

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: January 6, 2020****CASE NUMBER**

6304

APPLICANT NAME

Asarisi & Associates

LOCATION

256 – 260 St. Louis Street
(Northeast corner of St. Louis Street and North Jackson Street)

VARIANCE REQUEST

FRONTAGE WIDTH VARIANCE: Frontage width variance to allow 220 foot primary street frontage for a newly-platted property in a T5.1 Sub-district of the Downtown Development District.

CURB CUT VARIANCE: Curb cut variance to allow two (2) curb cuts along a property frontage in a T5.1 Sub-district of the Downtown Development District.

**ZONING ORDINANCE
REQUIREMENT**

FRONTAGE WIDTH VARIANCE: The Zoning Ordinance limits newly-platted properties to a maximum of 180 feet of primary street frontage in a T5.1 Sub-District of the Downtown Development District.

CURB CUT VARIANCE: The Zoning Ordinance limits properties to one curb cut per property frontage in a T5.1 Sub-District of the Downtown Development District.

ZONING

T5.1, Sub-District of the Downtown Development District

AREA OF PROPERTY

0.3± Acres

**CITY COUNCIL
DISTRICT**

District 2

**ENGINEERING
COMMENTS****FRONTAGE WIDTH VARIANCE:** NO COMMENT**CURB CUT VARIANCE:**

It appears that the two (2) interior driving aisles are proposed to be one-way only and appear to be too narrow for right-angled parking.

If the VARIANCE is approved for use the applicant will need to have the following conditions met:

1. Submit and receive a Land Disturbance Permit through Central Permitting for the proposed site development.
2. 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.
3. Submit a ROW Permit for any site work within the Public ROW.

TRAFFIC ENGINEERING

COMMENTS

The site plan illustrates the two driveways on St Louis Street as each approximately 22-23' wide. This width will not promote one-way circulation through the site. Angling the parking on site, although it may slightly reduce the number of parking spaces shown, will further establish the circulation as one-way. The center parking spaces should also include bumper stops (if angled) to prevent pulling out in the wrong direction.

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 (State Act 2015-116 and City Code Chapters 57 and 64).

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. 2012 International Fire Code.

ANALYSIS

The applicant is requesting Frontage Width and Curb Cut Variances to allow a 220 foot primary street frontage for a newly-platted property, and two (2) curb cuts along a property frontage in a T5.1, Sub-District of the Downtown Development District; the Zoning Ordinance limits newly-platted properties to a maximum of 180 feet of primary street frontage, and allows only one (1) curb cut per property frontage in a T5.1, Sub-District of the Downtown Development District.

The Zoning Ordinance states no variance shall be granted 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; and, no variance shall be granted where economics are the basis for the application. 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.

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 applicant states:

The reason for a zoning variance of the referenced properties is:

- **256-260 St. Louis Street — Property Width:** *This lot is zoned T-5.1, Mixed-Use, Medium Intensity Sub-District and has a maximum of 180 feet per Section 64-3.1.8.(b)(3) of the Zoning Ordinance. The property width of Lot 1, as illustrated on the proposed plat, is 220± of frontage on St. Louis Street. The amount of frontage on St. Louis Street will be required to accommodate the amount of parking needed on the adjacent parcel for the proposed supermarket.*
- **256 St. Louis Street — Two Curb Cuts:** *We are requesting a variance on the single curb cut for 256 St. Louis Street parking lot. In order to provide the necessary amount of parking, we proposed two; one-way curb cuts with 12'*

turnouts versus the single 24' turn out. The proposed plan will also better accommodate garbage collection services.

The applicant is proposing to redevelop both 256 and 260 St. Louis Street, renovating the existing structure located at 260 St. Louis Street for a grocery store and utilizing 256 St. Louis for on-site parking with two (2) curb cuts accessing the property, within a T5.1, Sub-District of the Downtown Development District (DDD). Newly-platted properties within the DDD are limited to a maximum of 180 feet of primary street frontage and only allowed one (1) curb cut per property frontage in a T5.1, Sub-District.

