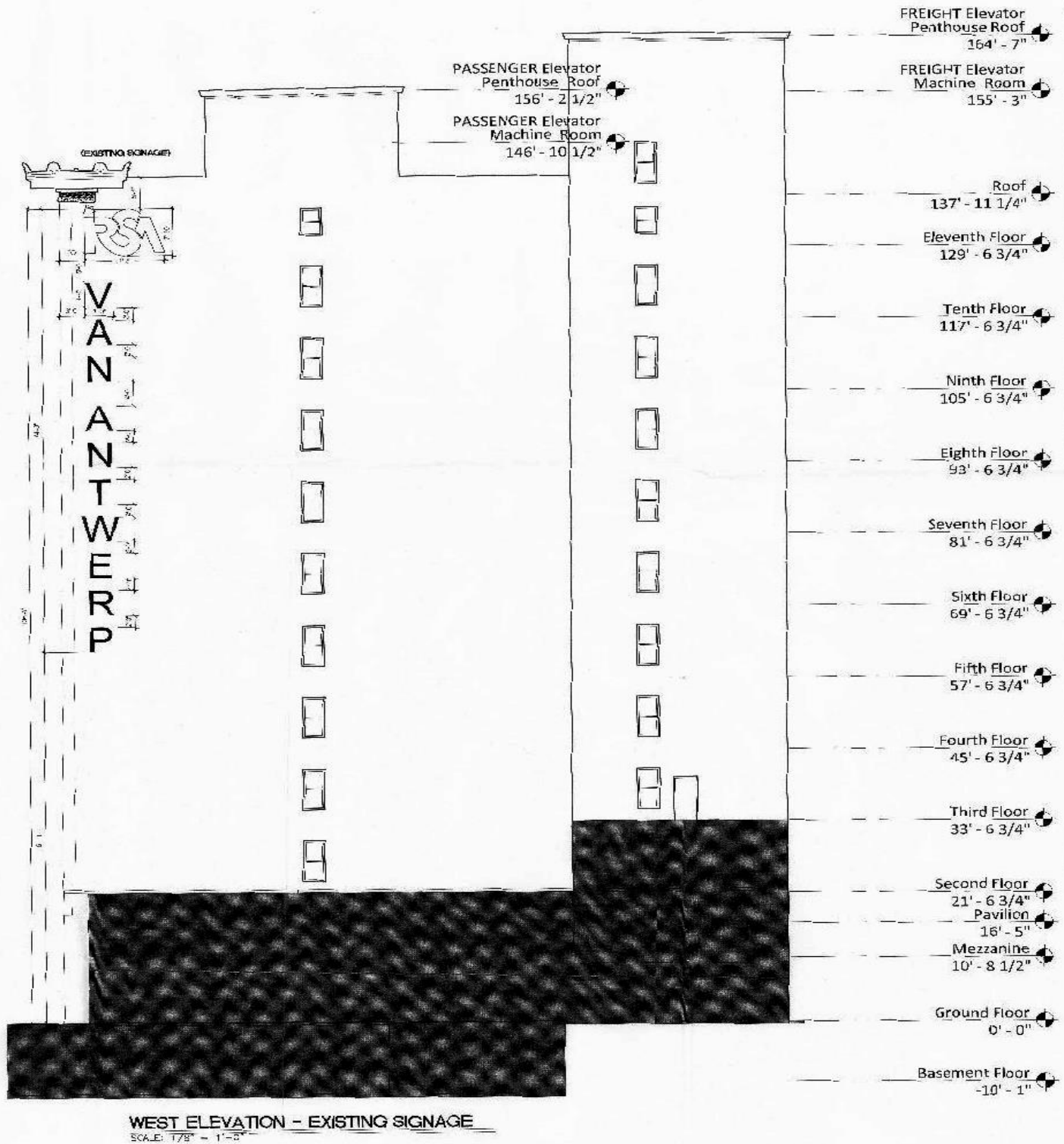
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