

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: May 3, 2021**

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<b><u>CASE NUMBER</u></b>	6381
<b><u>APPLICANT NAME</u></b>	Hand Arendall Harrison Sale, LLC
<b><u>LOCATION</u></b>	1445 East I-65 Service Road South (East side of East I-65 Service Road South, 600'± South of Pleasant Valley Road).
<b><u>VARIANCE REQUEST</u></b>	<b>SIGN:</b> Sign Variance to allow four (4) wall signs and a freestanding sign at a single business site in a B-3, Community Business District.
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>SIGN:</b> The Zoning Ordinance allows a maximum of three (3) signs at a single business site in a B-3, Community Business District.
<b><u>ZONING</u></b>	B-3, Community Business District
<b><u>AREA OF PROPERTY</u></b>	3.0± Acres
<b><u>CITY COUNCIL DISTRICT</u></b>	District 4
<b><u>ENGINEERING COMMENTS</u></b>	No comments
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	This request was not reviewed by Traffic Engineering.
<b><u>URBAN FORESTRY COMMENTS</u></b>	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 (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled buildings and 600' of sprinkled buildings.

**ANALYSIS**

The applicant is requesting a Sign Variance to allow four (4) wall signs and a freestanding sign at a single business site in a B-3, Community Business District; the Zoning Ordinance allows a maximum of three (3) signs at a single business site in a B-3, Community Business District.

The site has been given a Mixed Commercial Corridor (MCC) land use designation, per the adopted 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 mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

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.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

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.

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 Regulations is 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 states:

*This variance application relates to the property located at 1445 East I-65 Service Road South. AMGC, LLC d/b/a Audi Mobile is the tenant in the building and is asking for a variance to allow the installation of two additional Audi logos — one on the north elevation and one on the south elevation. The building currently has two signs, which total approximately 129 square feet. Each of the proposed new signs are approximately 63 square feet in size.*

*Construction of the building was commenced in early 2020 and was completed in March, 2021. The building is approximately 25,000 square feet. It houses Audi Mobile's showroom, offices, and service center.*

*The subject property is different from the neighboring properties in that the building constructed on the property is long and narrow, whereas the buildings on the neighboring properties are significantly wider, with more frontage on the I-65 Service Road. The long, narrow building was necessary given the shape of the subject property. The building is also different from the neighboring buildings in that it is significantly closer to I-65.*

*The location and orientation of the subject building make it difficult for those traveling I-65 to discern the fact that the building is an Audi dealership. Drivers on I-65 cannot see the signage on the front (west elevation) of the building until nearly due west of the building. Drivers tend to look straight ahead while driving and are not likely to look to their extreme right or left while traveling I-65. The additional proposed signs on the north and south elevations of the building will allow drivers to identify the subject building as an Audi dealership from a further distance.*

*The proposed "signs" are Audi's well-known logo — the four interlocking rings — with no other identifying name. The interlocking ring logo has been used by Audi and its predecessor since 1932. The Audi symbol/trademark is central to Audi's brand image. These rings identify the building as Audi but are also part of the look of the building. The proposed signs are an important part of Audi's overall marketing strategy for the subject property. The proposed signs were included on the building plans that were approved prior to construction. The proposed signs will take up an additional 126 square feet. With the proposed signs added, all the signage on the building will cover approximately 255*

*square feet, which is approximately 95 square feet less than authorized by the zoning ordinance.*

The subject dealership currently has two wall signs, with a freestanding sign pending installation, which is the normal allowance for a single-tenant commercial site. The two wall signs are on the front (West) facade of the building. One is the Audi logo (62.67 square feet) consisting of four inter-twined circles, and one is the AUDI MOBILE dealership name. The applicant proposes another Audio logo sign on the North wall and one the South wall, both the same size as the existing front wall sign. As justification for the request, the applicant maintains that the front façade is difficult to see when traveling along I-65 South due to the orientation of the building in relation to the orientation of the highway.

A staff review of the subject site via travel along I-65 South confirms that the existing front wall signage is somewhat difficult to see until almost directly in front of the site. Due to the building configuration in relation to both the highway and adjacent buildings, the proposed locations for the two additional signs requested are readily visible when traveling along the highway.

The applicant seems to have demonstrated that a hardship may be imposed by a literal interpretation of the Zoning Ordinance, and the Board may consider this application for approval, subject to conditions.

