

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT**

Date: July 6, 2020

CASE NUMBER 6331/6042/6031/5764

APPLICANT NAME Eames Gilmore (Rashard Harris, Agent)

LOCATION 3201 Airport Boulevard
(South side of Airport Boulevard, extending to the North side of International Drive and the West side of Bel Air Boulevard)

VARIANCE REQUEST **SIGN:** Sign Variance to allow three (3) wall signs for a single tenant with two (2) street frontages located on a multi-tenant site in a B-3, Community Business District.

ZONING ORDINANCE REQUIREMENT **SIGN:** The Zoning Ordinance limits each tenant to one (1) wall sign per street frontage when located on a multi-tenant site in a B-3, Community Business District.

ZONING B-3, Community Business District

AREA OF PROPERTY 52.9± Acres

ENGINEERING COMMENTS No comments

TRAFFIC ENGINEERING COMMENTS This request was not reviewed by Traffic Engineering.

CITY COUNCIL DISTRICT District 5

ANALYSIS The applicant is requesting a Sign Variance Variance to allow three (3) wall signs for a single tenant with two (2) street frontages located on a multi-tenant site in a B-3, Community Business District; the Zoning Ordinance limits each tenant to one (1) wall sign per street frontage when located on a multi-tenant site in a B-3, Community Business District.

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

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.

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 proposed signage is for the existing Target store, which currently has one (1) exterior wall sign and one (1) interior mall sign. The applicant wishes to have two (2) exterior wall signs and one (1) interior mall wall sign. The Zoning Ordinance limits tenants in a multi-tenant site to a total of one (1) wall sign per public street frontage, and includes interior mall wall signage in the count for total allowed signs. As Target is located on two (2) public street frontages, the subject variance is required to allow the additional exterior wall sign.

The applicant states:

Kimley-Horn and Associates, Inc. serves as the engineering consultant for Target, who is requesting to add the following signs to the existing store at 3201 Airport Blvd I, Mobile, AL 36606 (The Shoppes at Bel Air Mall):

- *15'-0" White Bullseye projecting 2'-0" above building parapet (Front Elevation).*
- *8'-0" Red Bullseye (Left Elevation)*
- *3'-0" White Bullseye with Target lettering at interior mall entrance (Mall Entry)*

A sign variance is required for the additional signage and projecting sign due to the number of signs allowed per building per section 64.11.006.(b) of the City of Mobile Code of Ordinances. Target currently has two existing signs, one on the Front Elevation (Exterior) and one on the Right Elevation (Interior). Target is proposing the replacement of the existing Front and Right Elevation signs, with the addition of a third sign on the Left elevation. CVS Pharmacy currently has one existing sign on the Front Elevation, which will remain undisturbed.

This Variance Request is based on the following unusual circumstance(s):

- *There is a lack of exposure for the existing building signage due to the location of the site. Due to the site's constraints, traffic traveling along Interstate 65 and Airport Blvd. are unable to see the existing Target wall sign, limiting Target's ability to reach the intended customer base. Additionally, traffic traveling along Bel Air Blvd. cannot see signage until almost passing the building due to the existing mall plaza sign being located directly before the site entrance.*
- *Additional building tenants in The Shoppes at Bel Air Mall have multiple signs (JCPenney, Dillard's, Belk), increasing the overall visibility of the site.*
- *Without the acceptance of an interior mall sign for Target, pedestrian traffic will not be able to identify Target's ownership of the store.*

The granting of the variance(s) sought will not be a substantial detriment to the public interest, persons residing or working the vicinity, adjacent property. The variance(s) will not be detrimental to the persons residing or working in the vicinity, the adjacent property, the neighborhood, or to the public welfare in general. Adding the additional signage will give articulation to the building façade, help identify the business to vehicular and pedestrian traffic and increase the overall visibility of the site. The

