

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: November 3, 2014****CASE NUMBER**

5933/ 5250

APPLICANT NAME

Wrico Signs

LOCATION

1419 East I-65 Service Road South
(Southeast corner of East I-65 Service Road South and Pleasant Valley Road).

VARIANCE REQUEST

SIGN: Sign Variance to amend a previously approved Sign Variance for an automobile dealership at a multi-tenant commercial site with less than 1,200 linear feet of street frontage to allow a third freestanding sign, and to allow three wall signs for one of the tenants in a B-3, Community Business District.

**ZONING ORDINANCE
REQUIREMENT**

SIGN: The Zoning Ordinance requires at least 1,200 linear feet of street frontage to allow a third freestanding sign at a multi-tenant commercial site, and allows one wall sign per tenant, in a B-3, Community Business District.

ZONING

B-3, Community Business District

AREA OF PROPERTY

6.0± Acres

**ENGINEERING
COMMENTS**

No comments.

**CITY COUNCIL
DISTRICT**

District 4

ANALYSIS

The applicant is requesting a Sign Variance to amend a previously approved Sign Variance for an automobile dealership at a multi-tenant commercial site with less than 1,200 linear feet of street frontage to allow a third freestanding sign, and to allow three wall signs for one of the tenants in a B-3, Community Business District; the Zoning Ordinance requires at least 1,200 linear feet of street frontage to allow a third freestanding sign at a multi-tenant commercial site, and allows one wall sign per tenant, in a B-3, Community Business District.

The purpose of this Sign Variance is to allow 1 additional freestanding pylon sign and three additional wall signs to be used as advertisement for the proposed Jaguar of the Gulf Coast car dealership. The existing building was previously occupied by the Hummer car dealership. It should be pointed out that this site received approval from the Board in 2004 to allow 4-freestanding signs on a multi-tenant site with less than 1,200 linear feet of road frontage. However, since that time, the Hummer car dealership has closed and the 2 additional freestanding signs have been removed.

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.

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 applicant states the following reasons to explain the need for the variance:

"In reference to the Jaguar/Land Rover pylon signage at the new location at 1419 E. I-65 Service Road, neither the existing Cadillac (General Motors) franchise nor the Jaguar/Land Rover franchises allow for non-affiliated dual signage. As a result, we request hardship exception to allow a stand-alone Jaguar/Land Rover pylon sign. Previously there was an approved variance to allow a total of 4 freestanding signs in which 2 of the 4 have been removed from the site. Additionally, due to the common entrance of Cadillac and Jaguar/Land Rover, making a separate parcel to this building will not be practical.

In addition to the pylon sign, we would also like for the board to review allowing Jaguar of the Gulf Coast to have 3 wall signs for this multi tenant parcel. The official name of the dealership relocating from 1151 E I 65 Service Rd South, to 1419 E I 65 Service Rd South is Jaguar of the Gulf Coast. The current dealership has 2 wall signs for the 3 brands of vehicles they sell. Jaguar of the Gulf Coast is the only dealership from New Orleans to Jacksonville to Birmingham that sells Jaguar, Land Rover and Range Rover vehicles."

The applicant states that neither the existing Cadillac (General Motors) franchise nor the Jaguar/Land Rover franchise allows for non-affiliated dual signage, and while that may be a provision required by the companies, it does not justify a hardship to the property. Additionally

no documentation was provided to substantiate the claim of exclusive signage requirements by Cadillac and Jaguar.

The applicant also states that due to the common entrance of Cadillac and Jaguar/ Land Rover, making a separate parcel to this building will not be practical. However, if the site were to be subdivided each lot would be allowed the appropriate amount of signage for each site and a variance would not be required. Also, a Planned Unit Development could address the common entry issue.

The proposed freestanding sign appears to be larger in square feet than one of the previously approved freestanding signs for the Hummer dealership; however it is less than the total square footage approved for the 2 previously approved freestanding signs. It should also be noted, if the proposed Jaguar of the Gulf Coast freestanding sign would have been the same size and placed in the same location of the Hummer freestanding sign then the variance request to amend the previous variance for an additional freestanding sign would not have been required.