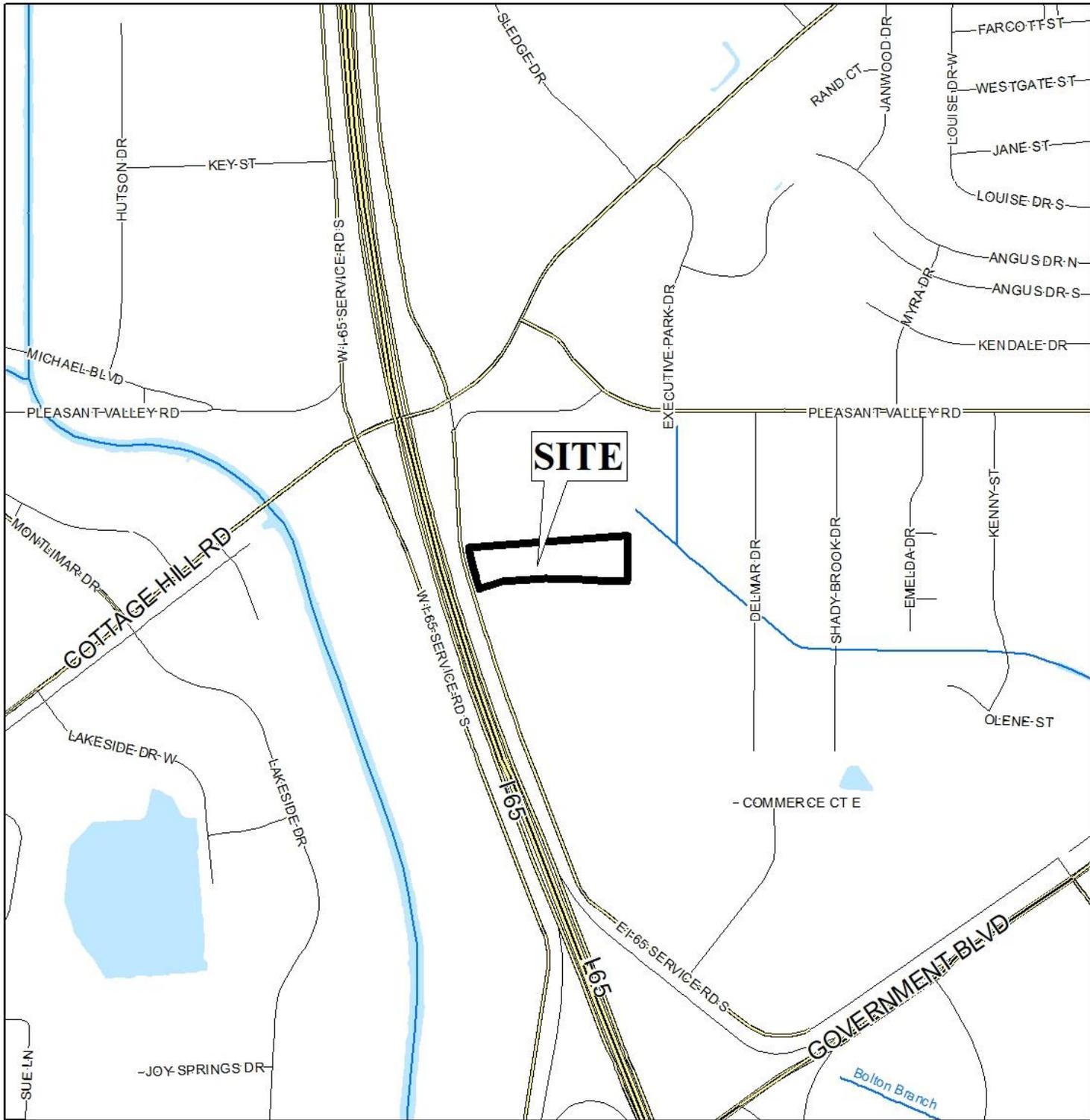
**RECOMMENDATION:** Based upon the preceding, Staff recommends to the Board the following findings of fact for approval of a Sign Variance to allow to allow four (4) wall signs and a freestanding sign at a single business site in a B-3, Community Business District:

- 1) Approving the variance request will not be contrary to the public interest due to the fact that it will allow a fair opportunity for location identification;
- 2) Special conditions appear to exist, primarily the positioning of the building on the site, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- 3) That the spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance in that it will allow a business public street visibility which would ordinarily not be possible under existing conditions.