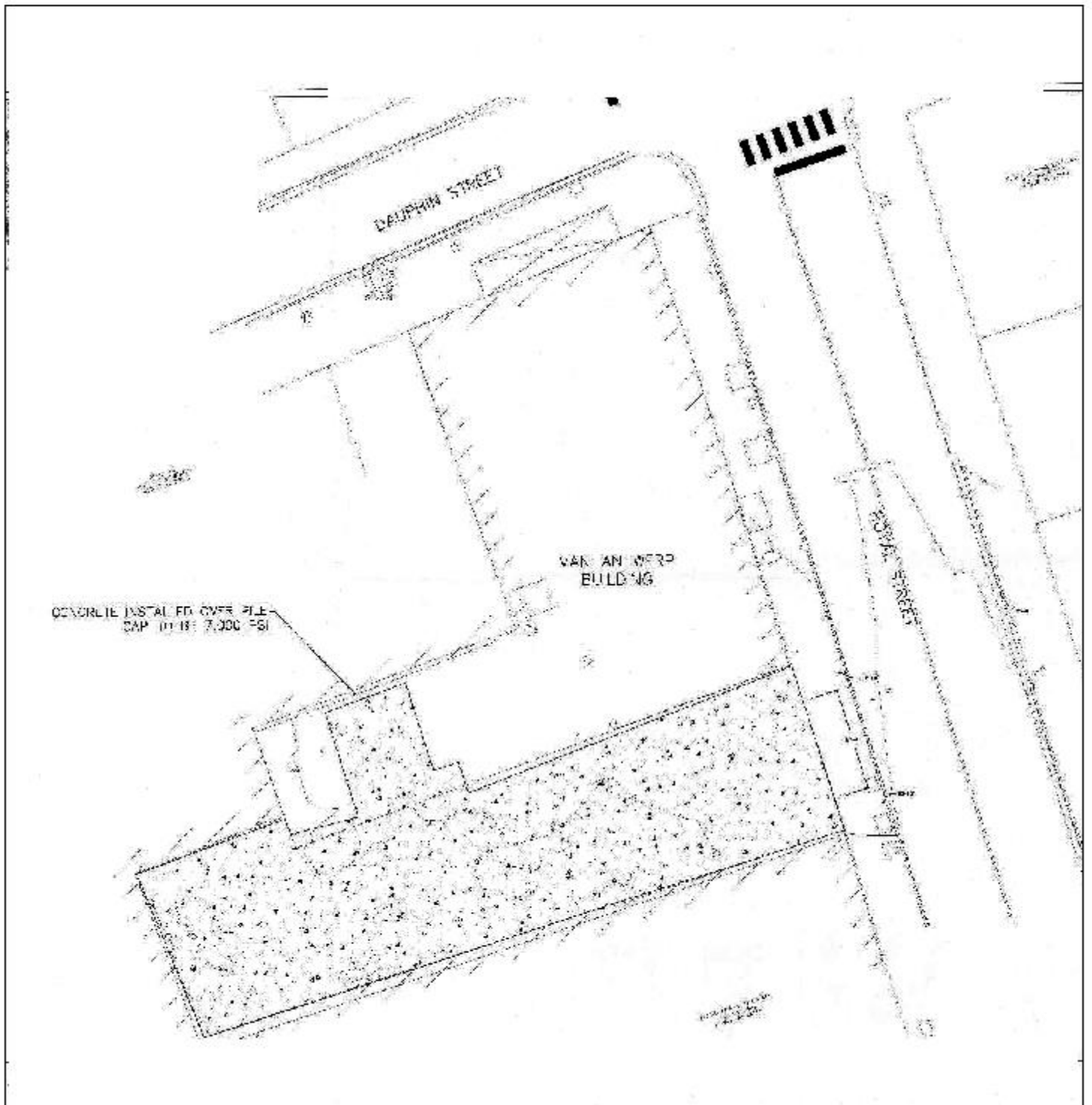
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