



# Agenda Item # 6

## BOA-002833-2024

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

[Applicant Materials for Consideration](#)

### DETAILS

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**Location:**

361 St Louis Street

**Applicant / Agent:**

Southbound Mobile, LLC

**Property Owner:**

Southbound Mobile, LLC

**Current Zoning:**

T-5.1 Sub-District of the Downtown Development District

**Future Land Use:**

Downtown

**Case Number(s):**

6574

**Unified Development Code Requirement:**

- Automotive services - heavy (truck rentals) are not allowed in a T-5.1 Sub-District of the Downtown Development District

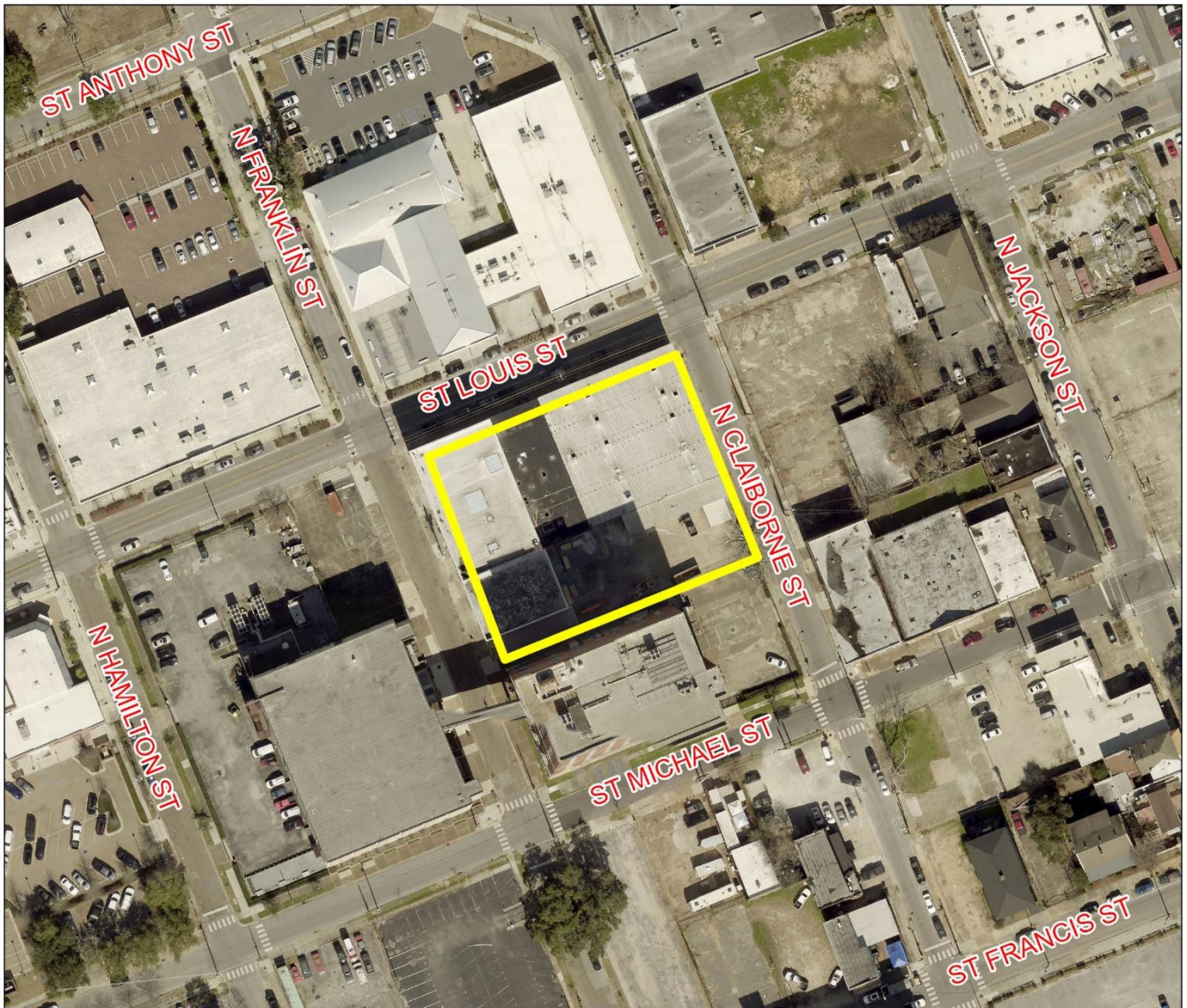
**Board Consideration:**

- Use Variance to allow automotive services - heavy (truck rentals) in a T-5.1 Sub-District of the Downtown Development District.