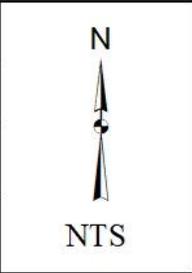
The approval is subject to the following conditions:

- 1) limitation of the signs to the sizes as submitted in the application;
- 2) the obtaining of the proper sign permits for the signs; and
- 3) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



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REQUEST	Sign Variance		



# LOCATOR ZONING MAP



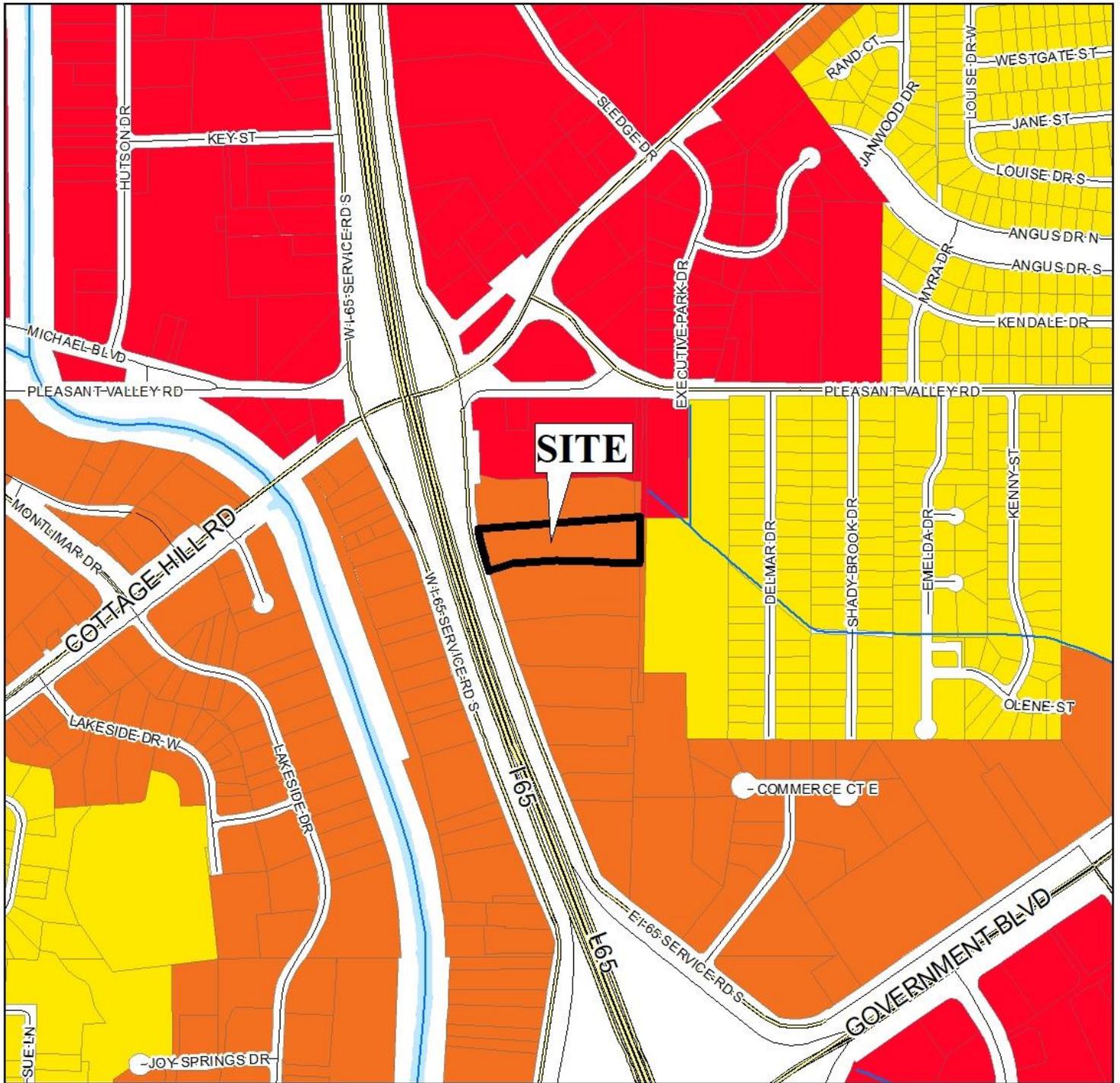
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REQUEST Sign Variance



# FLUM LOCATOR MAP



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APPLICANT Hand Arendall Harrison Sale, LLC