At its meeting on December 5, 2019, the Planning Commission tentatively approved a subdivision request to create two (2) legal lots of record from three (3) metes-and-bounds parcels. The properties located at 256 and 260 St. Louis Street were combined into Lot 1 of the tentatively approved subdivision while 257 St. Louis Street comprised Lot 2. However, as approved, the proposed Lot 1 has a 220 foot primary street frontage along St. Louis Street which exceeds the maximum 180 foot primary street frontage allowed for newly-platted property within a T5.1, Sub-District of the Downtown Development District (DDD). As such, the Planning Commission conditioned their approval on submission of a successful application to the Board of Zoning Adjustment to request a variance from Section 64-3.I.8.(b)(3) of the Zoning Ordinance for the lot width for Lot 1 along Saint Louis Street exceeding 180 feet, prior to the recording of the Final Plat.

The applicant went to the Consolidated Review Committee (CRC) at its January 31, 2019 meeting to discuss the project at hand. The letter of decision from that meeting states:

Regarding the proposed angled-parking from St. Louis Street, the CRC recommends that the proposal be discussed with and reviewed by Traffic Engineering and the Right-of-Way division of the Engineering Department. In light of proposed improvements to St. Louis Street, the proposed angled-parking may not be appropriate. If, however, each entity approves the parking as proposed, please submit this information and, if necessary a revised site plan, to the CRC for review.

Therefore, if the application at hand is approved, the applicant will need to provide documentation from both Traffic Engineering and Right-of-Way that they are in agreement with the parking configuration prior to obtaining final approval from the CRC.

RECOMMENDATION:

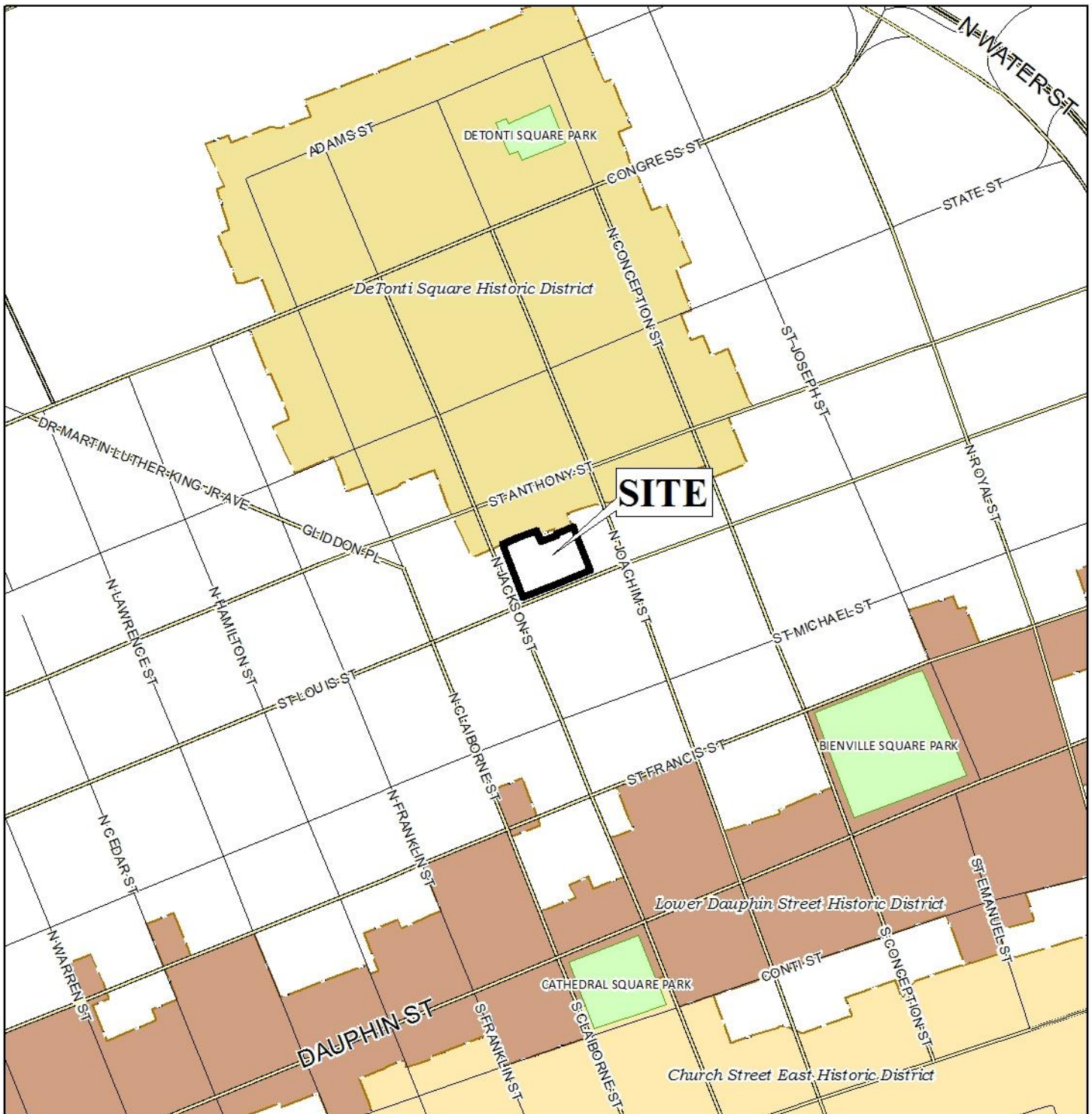
Staff recommends to the Board the following findings of fact for Approval of the requests:

- 1) The variance will not be contrary to the public interest in that the proposed number of curb cuts will be in keeping with the neighborhood;
- 2) Special conditions do 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 shall be done to the surrounding neighborhood by granting the variance.

The Approval is subject to the following conditions:

- 1) Compliance with Traffic Engineering comments: *(The site plan illustrates the two driveways on St Louis Street as each approximately 22-23' wide. This width will not promote one-way circulation through the site. Angling the parking on site, although it may slightly reduce the number of parking spaces shown, will further establish the circulation as one-way. The center parking spaces should also include bumper stops (if angled) to prevent pulling out in the wrong direction.);*
- 2) Compliance with Engineering comments *(If the VARIANCE is approved for use the applicant will need to have the following conditions met: 1. Submit and receive a Land Disturbance Permit through Central Permitting for the proposed site development. 2. 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. 3. Submit a ROW Permit for any site work within the Public ROW.);*
- 3) Submittal of documentation from both Traffic Engineering and Right-of-Way that they are in agreement with the parking configuration;
- 4) Obtaining final approval from the CRC;
- 5) Obtaining of all necessary permits; and
- 6) Full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 6304 DATE January 6, 2020

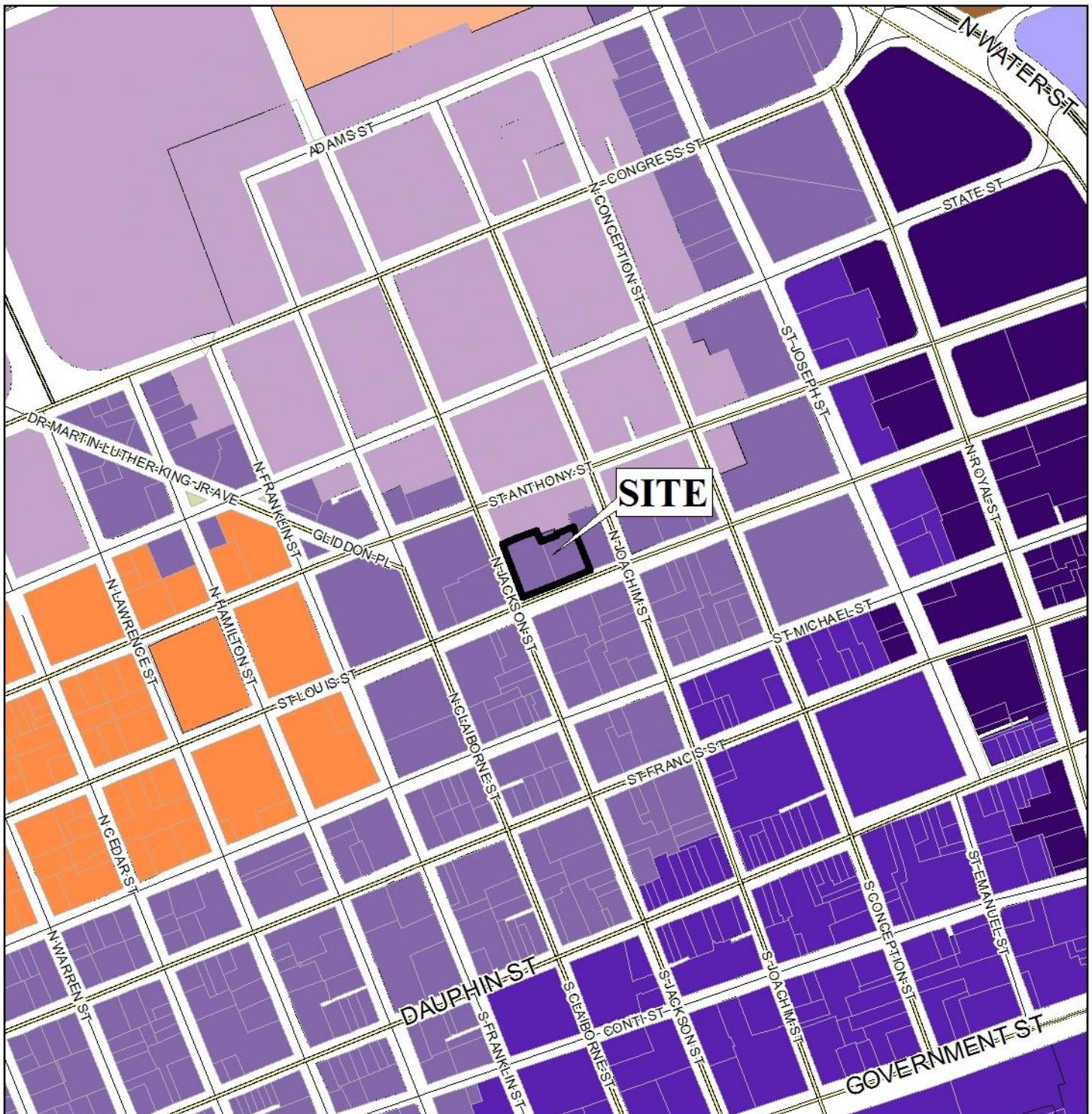
APPLICANT Asarisi & Associates, LLC

REQUEST Frontage Width and Curb Cut Variances



NTS

LOCATOR ZONING MAP



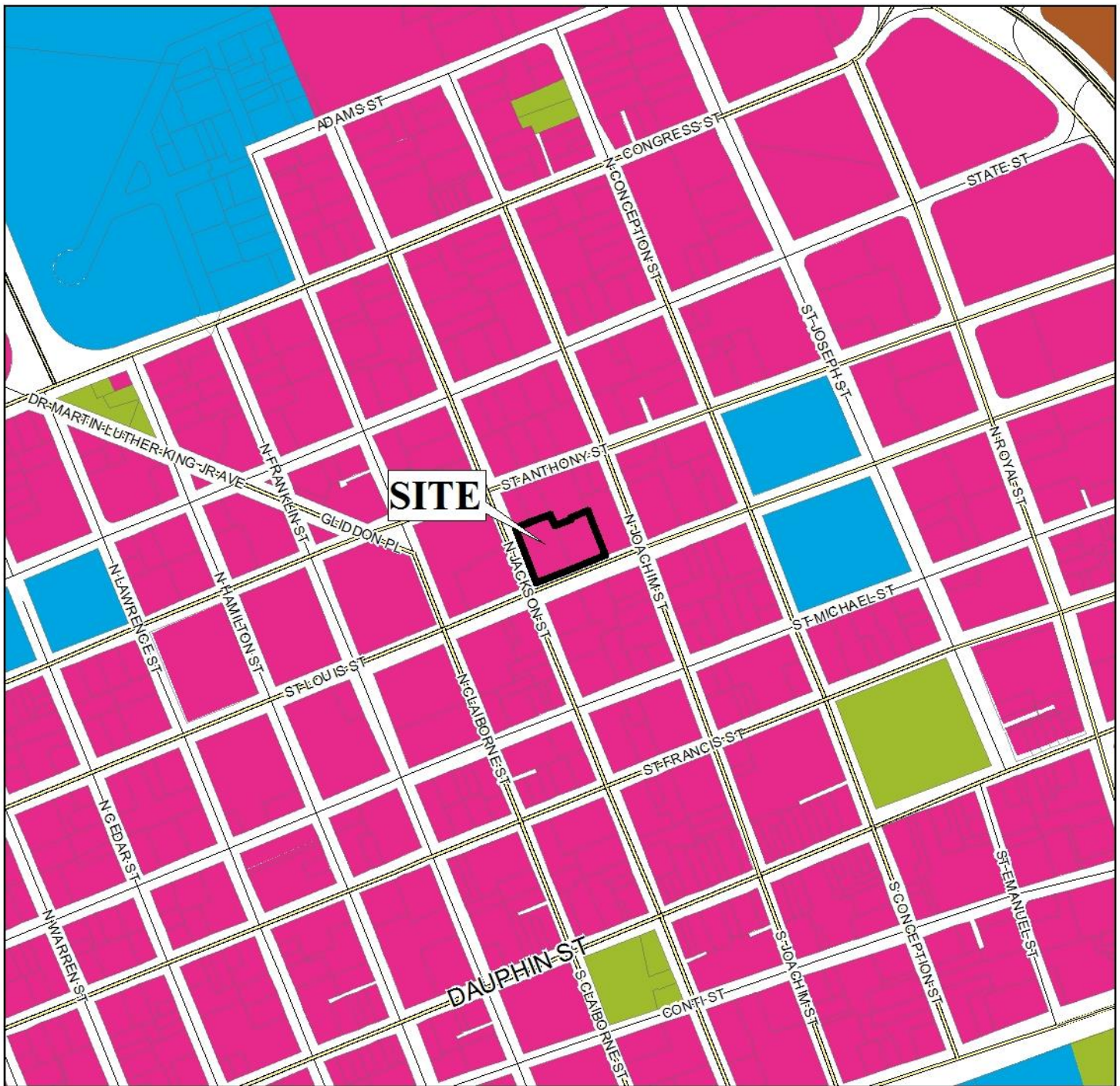
APPLICATION NUMBER 6304 DATE January 6, 2020