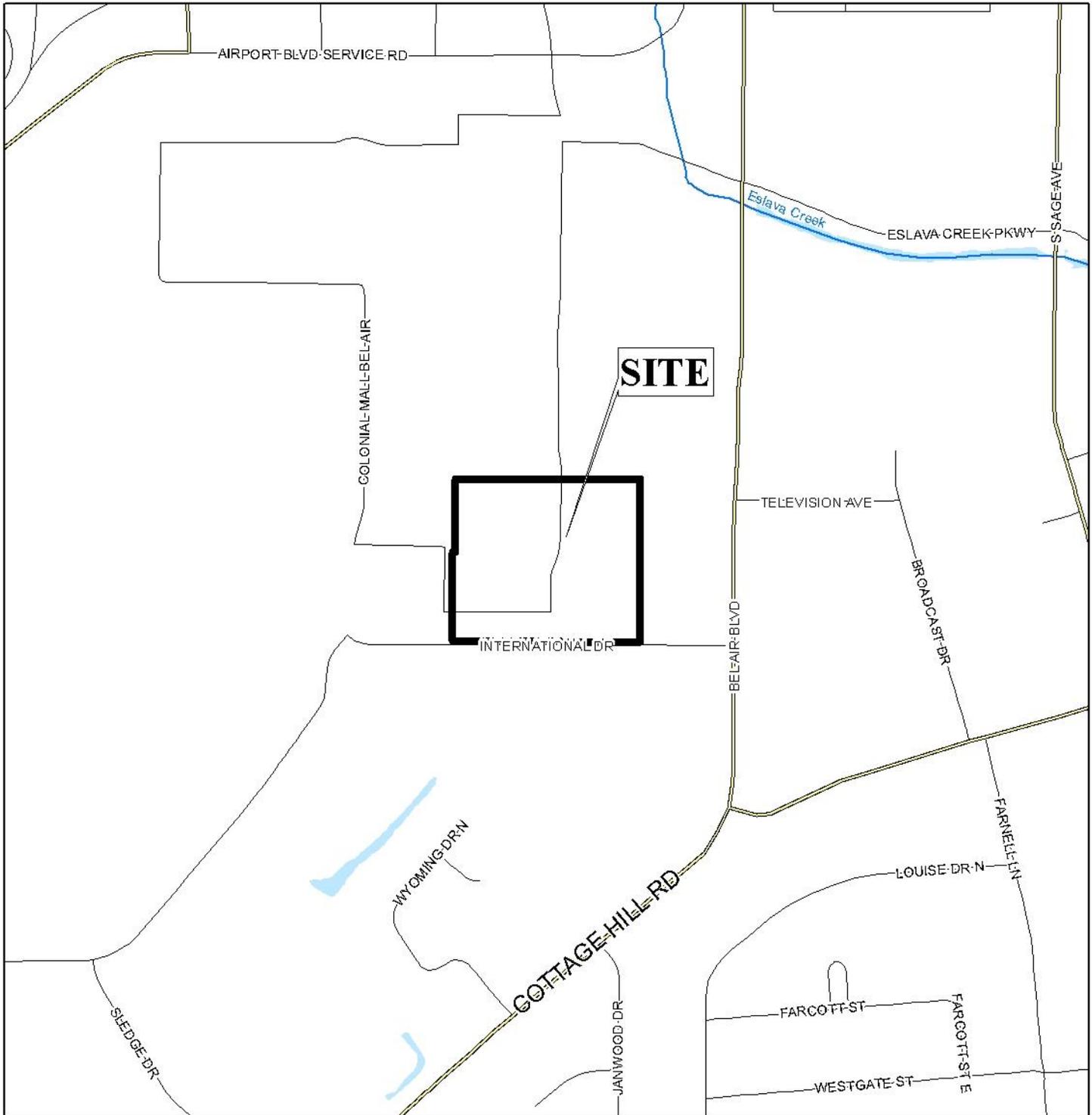
proposed improvements do not increase the impervious cover for the site, nor will the additional signage affect the existing footprint of the store.

The Zoning Ordinance allows for one wall sign per public street frontage for multi-tenant sites, as it recognizes the need for businesses to be visible to traffic from multiple directions. The regulations do not account for the unique needs of tenants located in the mall where interior corridor signage counts towards the overall allowed number of signs, while businesses have the need for visibility for both vehicular traffic outside the structure, and pedestrian traffic inside the structure. This results in a unique hardship other businesses on multi-tenant sites may not face, therefore granting the variance may be appropriate.

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

- 1) Approving the variance will not be contrary to the public interest in that it would allow the applicant equal visibility to traffic both pedestrian traffic inside and vehicular outside the mall;
- 2) Special conditions exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship as other businesses on multi-tenant sites do not have to choose how to divide their number of allowed signs between exterior wall and interior mall signs; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance by increasing visibility to both pedestrian and vehicular traffic.

