

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: July 8, 2019****CASE NUMBER**

6265

APPLICANT NAME

Harrison French and Associates (Leticia Martinez, Agent)

LOCATION

1970 South University Boulevard (Northwest corner of South University Boulevard and Cottage Hill Road).

VARIANCE REQUEST**SIGN:** Sign Variance to allow two (2) front wall signs with logos and two (2) informational signs exceeding 20 square feet each for an end-unit tenant at a public street corner on a multi-tenant site in a B-3, Community Business Districts.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance allows one logo wall sign per street façade for an end-unit tenant in a multi-tenant site at a public street corner, and informational signs cannot exceed 20 square feet on a commercial site in a B-3, Community Business District.**ZONING**

B-3, Community Business District

**ENGINEERING
COMMENTS**

No Comments

**TRAFFIC ENGINEERING
COMMENTS**

This request was not reviewed by Traffic Engineering.

**CITY COUNCIL
DISTRICT**

District 4

ANALYSIS

The applicant is requesting a Sign Variance to allow two (2) front wall signs with logos and two (2) informational signs exceeding 20 square feet each for an end-unit tenant at a public street corner on a multi-tenant site in a B-3, Community Business Districts; the Zoning Ordinance allows one logo wall sign per street façade for an end-unit tenant in a multi-tenant site at a public street corner, and informational signs cannot exceed 20 square feet on a commercial site in a B-3, Community Business District.

The site has been given a Neighborhood Center- Suburban (NC) 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.

This land use designation applies to smaller hubs of mixed commercial, community, and recreational activity that cater to adjacent residential areas. Many of these centers exist today in some form. Therefore, the following common principles apply not just to the future development of new centers, but also to the redevelopment (wholesale or incremental) of existing centers.

General Principles for Neighborhood Centers:

- NC should support a limited amount of commercial employment
- NC should incorporate some residential use, which may vary in type from detached single family, townhouse, accessory and live-work units in mixed use and low-rise multifamily structures.
- The residential density in NC designations –ranging from 4 to 10 dwelling units per acre — must be compatible in character with that of surrounding residential development, providing appropriate transitions in height, massing and other buffering from one land use district to the next.
- The retail and housing uses should merge around vibrant, compact, accessible nodes, located at key neighborhood intersections or along short road segments.
- The NC nodes should be connected to the surrounding neighborhood and nearby public uses (e.g., schools, parks, etc.) via well-designed sidewalks and complete streets.

While the above-listed principles are common to all NC districts, the design attributes of neighborhood centers generally vary depending on whether a center is in a more “traditional” or more “suburban” context.

Additional Attributes of Neighborhood Centers:

- NC in **traditional** contexts: These tend to be in those areas east of the Beltline and correspond to MxDR neighborhoods. In these NCs, buildings should orient to the street, with on-site parking typically pushed to the back of the site. The design qualities of the public realm are emphasized, including the provision of continuous sidewalks, tree canopy, pedestrian amenities, on-street parking and bicycle facilities where appropriate.
- NC in **suburban** contexts: These generally are located among the LDR land use designations in the areas west of the Beltline. Where they exist, these centers currently have a more pronounced vehicular orientation. Therefore, the emphasis is on retrofitting to improve internal walkability (e.g., through the addition of sidewalks, tree canopy, protection from the elements) and external connectivity to the surrounding areas (via sidewalks, paths and trails, street crossings, transit stops, etc.) and to increase the mix and density of uses (e.g., infill of outparcels, addition of housing, etc.).

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 that substantial justice is 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 applicant states:

“Walmart #5098 Remodel -1970 S University Blvd Mobile, AL - Variance Narrative

This letter is to detail our variance request for the above-mentioned project. We would like to request a variance, on behalf of Walmart, to go above the maximum of one (1) sign per building. Currently the store has a total of two (2) wall signs existing. The ordinance has since changed to only allow one wall sign for each building. Walmart is a very large building with multiple services that will not be advertised if only one sign is allowed.

*We ask for more than one sign due to the length of the facade, which is 204 ft and the multiple services offered within the store. Our request is for a total of six (6) signs, which will include a new *Pickup sign to advertise the online grocery pickup service, Pharmacy, Enter and Exit sign. We believe that the signs will make parking lot traffic safer for pedestrians and property, while still being aesthetically pleasing.”*

As stated, the applicant desires to seek relief from the sign requirements of the Zoning Ordinance by erecting a total of six signs. Three of which are allowed by right while the remaining three require additional approvals. The applicant is asking for relief for the “Pharmacy Drive- Thru” informational sign and the “Pharmacy” informational sign, as well as the “*Pickup” sign for groceries. The “*Pickup” sign is considered a logo wall sign due to the asterisk/ spark, as it is associated with the branding of the company. The “Walmart Neighborhood Market” sign is classified as the one wall sign associated with the building that is allowed. The other two signs the applicant references are the “Enter” and “Exit” signs which are below 20 square feet and thus do not require additional approvals.