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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and residential units.

APPLICATION NUMBER	6574	DATE	March 4, 2024
APPLICANT	Southbound Mobile, LLC		
REQUEST	Use Variance		



## SITE HISTORY

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The site has no history of applications before the Board of Adjustment or Planning Commission.

## STAFF COMMENTS

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### Engineering Comments:

If the proposed variance is approved the applicant will need to have the following conditions met:

1. The proposed improvements will require a Land Disturbance Permit be submitted through the CSS Portal.
2. The existing drainage patterns and surface flow characteristics should not be altered so as to have a negative impact on any adjoining properties or any public rights-of-way.
3. Any and all proposed land disturbing activity within the property will need to be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
4. Applicant agrees to install adequate BMPs during construction to protect from sediment/pollutants leaving the site.

### 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 [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 has requested a Use Variance to allow automotive services - heavy (truck rentals) in a T-5.1 Sub-District of the Downtown Development District (DDD); the Unified Development Code (UDC) does not allow automotive services - heavy (truck rentals) in a T-5.1 Sub-District of the Downtown Development District.

The complete application and supporting documents are available via the link on page 1.

The existing structure at 361 St. Louis Street was recently renovated for use a self-storage facility; which is a use that is allowed by right in a T-5.1 Sub-District of the DDD. The applicant is requesting to have truck rentals on the subject site. It should be noted that if the subject site were occupied by a structure less than 5,000 square feet,



truck rentals would be classified as automobile services – light, which is allowed by-right in a T-5.1 Sub-District of the DDD. The variance is required because the existing structure is 57,000 square feet. Automobile services – heavy, are only allowed by-right in a SD-WH Sub-District of the DDD.

The applicant proposes that a maximum of five (5) trucks will be stored on the site at any given time, and that no employees will be at the site. The site plan submitted depicts a total of sixteen (16) parking spaces, leaving eleven (11) parking spaces available for customer use. The DDD does not have parking requirements for T-5.1 Sub-Districts, or structures existing as of its adoption (May 13, 2014).

The applicant states that truck rentals will be available to customers Monday, Tuesday, Friday, and Saturday, from 9:00 AM to 5:00 PM. The applicant does not state what size trucks will be kept at the site. U-Haul, for example, rents trucks ranging in size from standard pick-ups to 25-foot box trucks. Access and maneuvering on the site appears limited, and may result in larger trucks having to back into or out of the site on North Claiborne Street. Furthermore, it should be noted that the largest parking spaces on the subject site are 23-feet long by 10-feet wide. As such, it may be appropriate for the Board to consider limiting the maximum size of trucks to be allowed for rent on the site, if approved.

## VARIANCE CONSIDERATIONS

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### Standards of Review:

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.

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 and documentation submitted, if the Board considers approval of the request, the following findings of fact must be present:

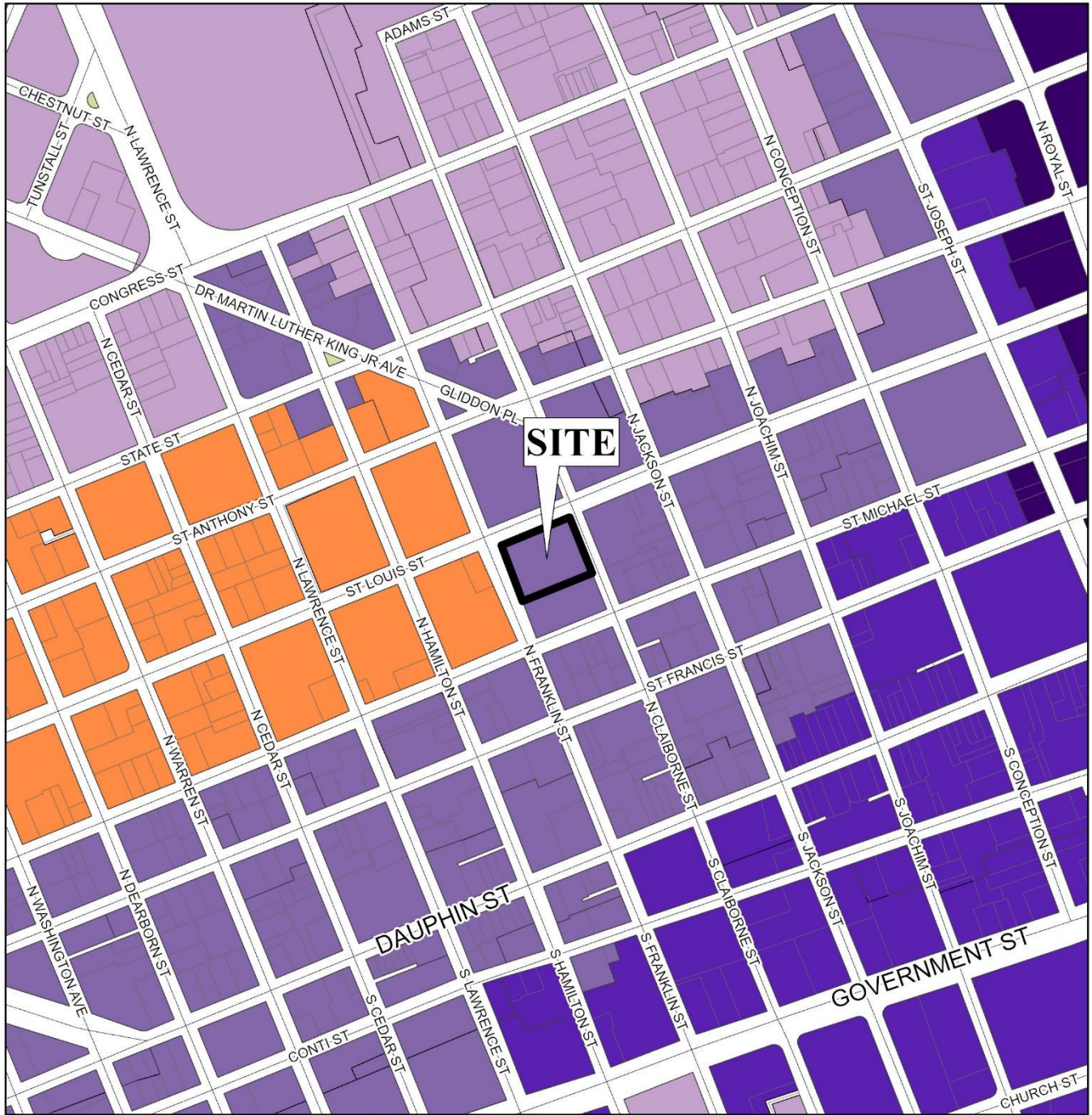
- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and


- 3) The spirit of the chapter **shall be** observed and substantial justice **done** to the applicant and the surrounding neighborhood by granting the variance.

If approved, the following conditions should apply:

- 1) Hours of truck leasing operation limited to: Monday, Tuesday, Friday, and Saturday, from 9:00 AM to 5:00 PM;
- 2) Limited to a maximum of five (5) truck rentals on-site at any given time; and
- 3) Full compliance with all municipal codes and ordinances.