LOCATOR MAP



APPLICATION NUMBER 6331 DATE July 6, 2020

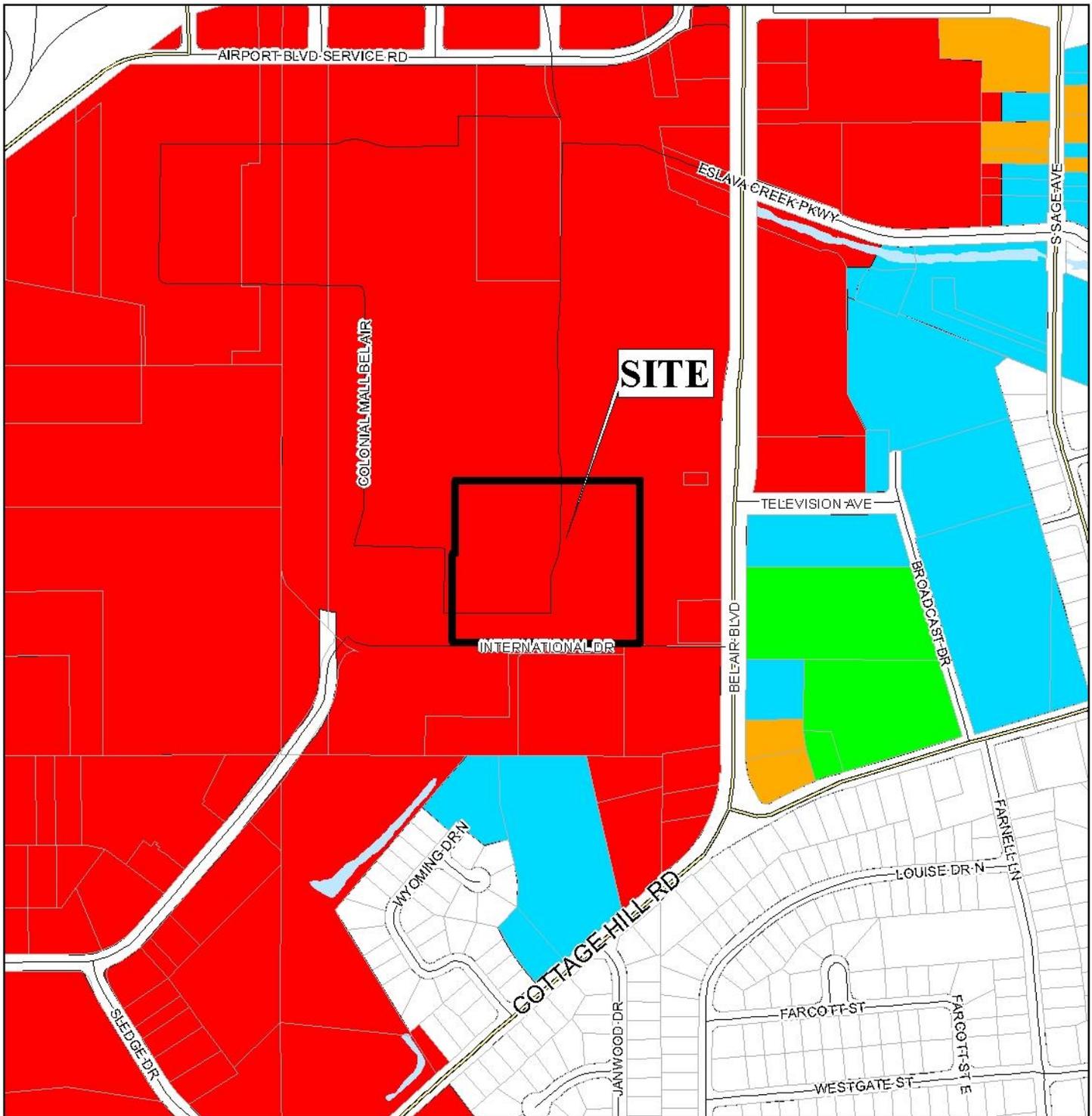
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LOCATOR ZONING MAP