The sign regulations of the Zoning Ordinance have been enacted to protect the health, safety, and welfare of the citizens of the City of Mobile and the general aesthetics of the city by providing for uniform standards for the locations, spacing, height, setback, lighting, and other regulation of

off-premise and on-premise signs within the city. The applicant claims that the ordinance “has since changed”, however, this is not the case with regards to this aspect of the ordinance.

According to Section 64-11.5.g. of the Zoning Ordinance, “*Signs directing and guiding traffic services on private property but bearing no advertising matter and not exceeding twenty (20) square feet for each sign, except in the cases of hospitals or health care facilities in which case each sign shall not exceed forty (40) square feet. Do not require a permit*”

The applicant states that this variance request is based on the fact that they need more signs due to the length of the façade of the building, which is 204 feet long and the fact that multiple services are offered within the store. There are concerns that once the new online pickup procedure is in place, customers will have increased difficulty navigating the parking lot. The applicant notes that they believe that the signs will make the parking lot traffic safer for pedestrians and property, while still being aesthetically pleasing.

The proposed size of the signage, if approved, will be as follows:

- Pharmacy Drive-Thru” sign approximately 37.71 square feet
- Pharmacy” sign approximately 31.32 square feet
- *Pickup sign approximately 65.43 square feet
- Walmart Neighborhood Market” sign approximately 305.05 square feet
- Enter sign 3.20 square feet, and
- Exit sign 2.29 square feet.

It would appear that the size and location of the requested signage is consistent with the remodel of other Walmart Stores nationally and locally. Staff reviewed several of the other sign variance request for this company and the consensus from the Board seems to have been to allow the additional signage as proposed, with the exception of removing the asterisk from the “*Pickup” sign. Thus in keeping with previous approvals and recommendations, staff would recommend approval of the informational signs as well as the two wall signs; however the removal of the asterisk from the sign “*Pickup” is recommended.

RECOMMENDATION:

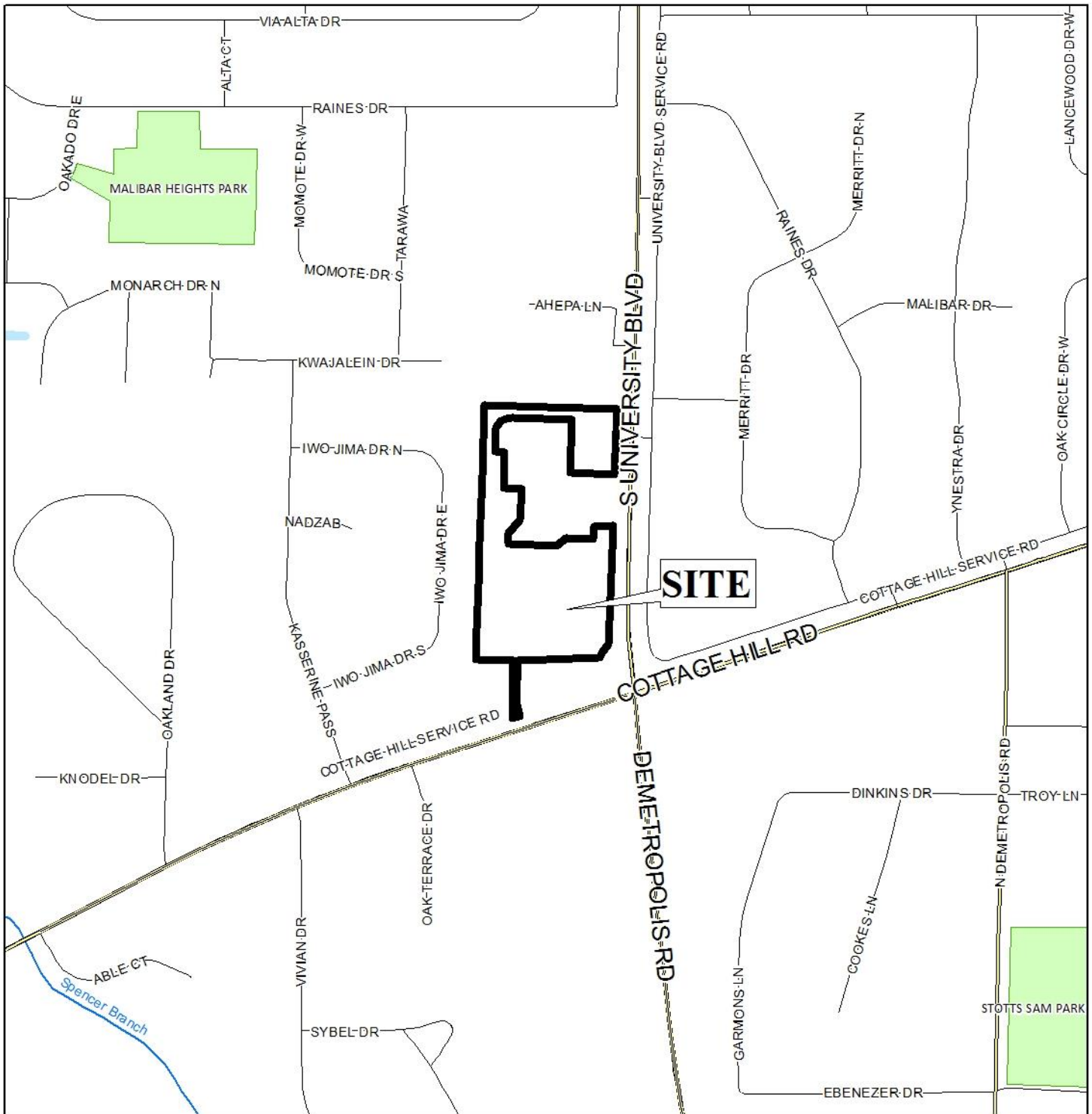
Staff recommends to the Board the following findings of fact for Approval:

- 1) Approving the variance will not be contrary to public interest, in that the additional signage will be informational and will not have corporate branding;
- 2) Special conditions do exist and there are hardships which exist, including the size of the building façade, that make the placement and number of the proposed signs necessary;
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the proposed signs will allow customers to find their intended destination, while not increasing the corporate branded signage on the site.

The approval should be subject to the following condition:

- 1) The asterisk from the “Pickup” sign must be removed as it includes the signature “spark” logo.

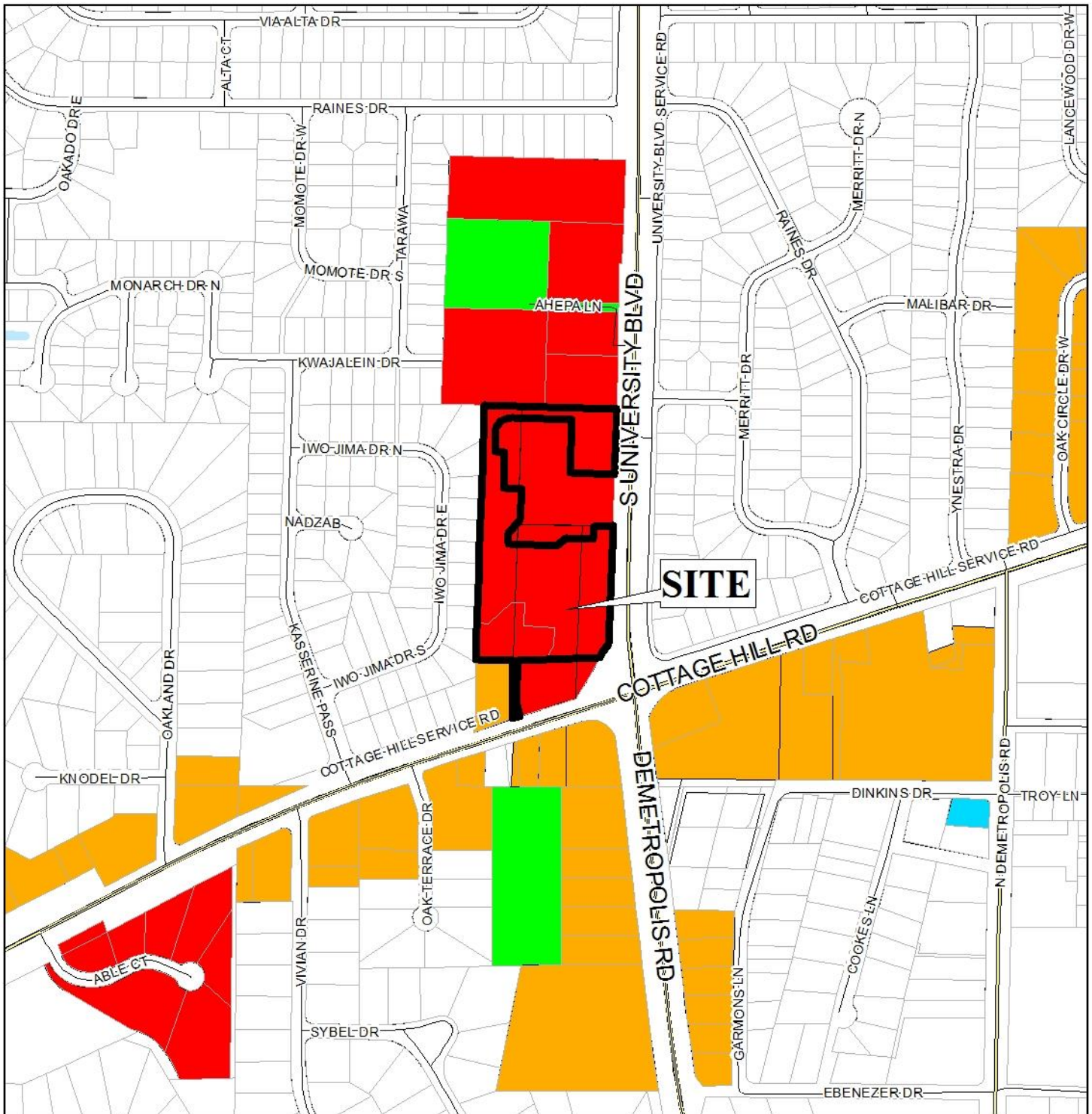
LOCATOR MAP



APPLICATION NUMBER 6265 DATE July 8, 2019
 APPLICANT Harrison French and Associates (Leticia Martinez, Agent)
 REQUEST Sign Variance