It should be pointed out that while the freestanding sign and wall signs do not appear to exceed the maximum allotted size for signage, there are multiple discrepancies with the sign packet information provided. For example, the dimensions of the size of the face for the freestanding sign appear to be different on multiple pages of the submittal. The total size calculation for the Gulf Coast wall sign appears to be inaccurate; and while the Range Rover and Land Rover sign will be boxed in, the individual Land Rover wall sign dimensions are not included in the sign packet at all. The freestanding sign information included two versions: one with Range Rover, and one without. Staff is unsure of which is being requested by the applicant.

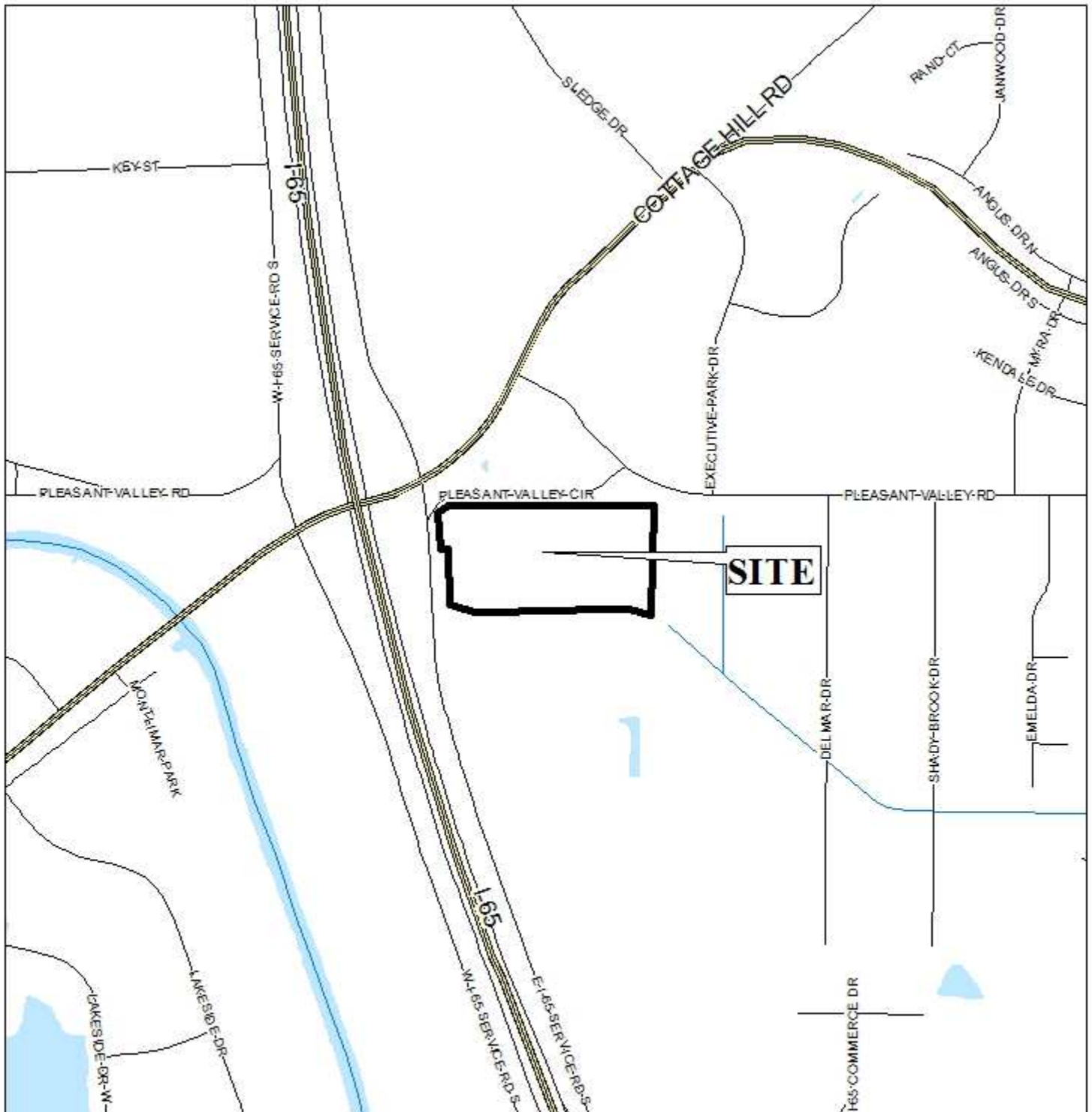
It should also be noted that the site plan that was submitted with this application is dated January 21, 2004 and does **not** reflect current site conditions. The most current updated PUD site plan illustrates a 16,000 square foot new structure. This addition is presently under construction but is not depicted on the site plan, and while the new construction will not affect this sign variance application, staff would like to point out that it is difficult to recommend approval for sites when inaccurate site plans and signage information are provided.