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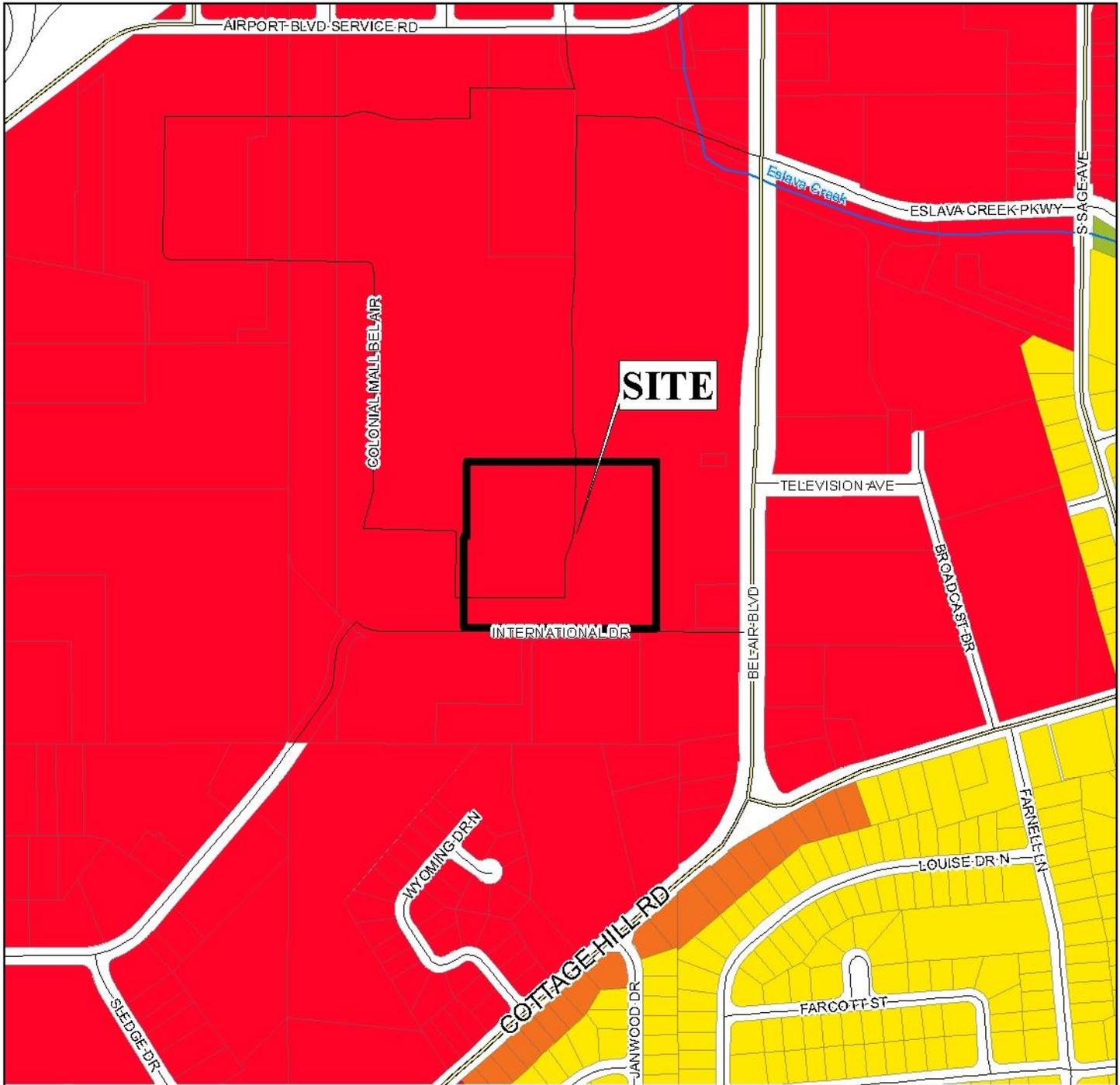
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FLUM LOCATOR MAP



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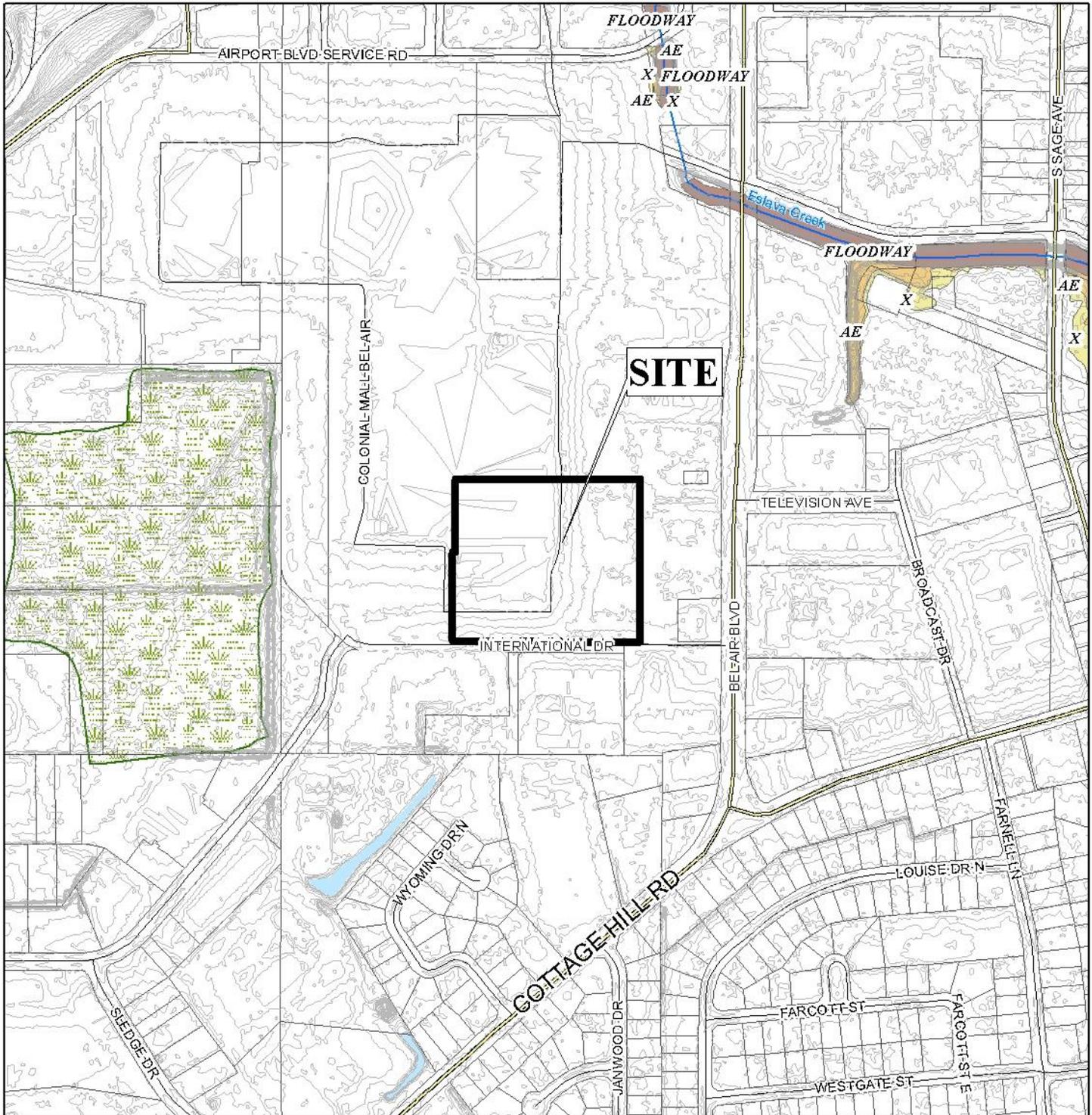
REQUEST Sign Variance

- | | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| 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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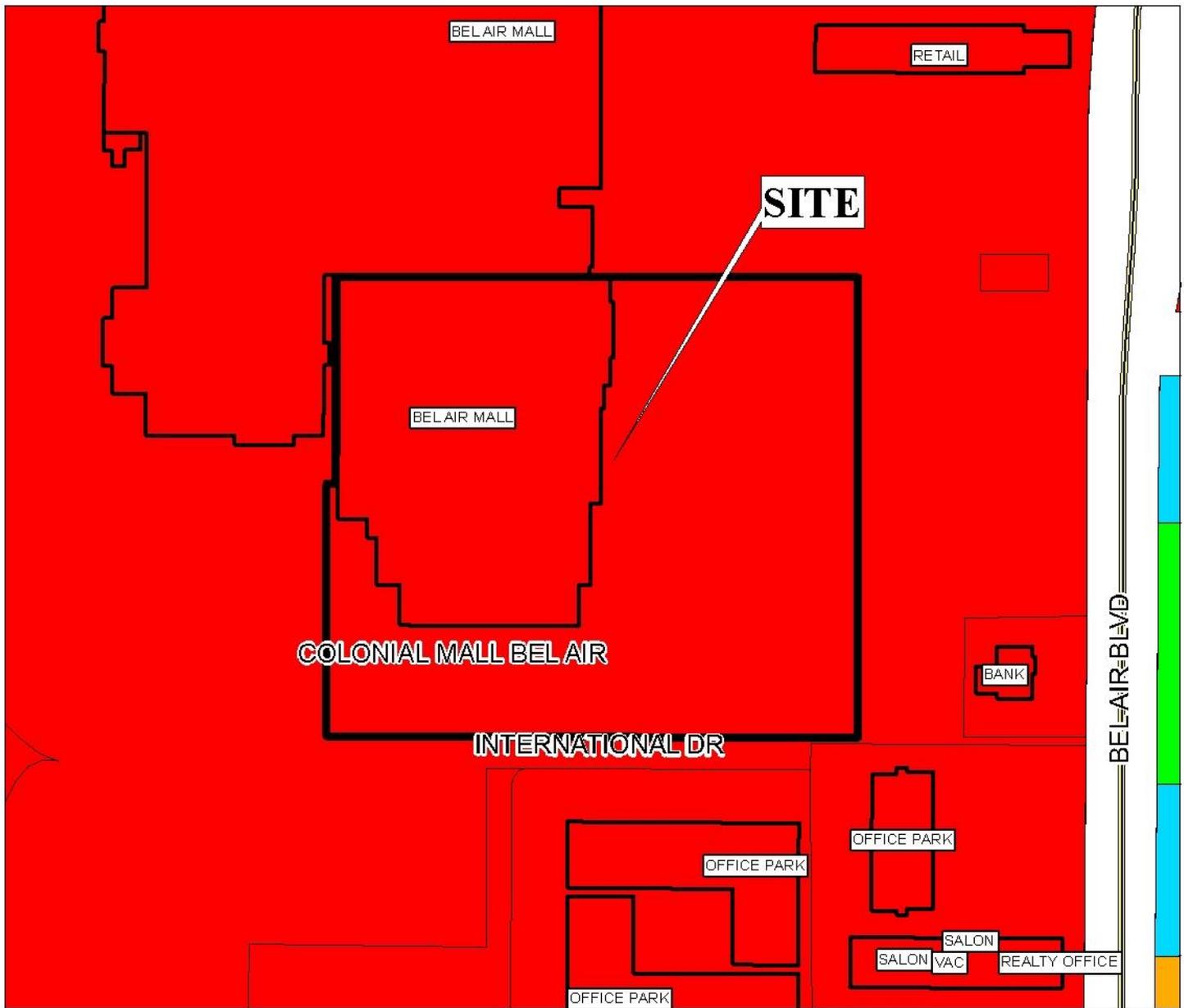
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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by retail and office use.