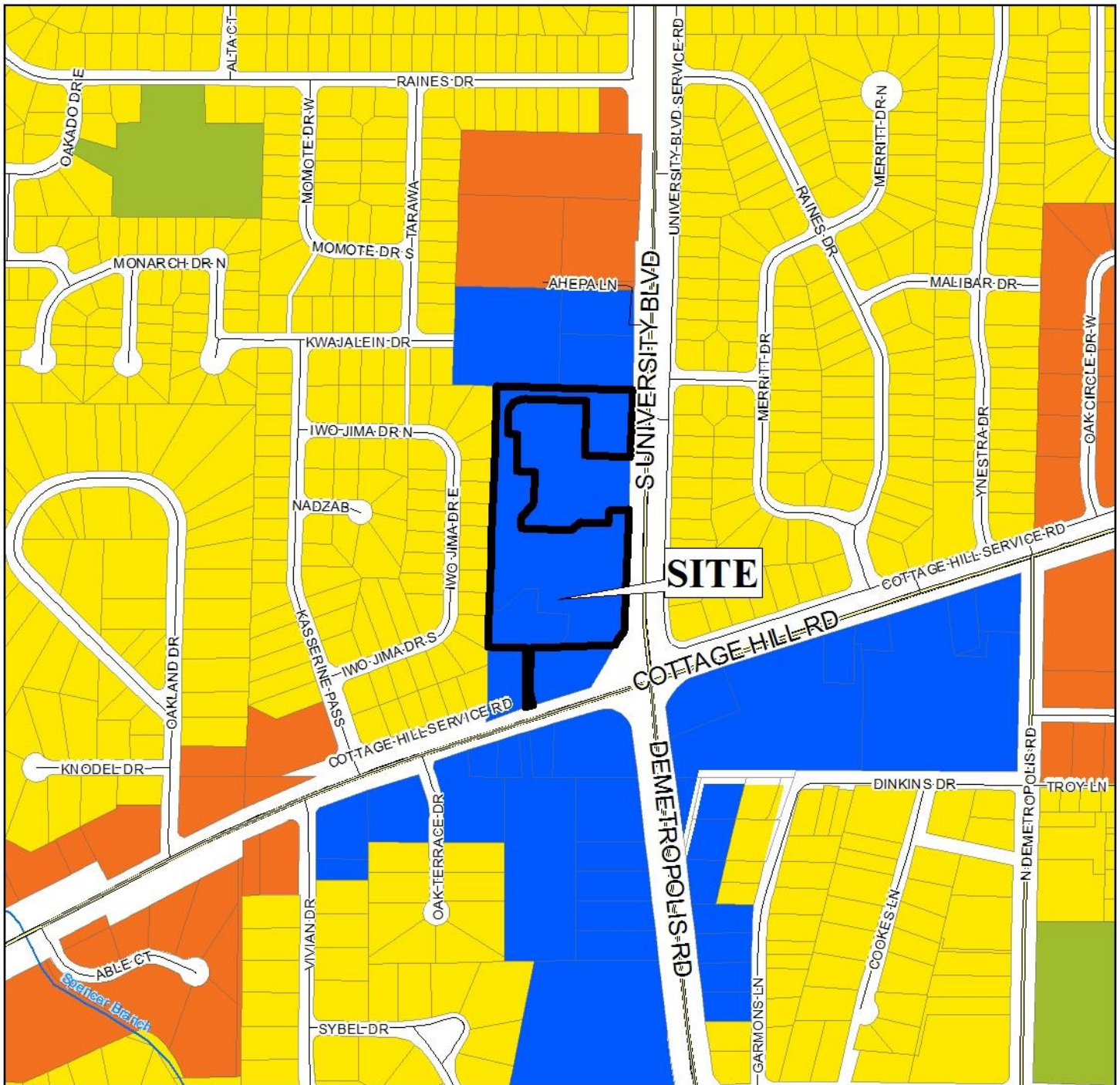
LOCATOR ZONING MAP



APPLICATION NUMBER 6265 DATE July 8, 2019
 APPLICANT Harrison French and Associates (Leticia Martinez, Agent)
 REQUEST Sign Variance