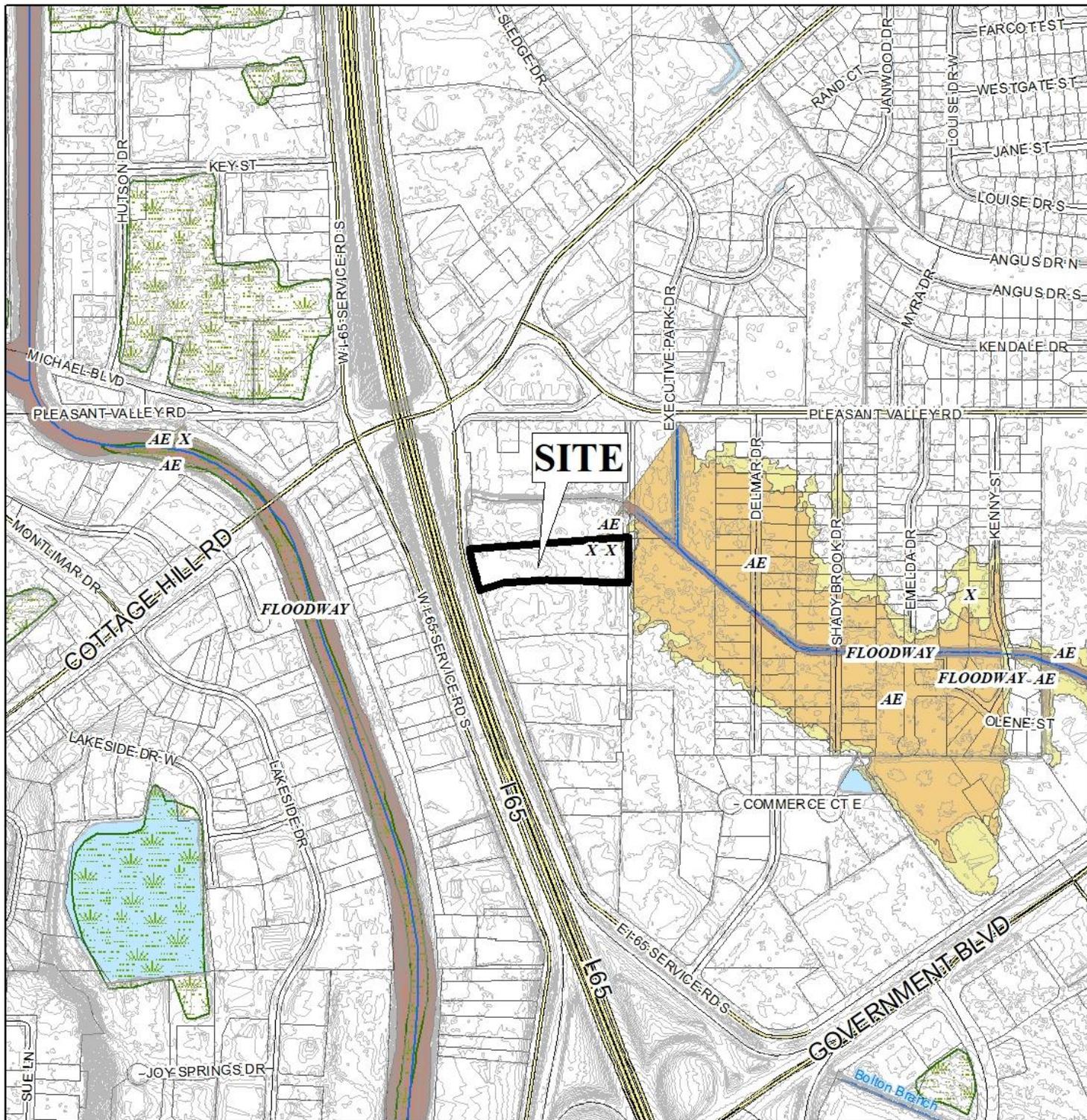
REQUEST Sign Variance

- |                           |                                   |                     |                    |
|---------------------------|-----------------------------------|---------------------|--------------------|
| 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       |                    |