Staff is aware that in certain instances the Board has been sympathetic to the need for separate signs for each brand as well as separate dealerships. Staff is also aware that the two brands have separate business licenses (due to separate physical locations) and if each business were on separate lots each brands would have been allowed 1 freestanding sign.

RECOMMENDATION: Based upon the preceding, this application is recommended for Holdover until the December 1, 2014 meeting to address the following:

1. proof of separate pylon sign requirements; and
2. correct sign application mistakes: size information, which version freestanding sign will be used, etc.

LOCATOR MAP



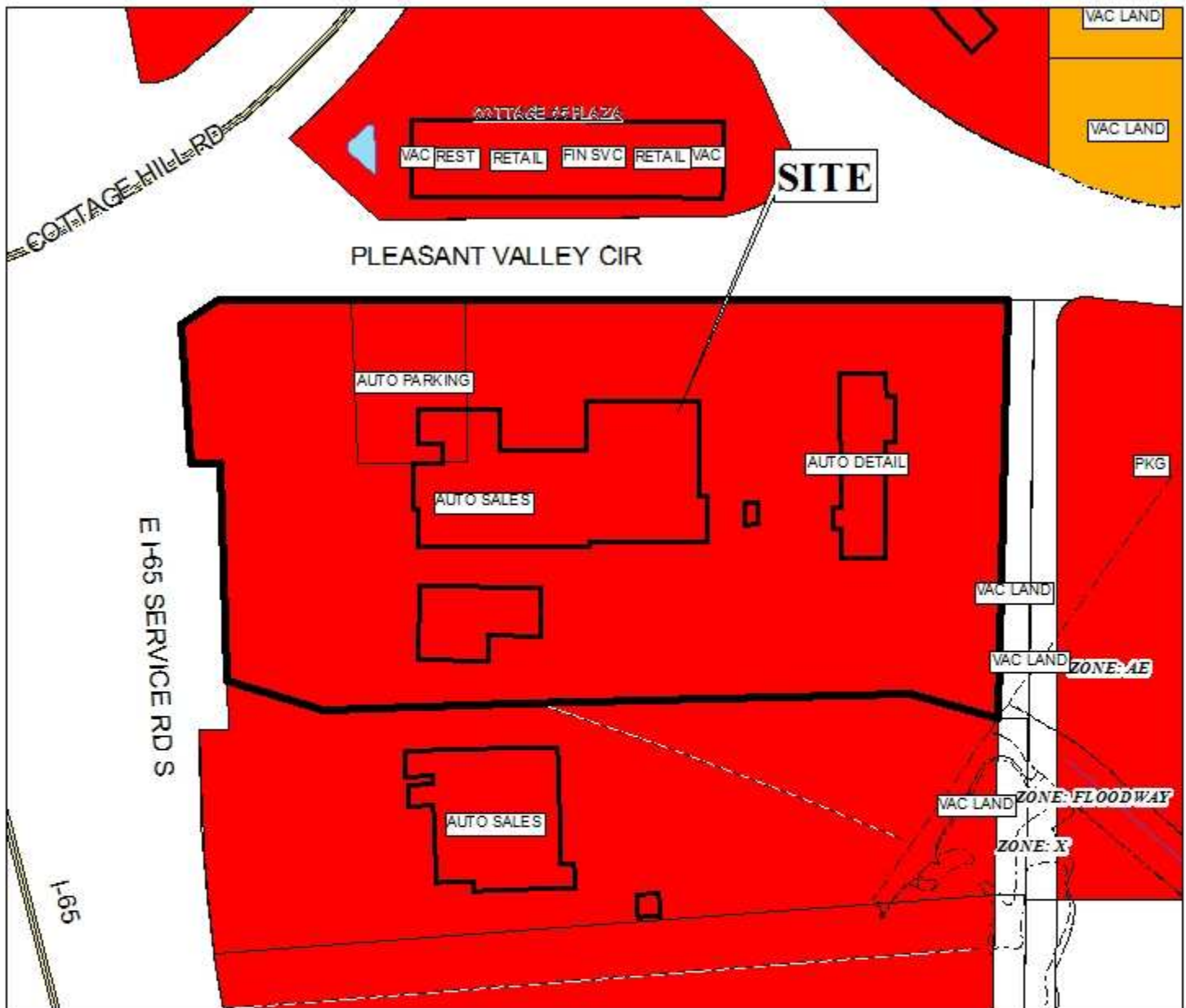
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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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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