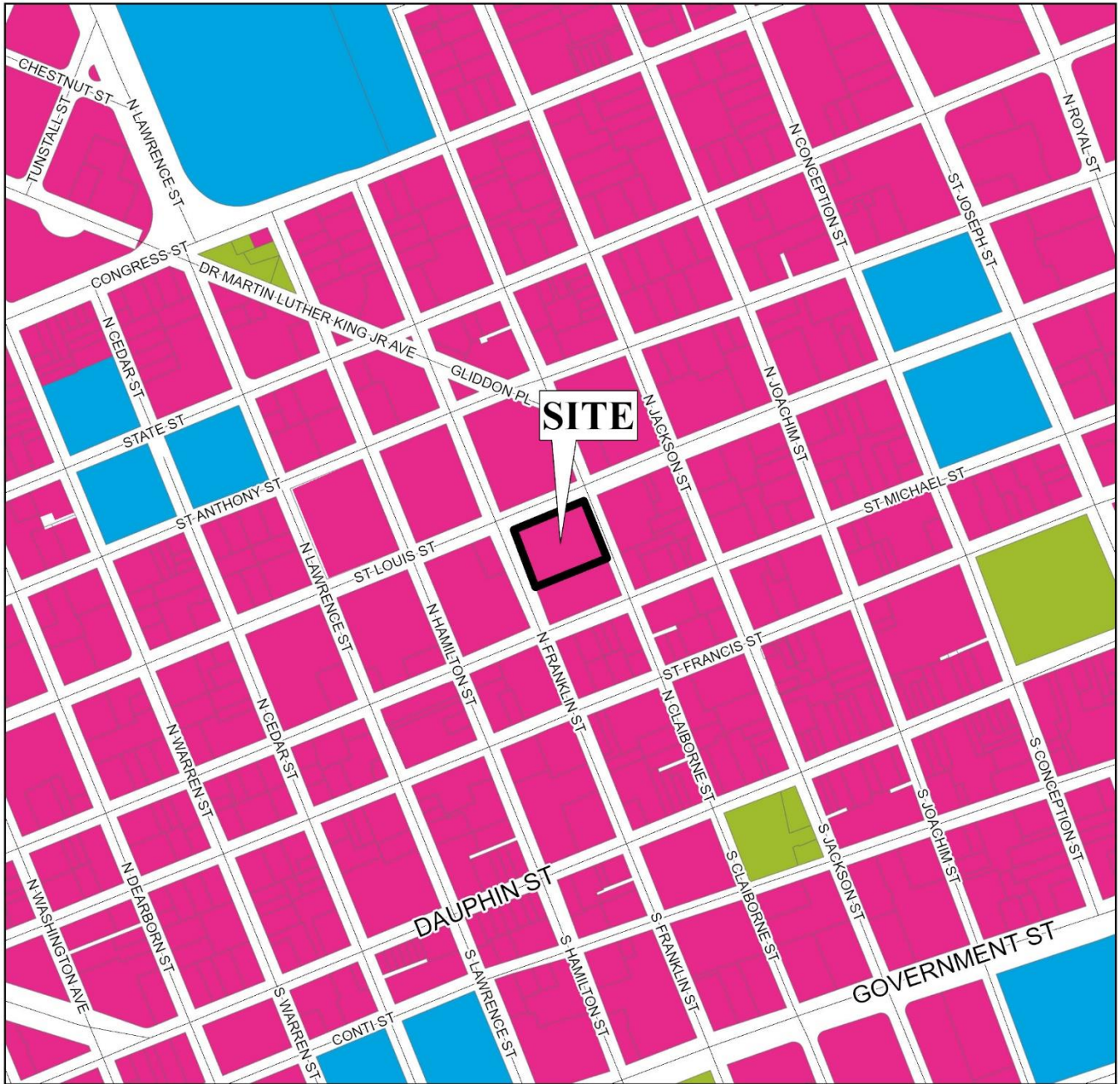
# LOCATOR ZONING MAP



APPLICATION NUMBER <u>6574</u> DATE <u>March 4, 2024</u>	 NTS
APPLICANT <u>Southbound Mobile, LLC</u>	
REQUEST <u>Use Variance</u>	