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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



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by retail and office use.

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DETAIL SITE PLAN



T-0797 Bel Air, AL: Exterior Elevation Refresh

Site Plan
April 7, 2020

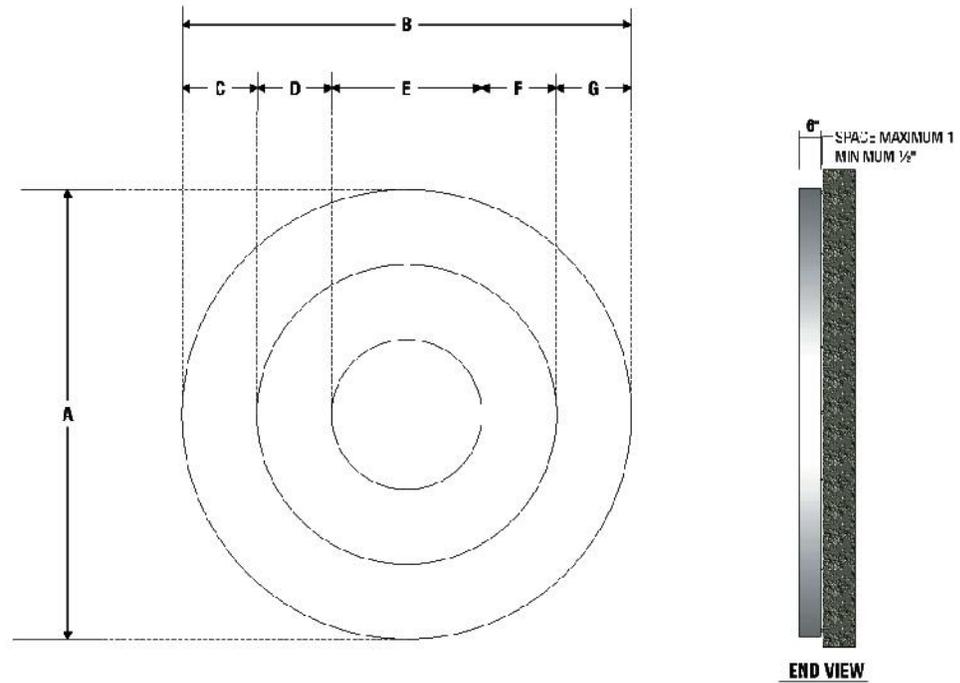
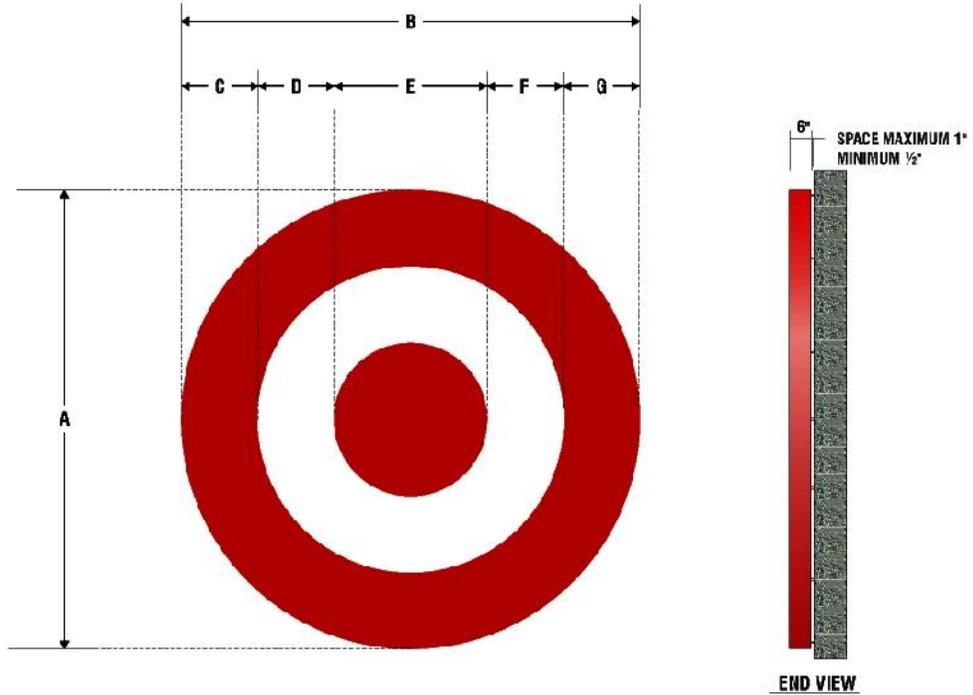
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DETAIL SITE PLAN