APPLICANT Asarisi & Associates, LLC

REQUEST Frontage Width and Curb Cut Variances



FLUM LOCATOR MAP



APPLICATION NUMBER 6304 DATE January 6, 2020

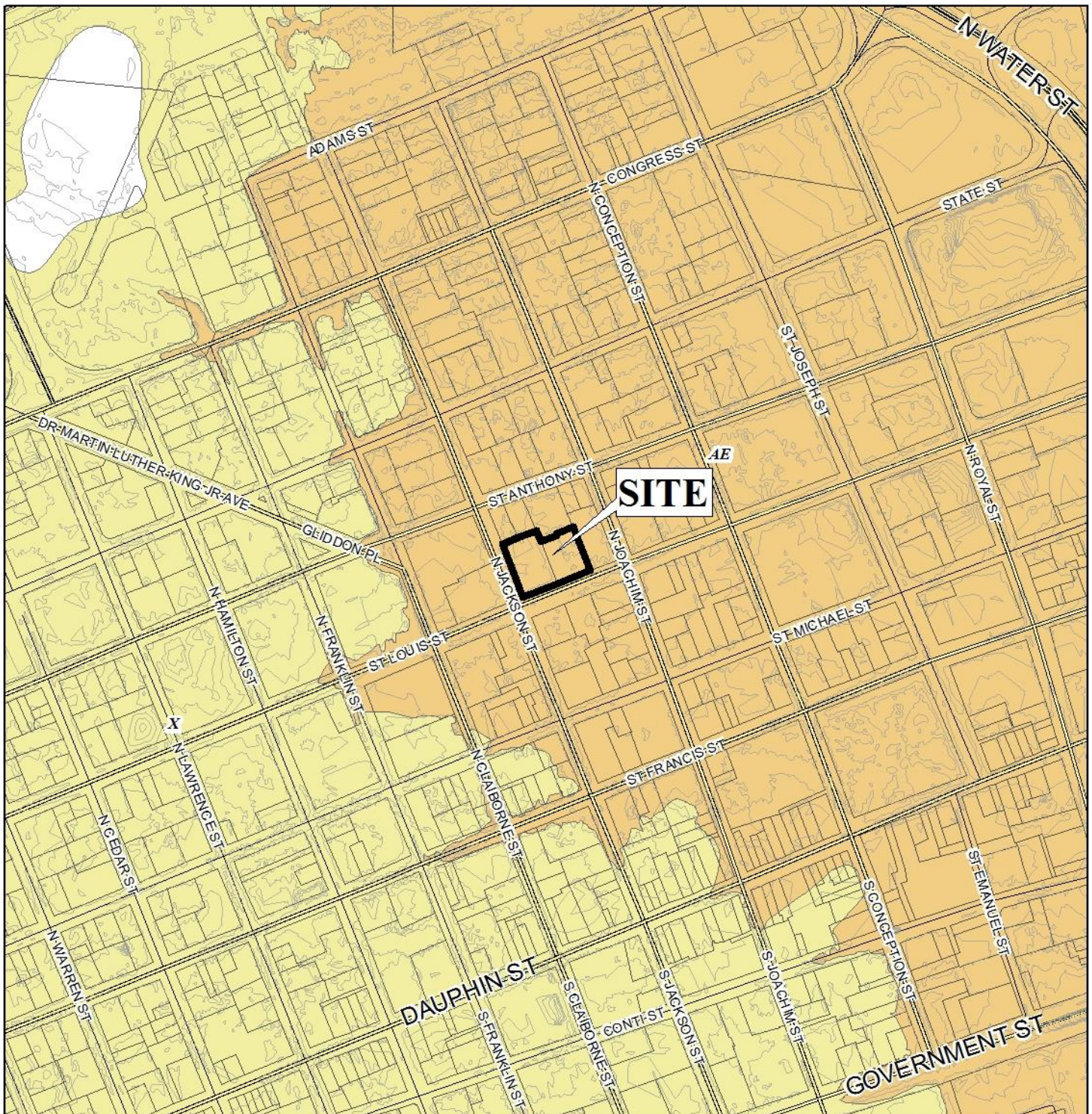
APPLICANT Asarisi & Associates, LLC

REQUEST Frontage Width and Curb Cut Variances

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	



ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 6304 DATE January 6, 2020