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

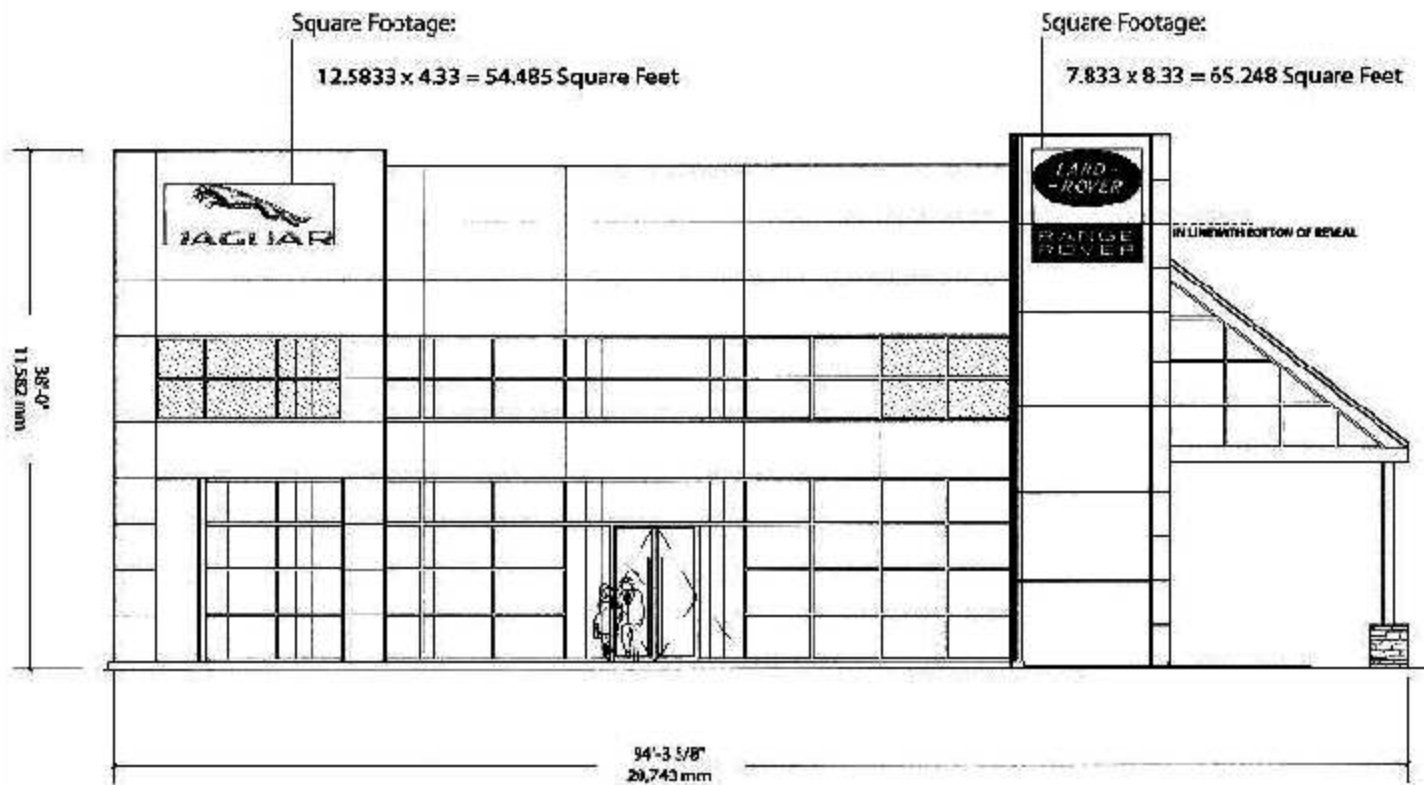
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DETAIL SITE PLAN