FLUM LOCATOR MAP

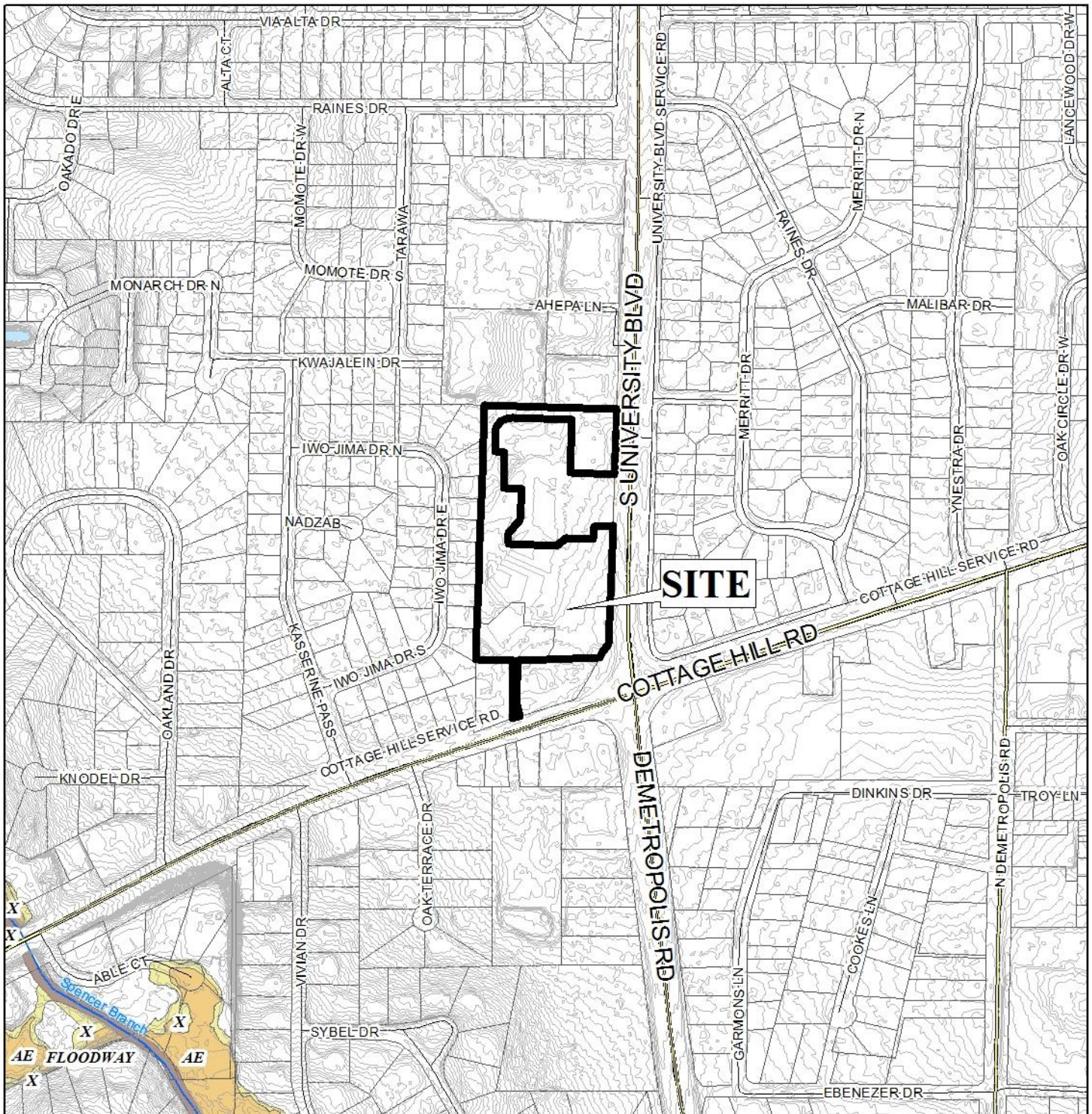


APPLICATION NUMBER 6265 DATE July 8, 2019
 APPLICANT Harrison French and Associates (Leticia Martinez, Agent)
 REQUEST Sign Variance