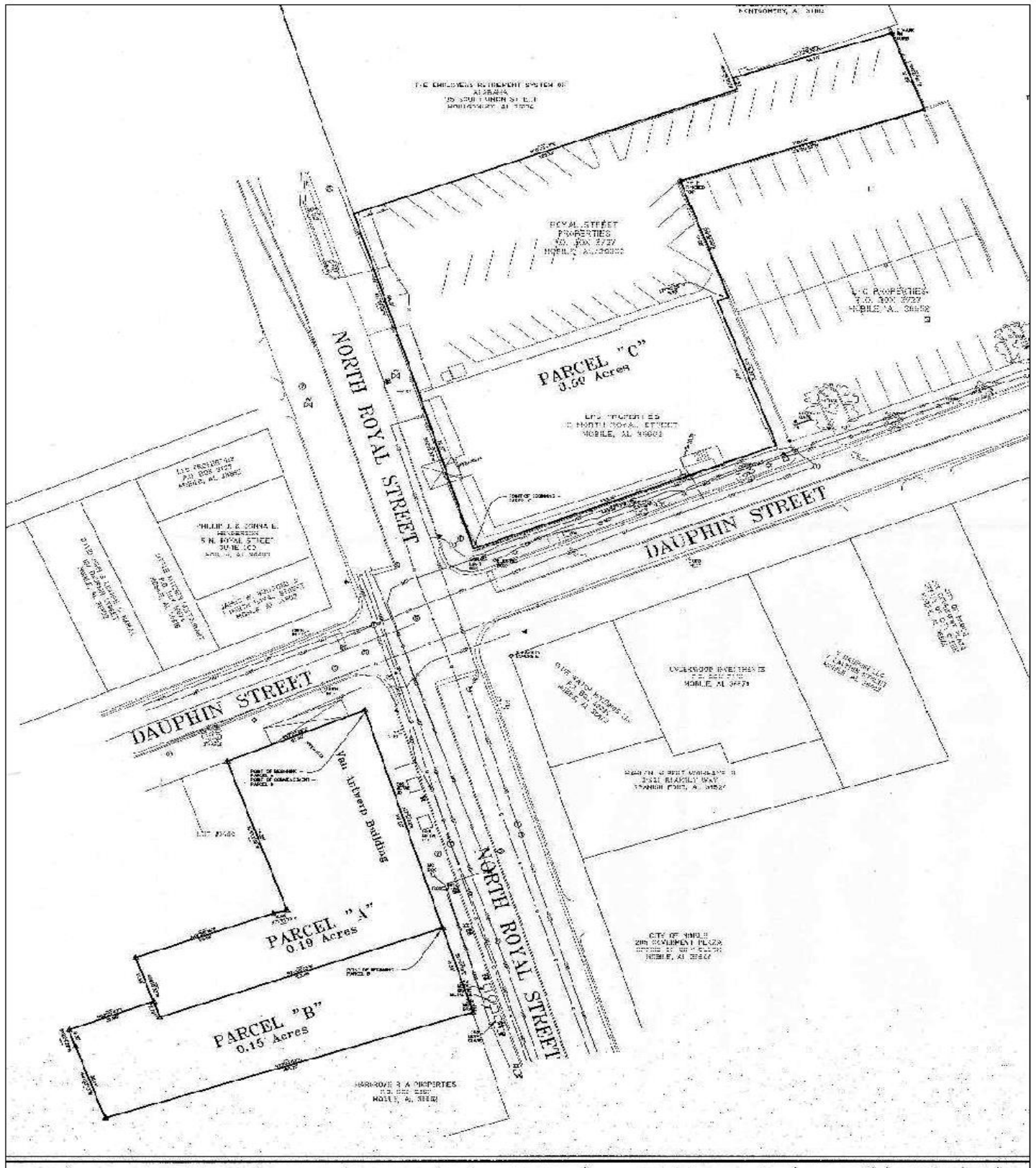
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