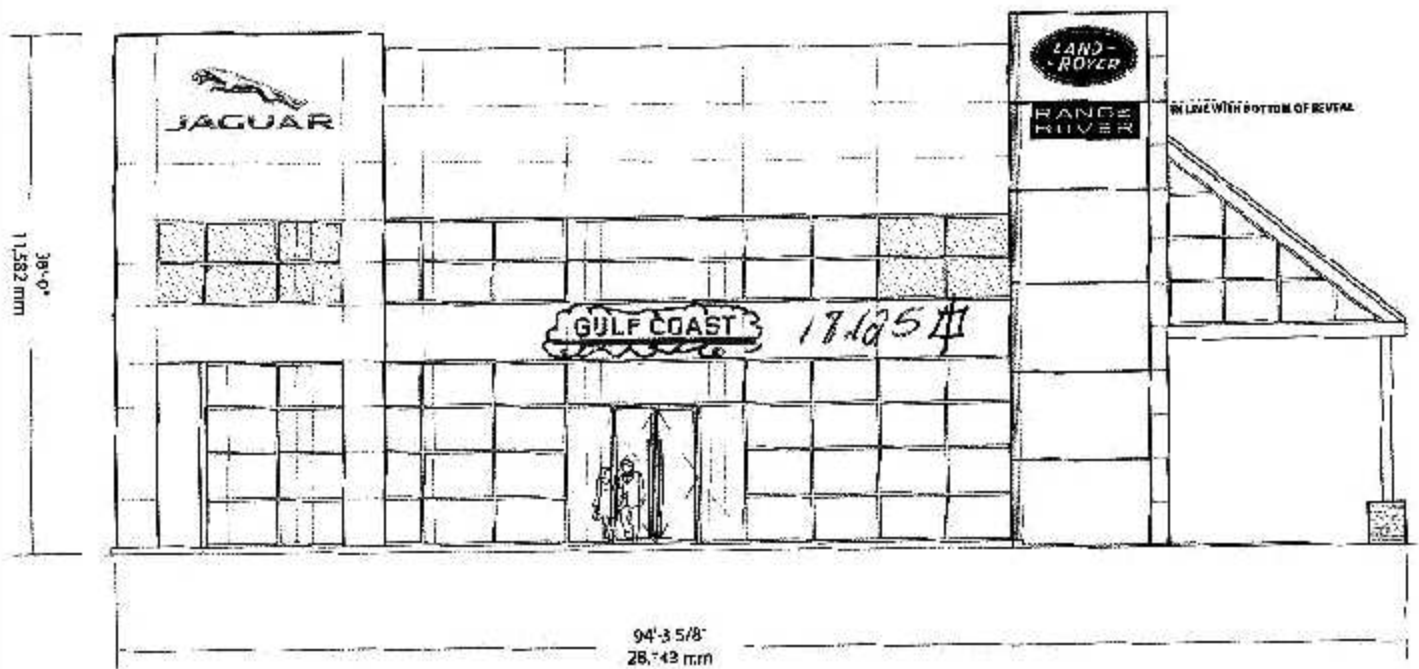
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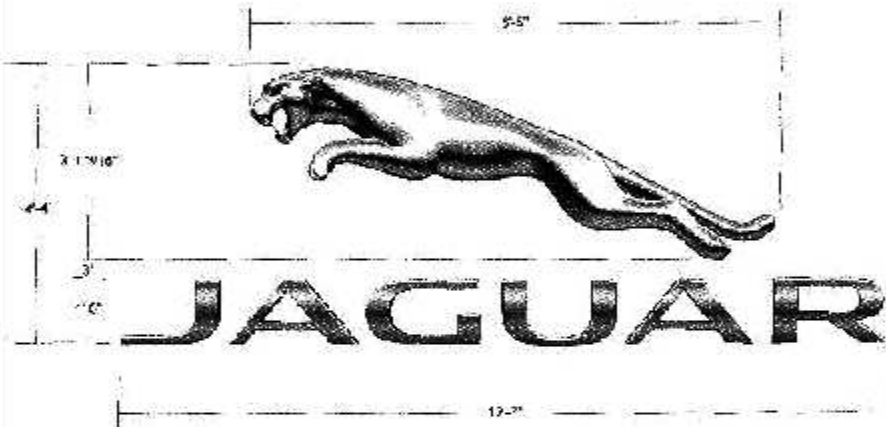
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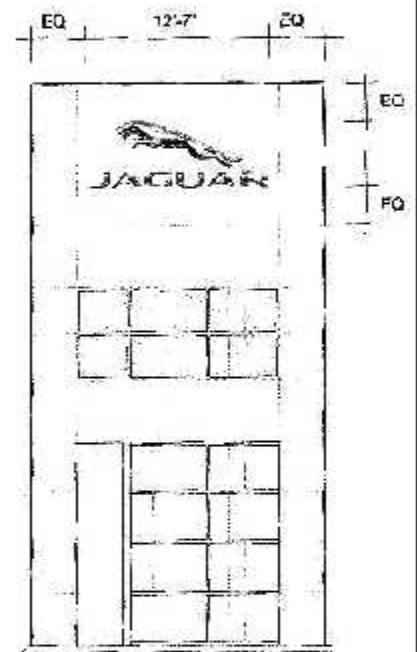