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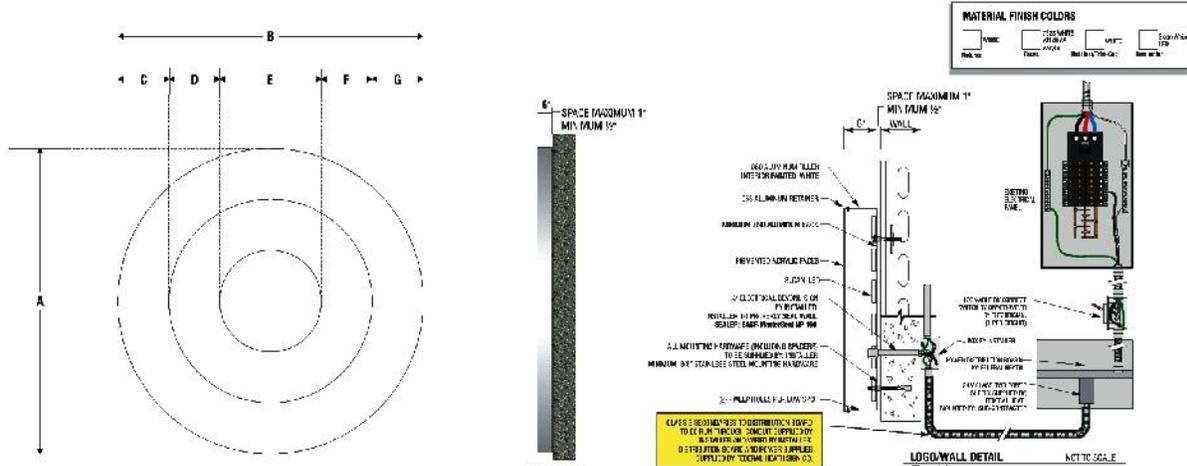
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DETAIL SITE PLAN



MATERIAL FINISH COLORS

Color	Code	Color	Code
White	100	Black	200
Black	200	Red	300
Red	300	Blue	400
Blue	400	Green	500
Green	500	Yellow	600
Yellow	600	Orange	700
Orange	700	Purple	800
Purple	800	Pink	900

ACRYLIC FACED INTERNALLY ILLUMINATED "BULLSEYE"

MANUFACTURE AND INSTALL CURRENT LOGO AS SHOWN AND NOTED

SIGN TYPE	A	B	C	D	E	F	G	HEIGHT	SP. FT.	QTY
150 BULLSEYE-W	34"	15-7"	2-4"	2-8"	3-4"	2-3"	2-4"	1-8"	118.7	1

ELECTRICAL REQUIREMENTS

Total 0.9 Amps

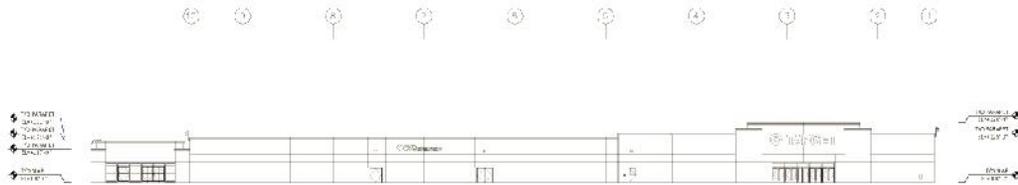
(1) 120V 20A Circuit Required.

CONTRACTOR TO PROVIDE:
 CONTRACTOR TO PROVIDE ALL MATERIALS AND LABOR FOR THE SIGN. ALL MATERIALS AND LABOR SHALL BE SUBJECT TO INSPECTION BY THE CITY ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY ENGINEER AND THE BOARD OF ZONING ADJUSTMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S STRUCTURAL INTEGRITY AND SAFETY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S ELECTRICAL SAFETY AND COMPLIANCE WITH ALL APPLICABLE ELECTRICAL CODES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S MAINTENANCE AND REPAIRS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S REMOVAL AND RESTORATION OF THE ORIGINAL SURFACE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S INSTALLATION AND REMOVAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S COST AND SCHEDULE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S QUALITY AND COMPLIANCE WITH ALL APPLICABLE STANDARDS AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S DESIGN AND CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S INSTALLATION AND REMOVAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S COST AND SCHEDULE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S QUALITY AND COMPLIANCE WITH ALL APPLICABLE STANDARDS AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGN'S DESIGN AND CONSTRUCTION.