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	



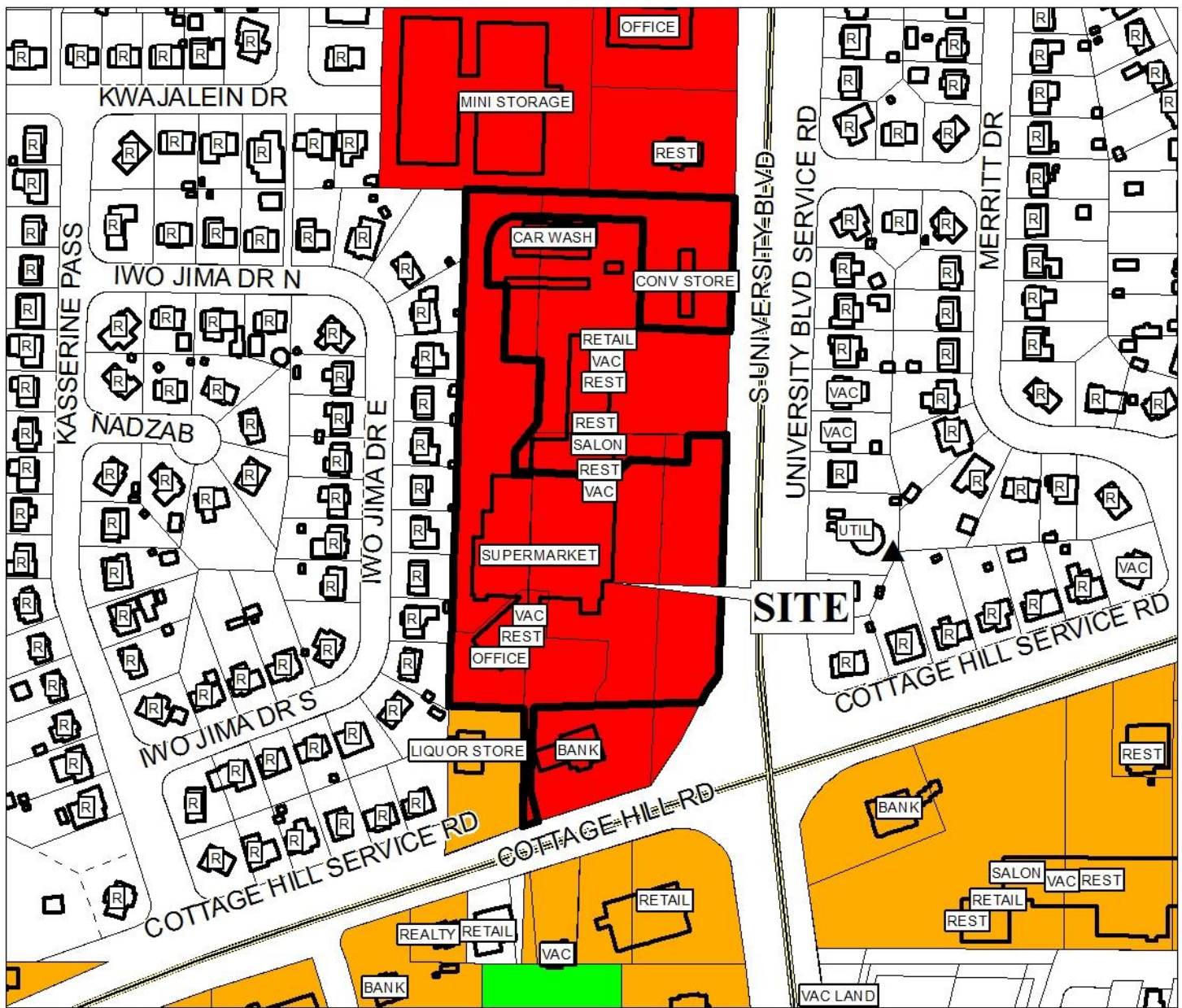
ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 6265 DATE July 8, 2019
APPLICANT Harrison French and Associates (Leticia Martinez, Agent)
REQUEST Sign Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the east and west and commercial units to the north and south.

APPLICATION NUMBER 6265 DATE July 8, 2019
 APPLICANT Harrison French and Associates (Leticia Martinez, Agent)
 REQUEST Sign Variance