DETAIL SITE PLAN



JAGUAR FOREIGN LOGO PANO MOUNTED

MOULDED CHROME LEAFER ON CURVED CABINET FINISHED JAGUAR BRONZE
 TO MATCH RADIUS OF POHLER ARCHITECTURE
 JAGUAR CHROMED ACRYLIC FINISHED LETTERS
 WHITE HALO LED LIGHT MINION



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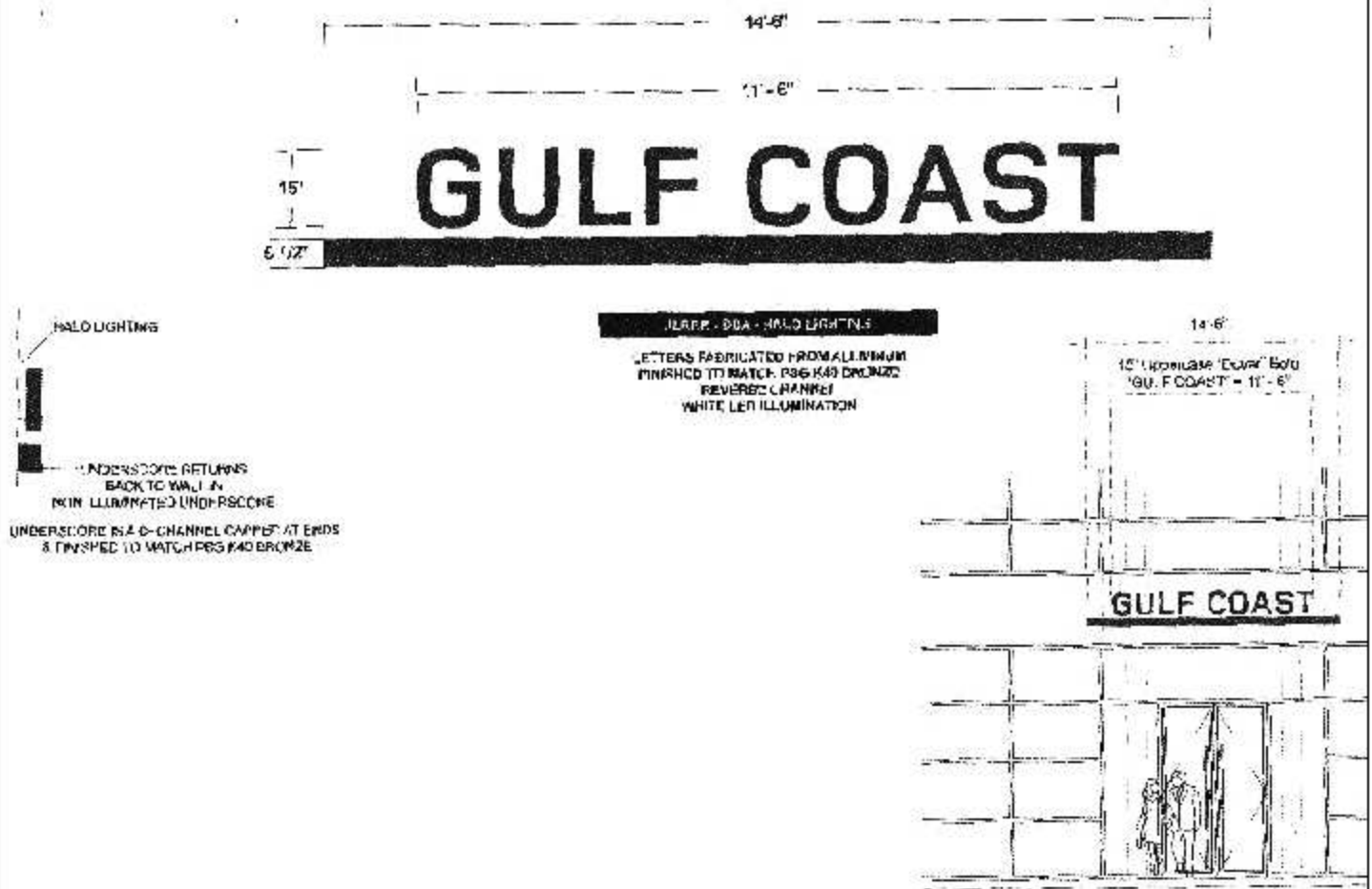
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