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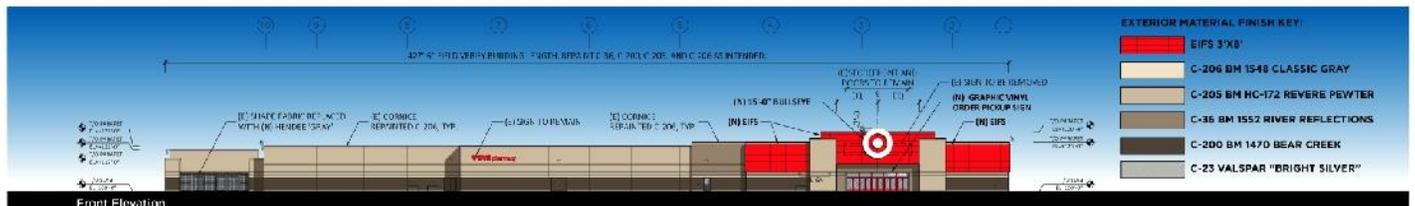
DETAIL SITE PLAN



Existing Front Elevation



Street View



Proposed Front Elevation

T-0797 Bel Air, AL: Exterior Elevation Refresh

April 7, 2020

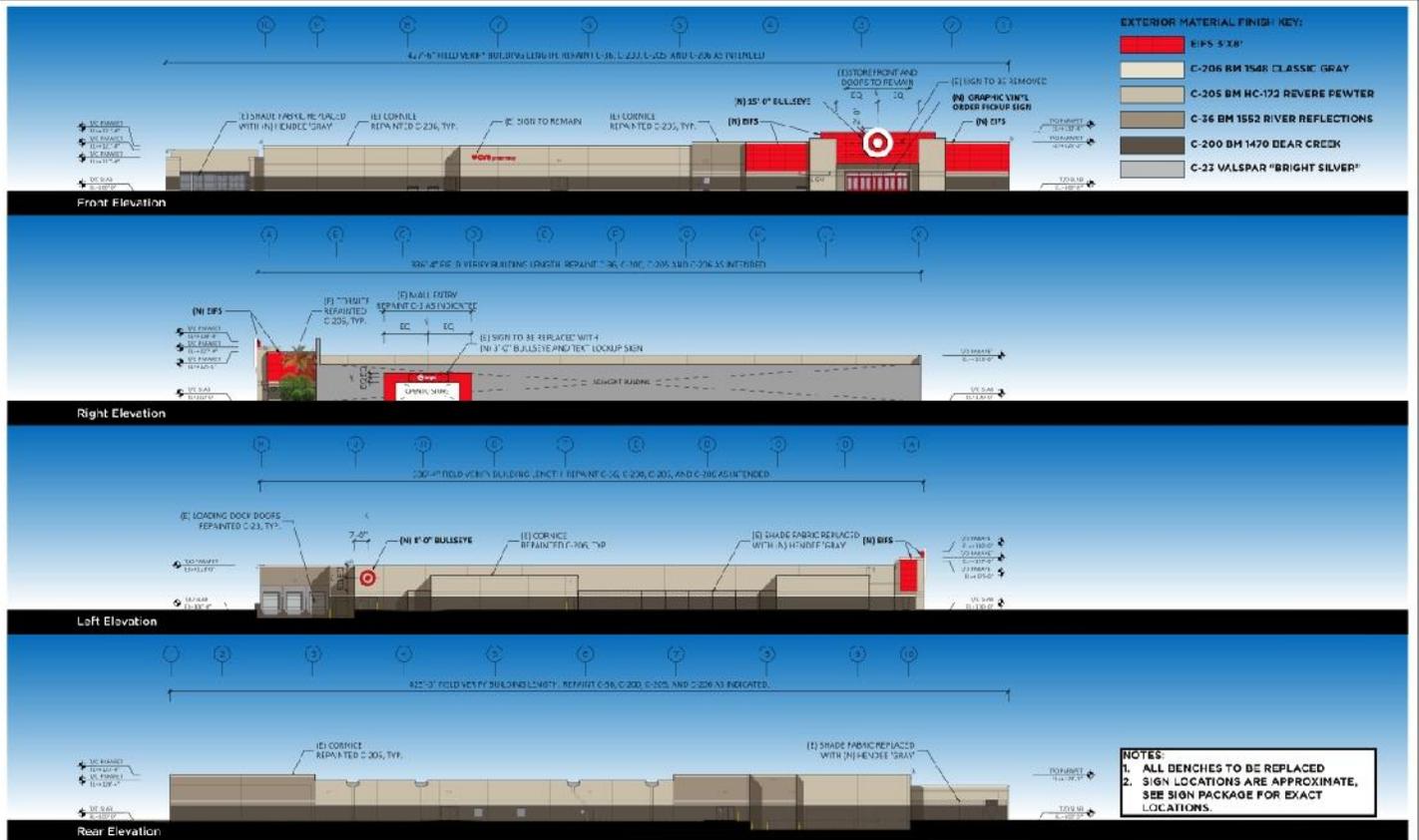
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Proposed Elevations

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