NTS

# ENVIRONMENTAL LOCATOR MAP



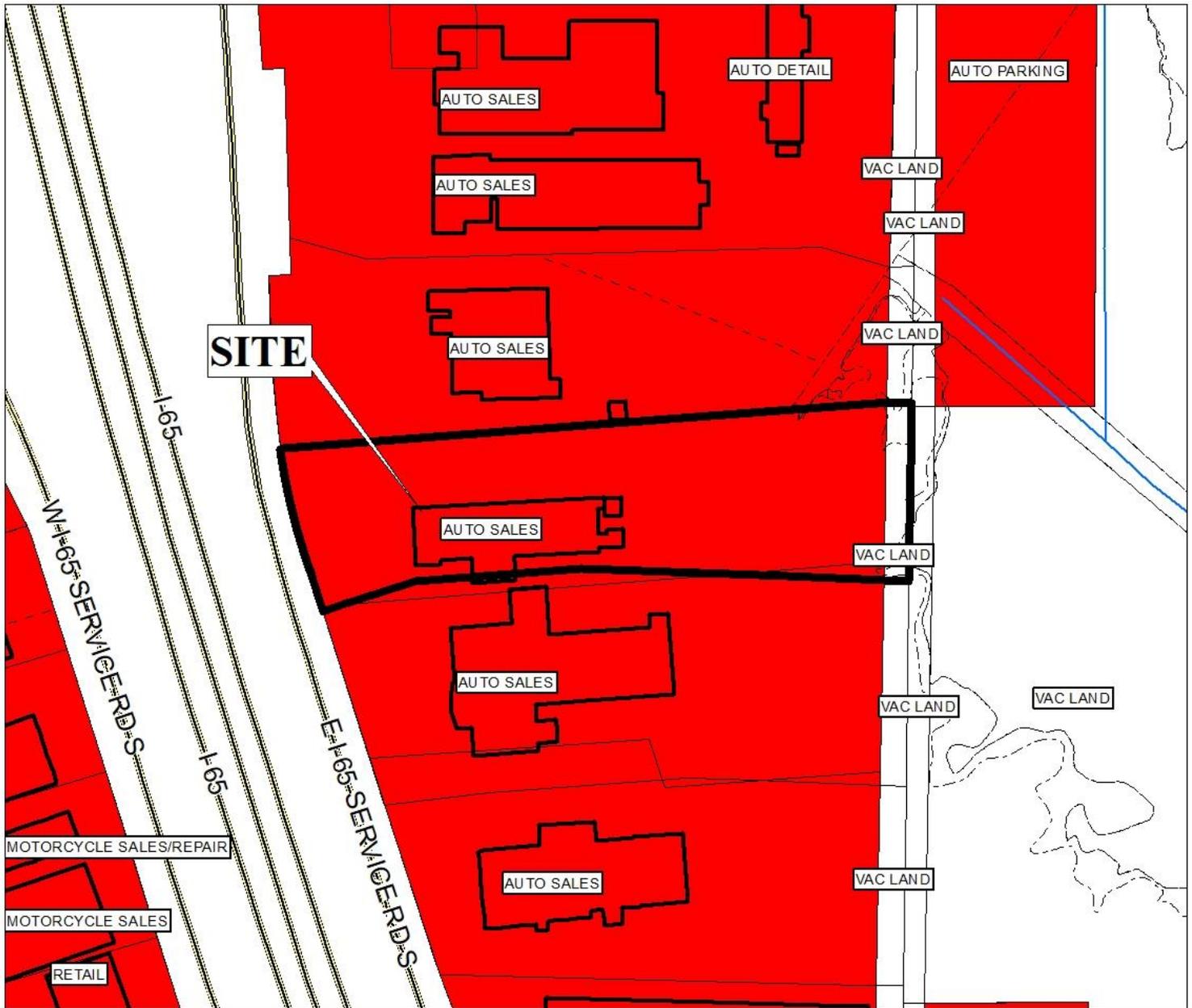
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REQUEST Sign Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by auto retail units, vacant lands commercial units.