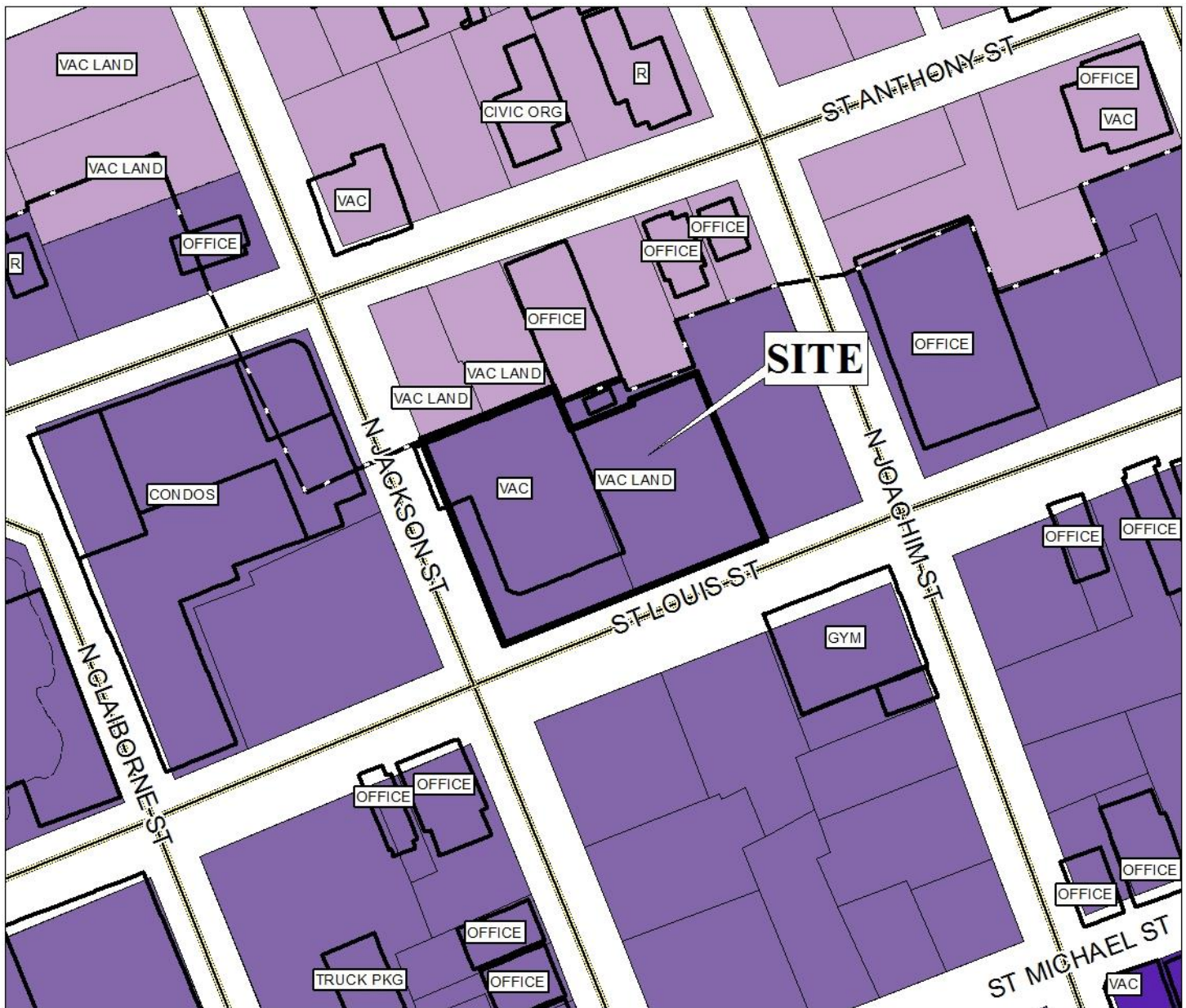
APPLICANT Asarisi & Associates, LLC

REQUEST Frontage Width and Curb Cut Variances



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

APPLICATION NUMBER 6304 DATE January 6, 2020

APPLICANT Asarisi & Associates, LLC

REQUEST Frontage Width and Curb Cut Variances

 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

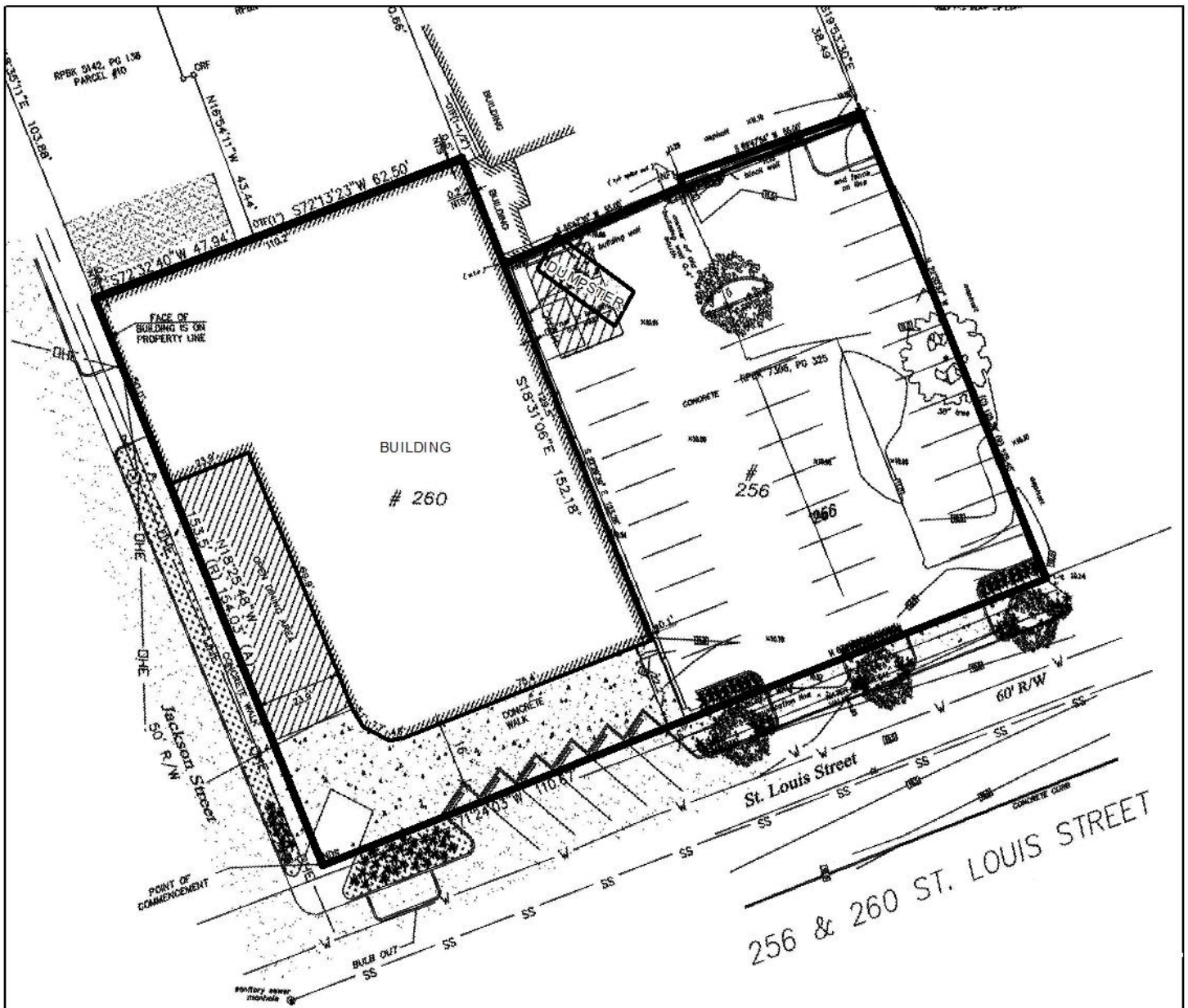


The site is surrounded by commercial units.

APPLICATION NUMBER	6304	DATE	January 6, 2020
APPLICANT	Asarisi & Associates, LLC		
REQUEST	Frontage Width and Curb Cut Variances		



SITE PLAN



The site plan illustrates the existing building, proposed parking, and dumpster.

APPLICATION NUMBER 6304 DATE January 6, 2020

APPLICANT Asarisi & Associates, LLC

REQUEST Frontage Width and Curb Cut Variances



NTS