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

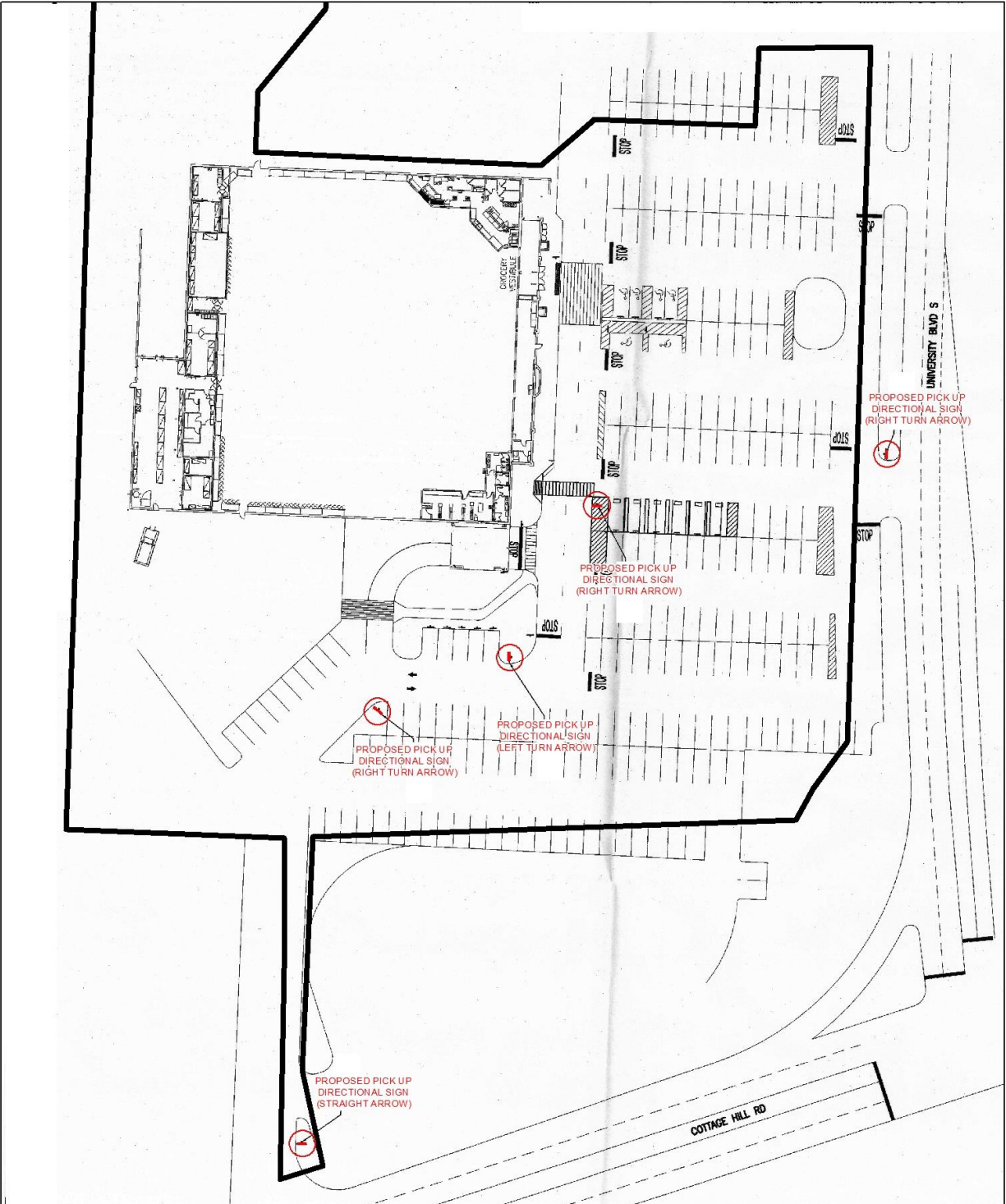


The site is surrounded by residential units to the east and west and commercial units to the north and south.

APPLICATION NUMBER <u>6265</u>	DATE <u>July 8, 2019</u>
APPLICANT <u>Harrison French and Associates (Leticia Martinez, Agent)</u>	
REQUEST <u>Sign Variance</u>	



SITE PLAN



The site plan illustrates the existing building, parking and the proposed directional sign locations.

APPLICATION NUMBER 6265 DATE July 8, 2019
 APPLICANT Harrison French and Associates (Leticia Martinez, Agent)
 REQUEST Sign Variance



NTS

DETAIL SITE PLAN



PROTO REFERENCE



FRONT ELEVATION

APPLICATION NUMBER 6265 DATE July 8, 2019

APPLICANT Harrison French and Associates (Leticia Martinez, Agent)

REQUEST Sign Variance

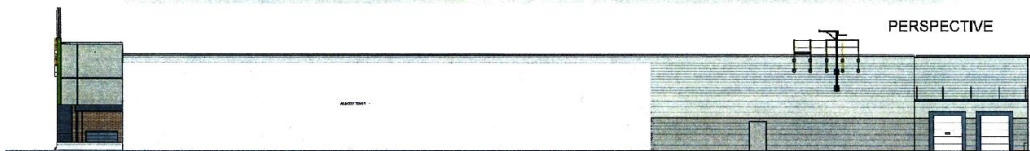


NTS

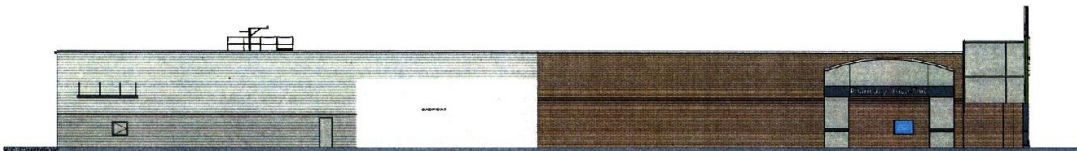
DETAIL SITE PLAN



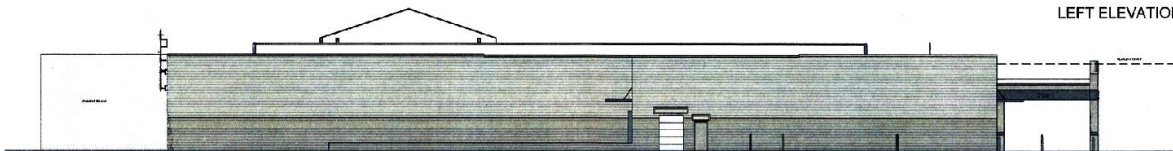
PERSPECTIVE



RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION



FRONT ELEVATION

APPLICATION NUMBER 6265 DATE July 8, 2019

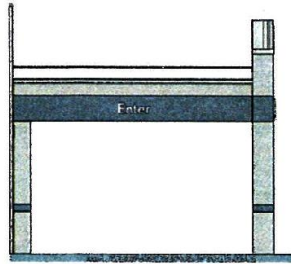
APPLICANT Harrison French and Associates (Leticia Martinez, Agent)

REQUEST Sign Variance



NTS

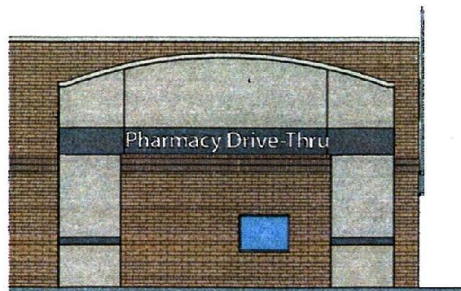
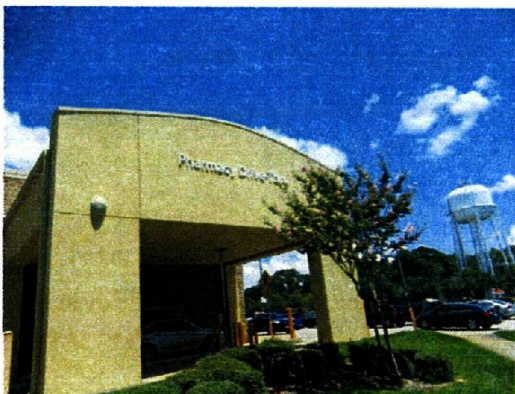
DETAIL SITE PLAN