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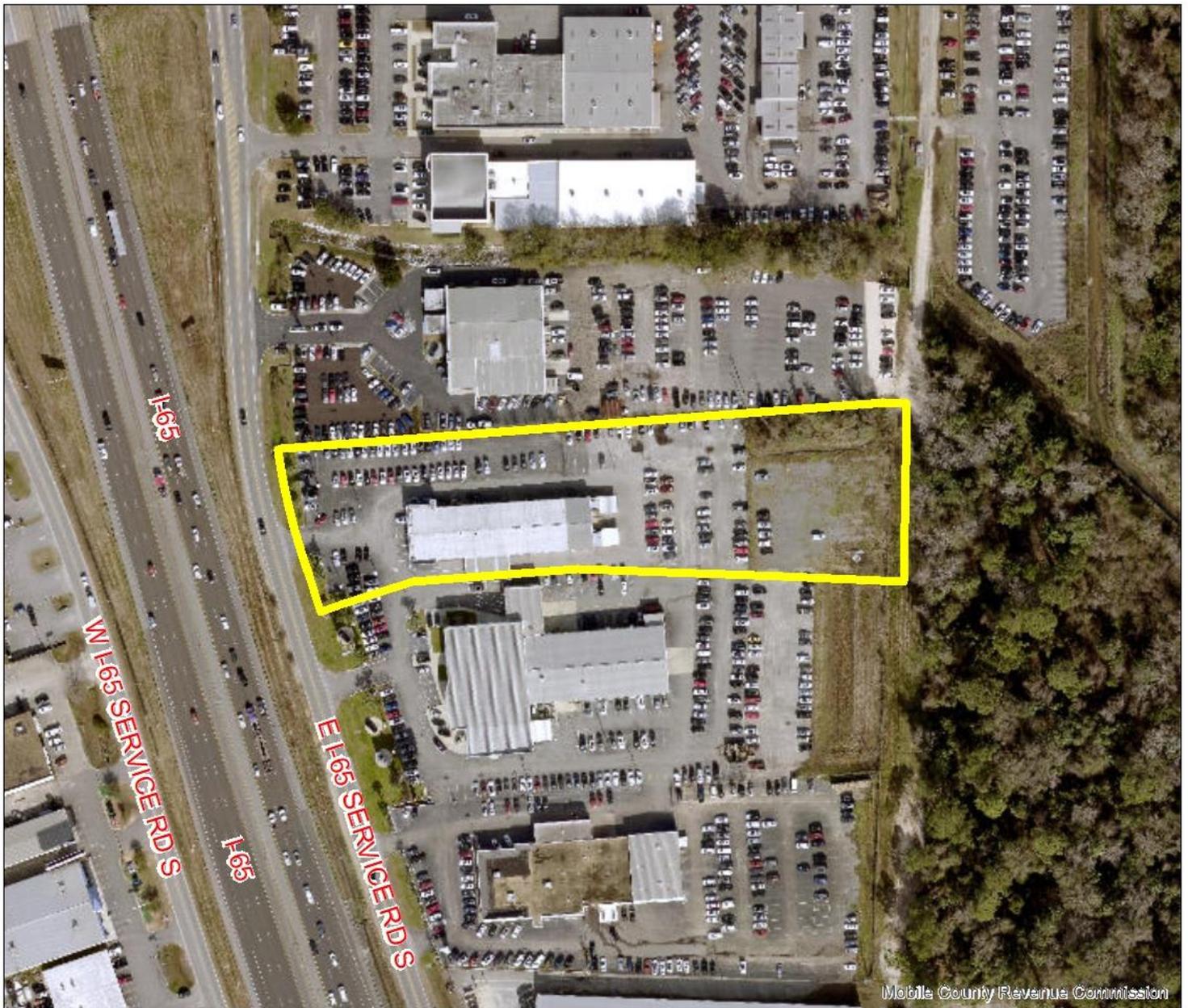
REQUEST Sign Variance

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



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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