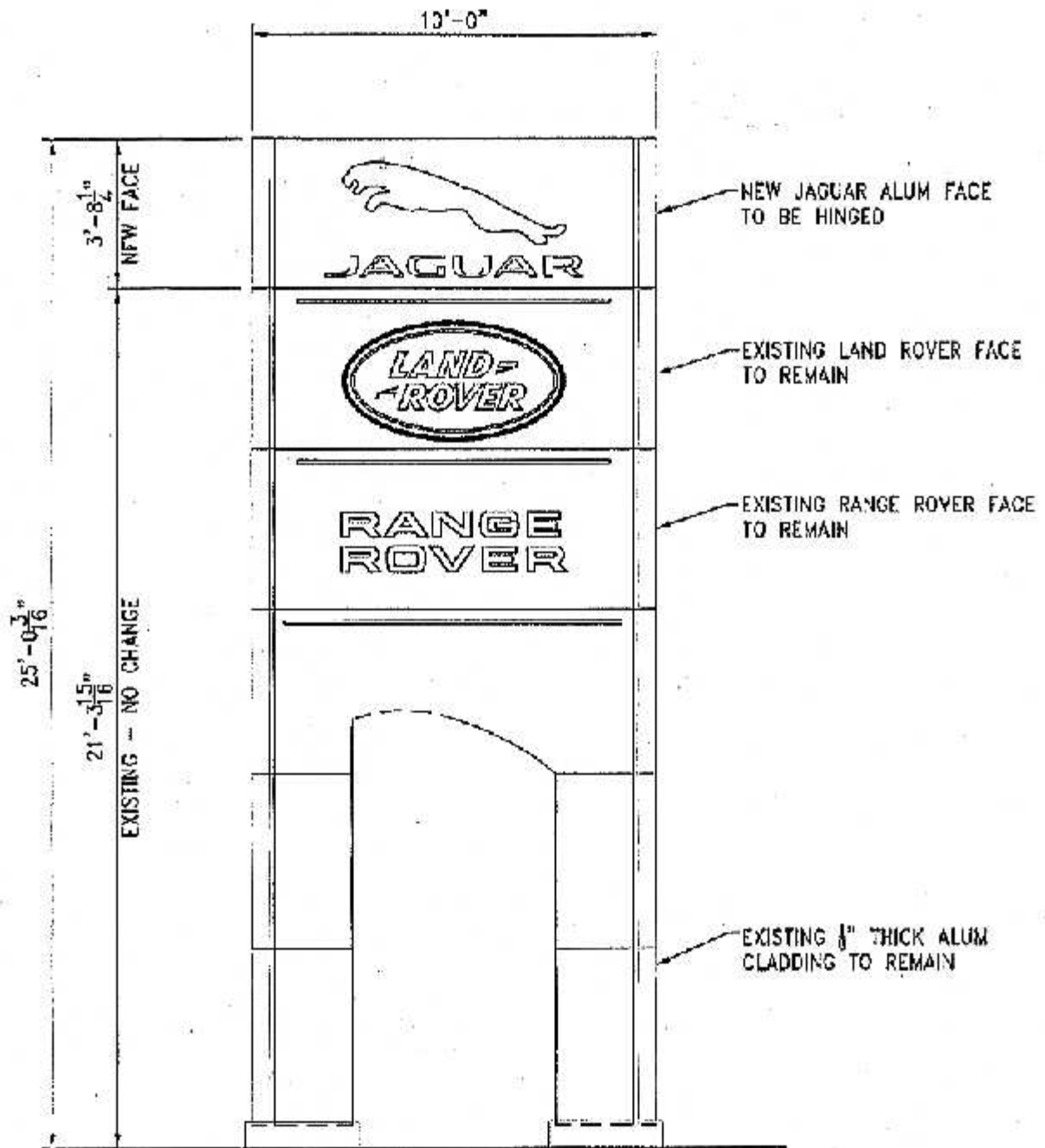
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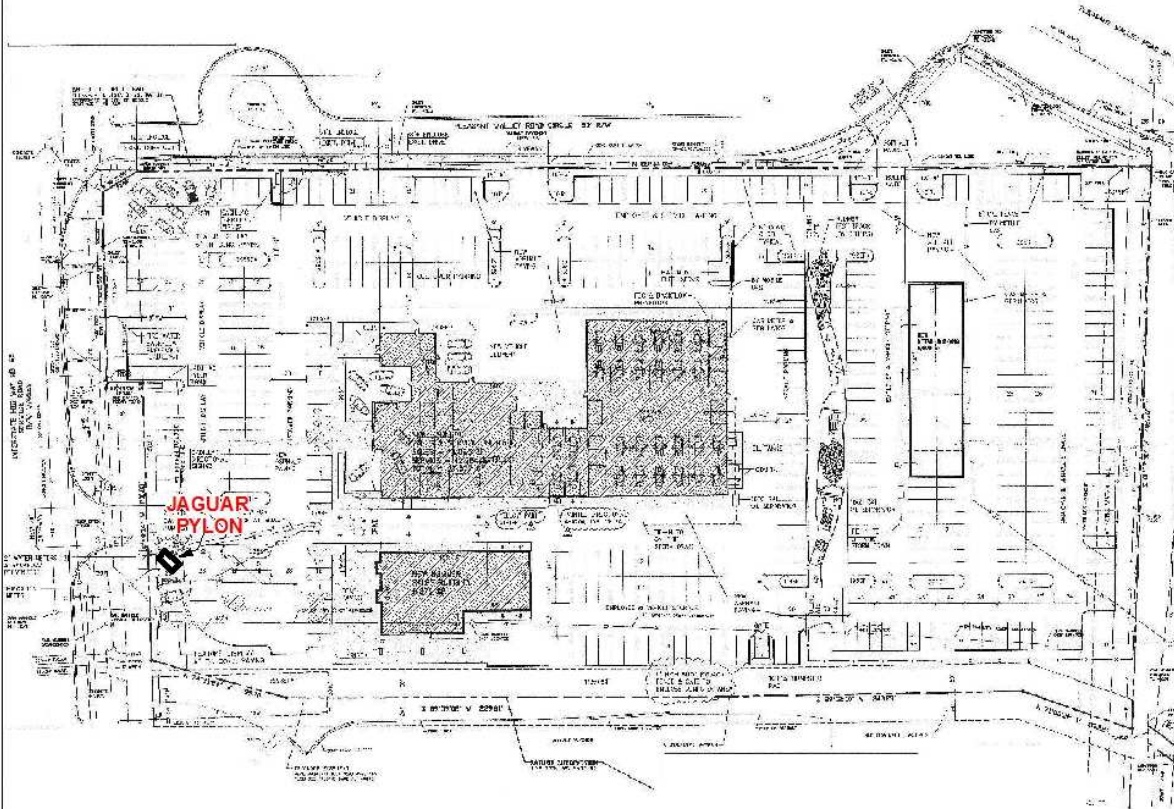
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NTS