# FLUM LOCATOR MAP



APPLICATION NUMBER 6574 DATE March 4, 2024

APPLICANT Southbound Mobile, LLC

REQUEST Use 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

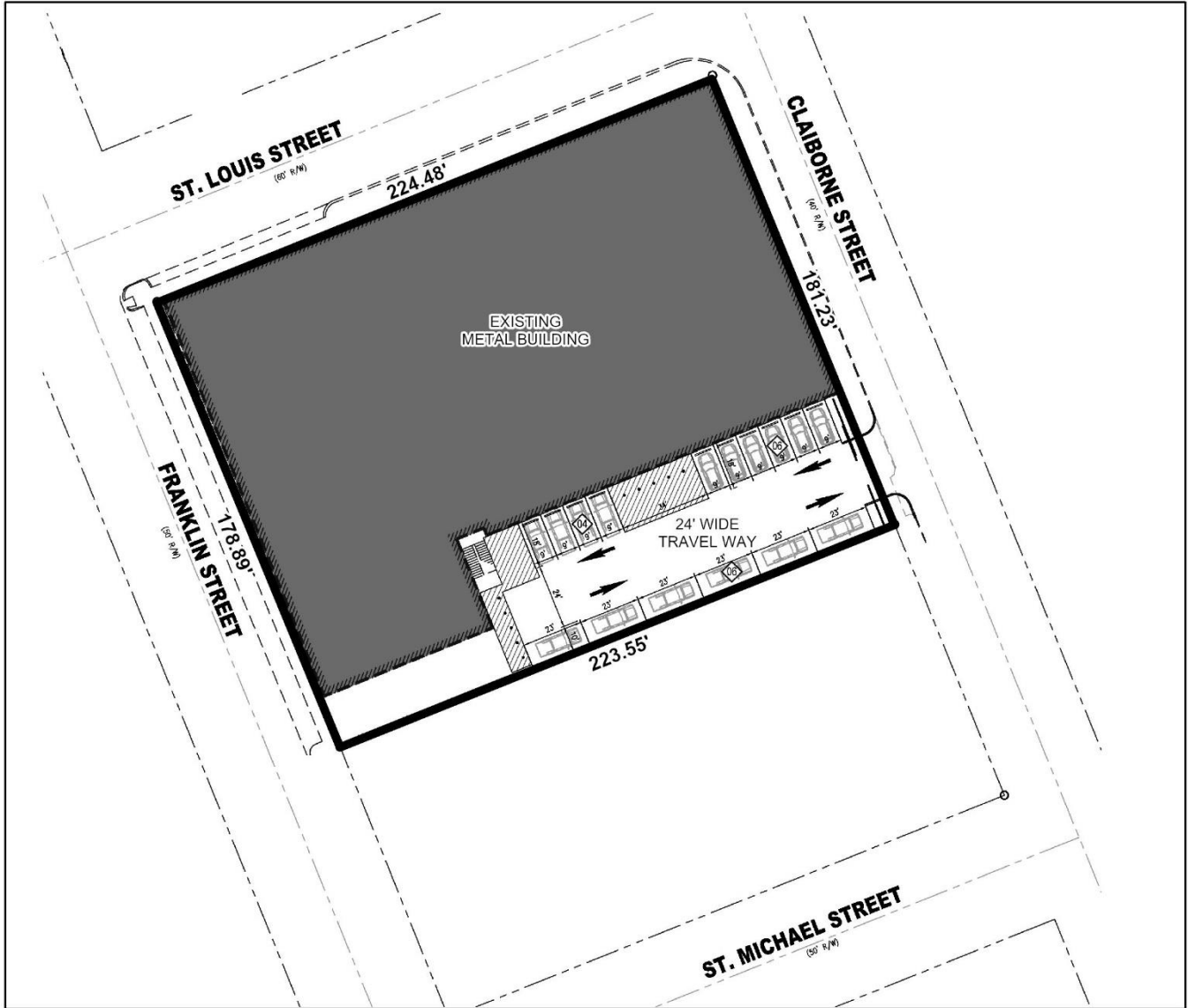


The site is surrounded by commercial and residential units.


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# SITE PLAN



The site plan illustrates an existing metal building and a travel way.

APPLICATION NUMBER <u>6574</u> DATE <u>March 4, 2024</u>	
APPLICANT <u>Southbound Mobile, LLC</u>	
REQUEST <u>Use Variance</u>	

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 (WDWRLU)
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)



## **DOWNTOWN (DT)**

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

As a land use district, Downtown 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 du/ac); 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.