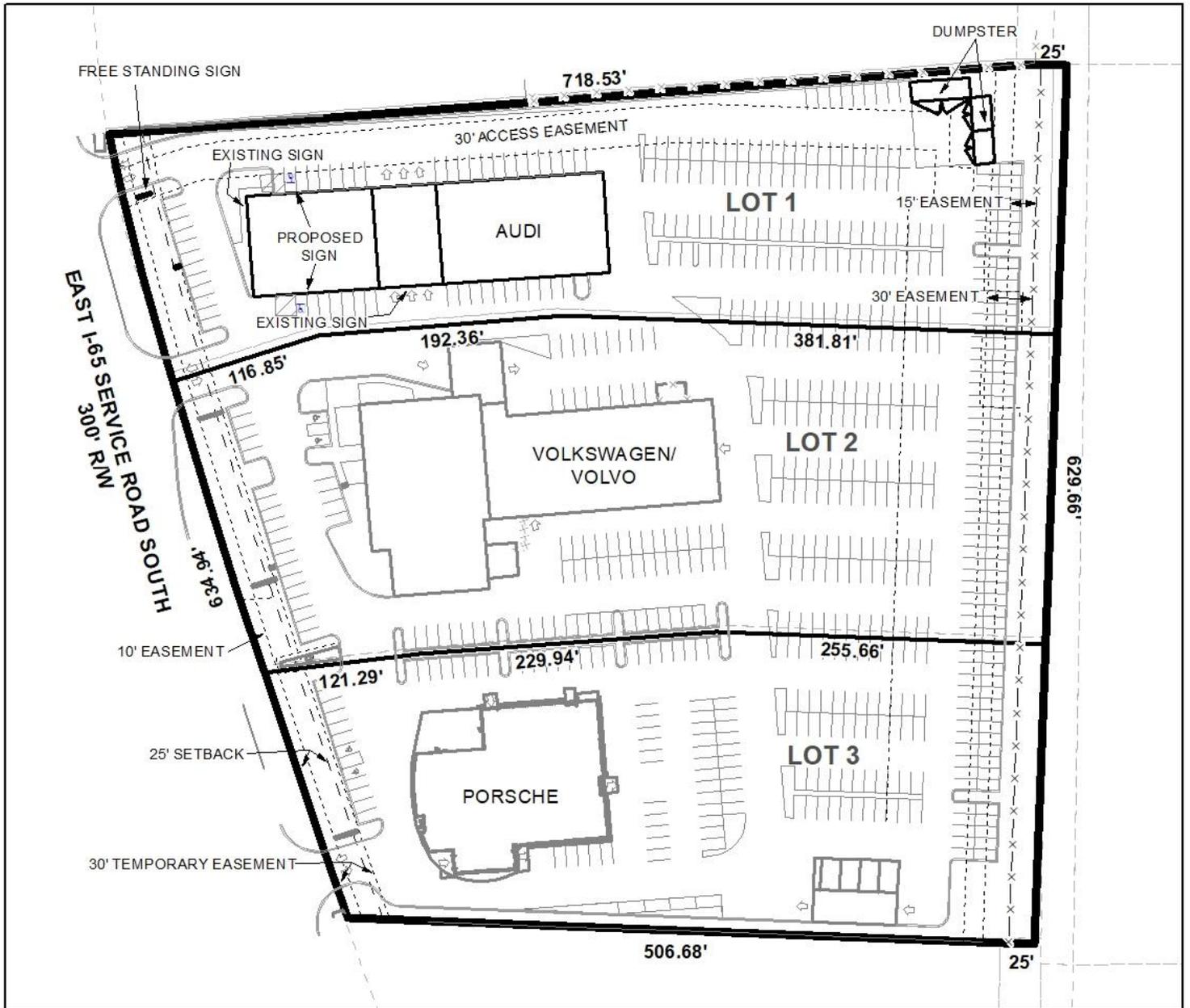


The site is surrounded by auto retail units, vacant lands commercial units.

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# SITE PLAN



The site plan illustrates existing buildings, parking areas, easements and setback, as well as sign placement.

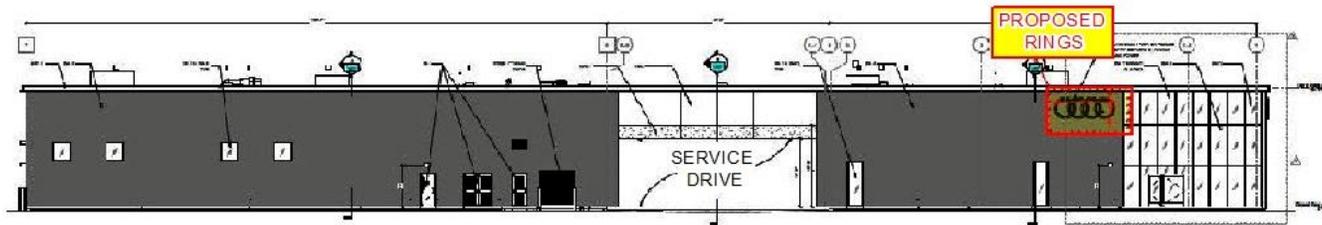
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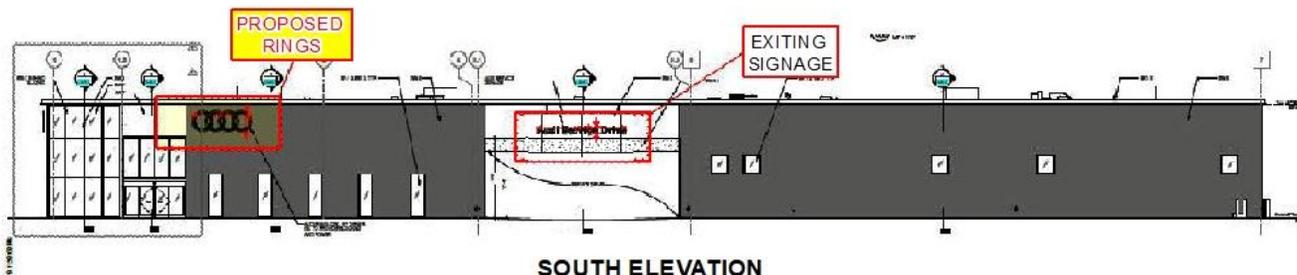
REQUEST Sign Variance