1'-0" Enter (3.20 SF)



2'-0" Pharmacy (31.32 SF)



1'-6" Pharmacy Drive-Thru (37.71 SF)

APPLICATION NUMBER 6265 DATE July 8, 2019

APPLICANT Harrison French and Associates (Leticia Martinez, Agent)

REQUEST Sign Variance

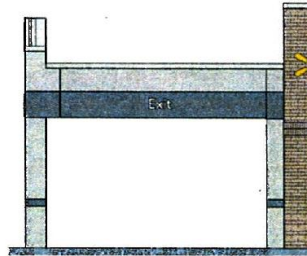


NTS

DETAIL SITE PLAN



1'-0" Exit (2.29 SF)



4'-6" Neighborhood Market (305.05 SF)



2'-6" Pickup (65.43 SF)



APPLICATION NUMBER 6265 DATE July 8, 2019

APPLICANT Harrison French and Associates (Leticia Martinez, Agent)

REQUEST Sign Variance



NTS

DETAIL SITE PLAN



AERIAL IMAGE



EXISTING



PROPOSED

APPLICATION NUMBER 6265 DATE July 8, 2019

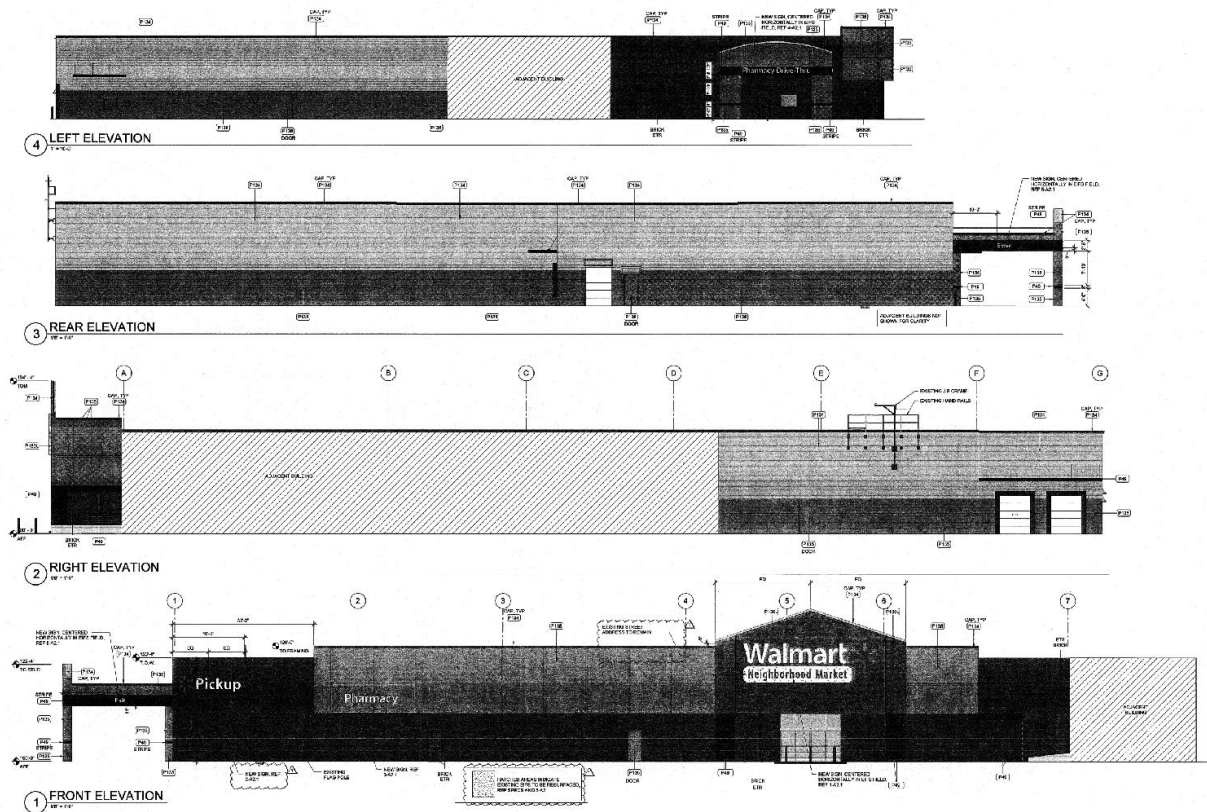
APPLICANT Harrison French and Associates (Leticia Martinez, Agent)

REQUEST Sign Variance



NTS

DETAIL SITE PLAN



APPLICATION NUMBER 6265 DATE July 8, 2019

APPLICANT Harrison French and Associates (Leticia Martinez, Agent)

REQUEST Sign Variance



NTS