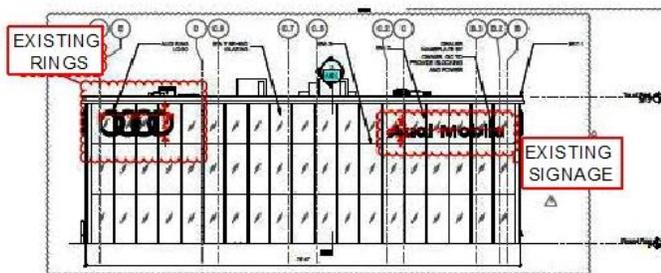
# DETAIL SITE PLAN



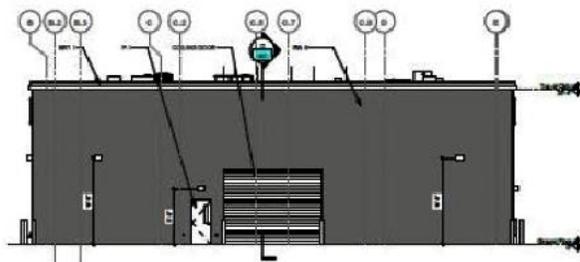
**NORTH ELEVATION**



**SOUTH ELEVATION**



**WEST ELEVATION**



**EAST ELEVATION**

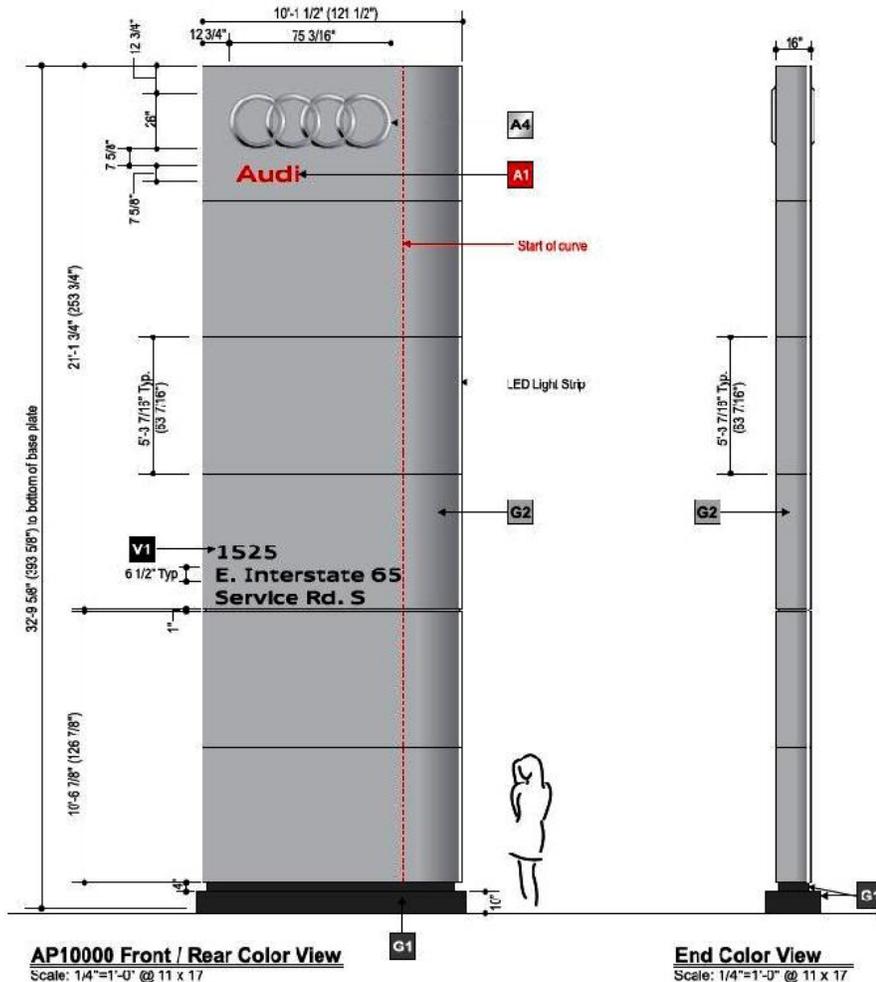
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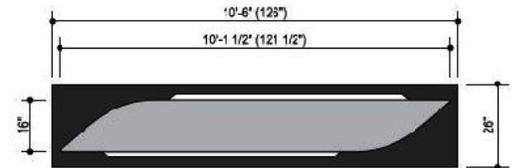
# DETAIL SITE PLAN



Square Feet: 10'-1 1/2" x 32'-9 5/8" = 332.12 Sq Ft

**Audi 10000 Pylon**  
Approx. 6500lbs.

Color Specifications	
<b>G1</b> Dark Grey Mica D6 703	<b>G2</b> RAL 9006 Silver
Vinyl Specifications	
<b>V1</b> 4500-03 Black Vinyl	
Acrylic Specifications	
<b>A1</b> Red 2793	<b>A4</b> 7526 white acrylic backer with direct digital print



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