



Agenda Item # 11

BOA-003407-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

700 West I-65 Service Road South

Applicant / Agent (as applicable):

A & R Development Group, LLC

Property Owner:

Shree Brahma Hospitality, LLC

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

District Center

Case Numbers:

6692

Unified Development Code Requirement:

- The Unified Development Code (UDC) limits multi-family developments to no more than 25 dwelling units per acre in a B-3, Community Business Suburban District.

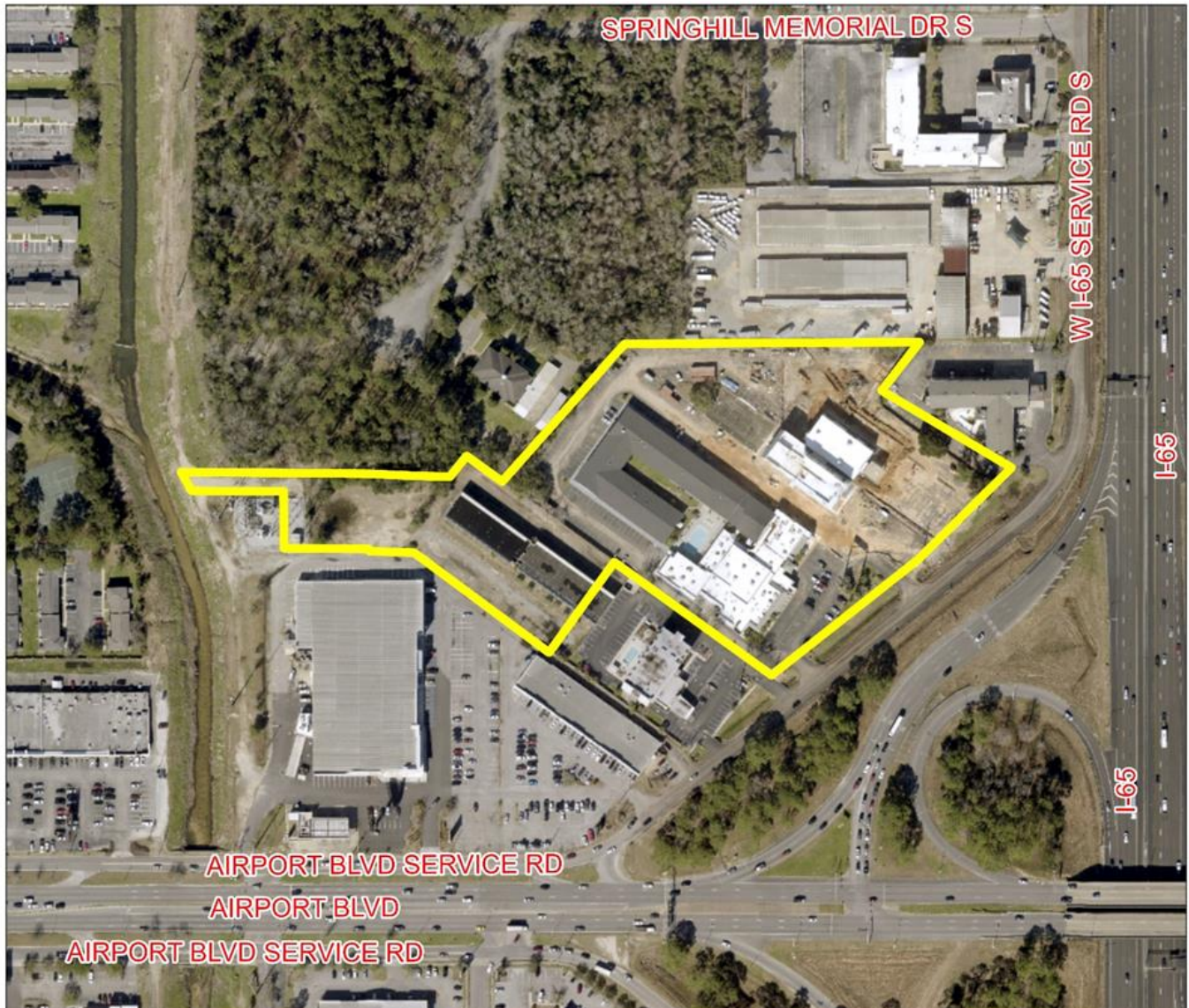
Board Consideration:

- Density Variance to allow more than 25 dwelling units per acre for a multi-family development in a B-3, Community Business Suburban District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER	6692	DATE	August 4, 2025
APPLICANT	A & R Development Group, LLC		
REQUEST	Density Variance		



SITE HISTORY

The subject site was annexed into the City of Mobile in 1956.

With the adoption of the Zoning Ordinance in 1967, the site was assigned an R-A, Residential-Agriculture District zoning classification.

In February 1970, the site was rezoned from R-A to B-3, Community Business District.

In February 1978, the site was part of the two (2)-lot W. C. Davis Subdivision.

In August 2017, the site was before the Planning Commission for Subdivision, Planned Unit Development (PUD) and Sidewalk Waiver reviews. Shree Mahesh Subdivision was approved as two (2) lots with the PUD approved to allow multiple buildings on a single building site (Lot 2 of that subdivision). The Sidewalk Waiver request to waive construction of a sidewalk along the West I-65 Service Road South was denied.

In February 2019, Lot 2 of Shree Mahesh was re-subdivided into three (3) lots and the PUD was amended to allow share parking between the three (3) building sites.

In June 2019, the previously approved PUD was amended to allow shared access and parking between three (3) building sites.

In August 2019, the PUD approved in June was amended to allow shared access and parking between three (3) building sites due to the proposed re-purposing of an existing hotel into apartments.

The site has never been before the Board of Zoning Adjustment.

STAFF COMMENTS

Engineering Comments:

No comments to the proposed variance; however, according to the submitted plans, the proposed project will require a Land Disturbance Permit. The applicant will need to have the following conditions met:

1. The proposed site 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:

Driveway number, size, location, and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

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 located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the International Fire Code (IFC).

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in Appendices B and C of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the International Residential Code (IRC) functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the International Fire Code, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The applicant is requesting a Density Variance to allow more than 25 dwelling units per acre for a multi-family development in a B-3, Community Business Suburban District; the Unified Development Code (UDC) limits multi-family developments to no more than 25 dwelling units per acre in a B-3, Community Business Suburban District.

A detailed description of the proposed Density Variance request is available via the link on Page 1 of this report.

The subject site consists of the three (3) lots of Shree Mahesh Subdivision, Resubdivision of Lot 2, which the Planning Commission approved in 2019. The lots currently contain motels. The applicant proposes to remove the motels on Lots 1 and 2 and develop a four (4)-story apartment complex on each, with a total of 240 units. The

existing motel on Lot 3 will remain as is, but a small two (2)-story, eight (8)-unit townhome development is proposed on a portion of that lot. Lots 1 and 2 total 6.39 acres, and the maximum allowable density for multi-family dwellings is 25 units per acre. As proposed, 240 units within those two lots would produce a density of 38 units per acre.

As justification for the request, the applicant states the following:

The applicant is seeking to replace the existing 310 hotel rooms on the site with 240 apartment units. Though the site could be developed in compliance with the 25 unit per acre density requirement, the owner feels that the current density at the site is relatively close to what is being proposed and the owner would like to re-develop the site at a similar density as a multi-family project.

For the proposed multi-family residential use, 360 parking spaces would be required at a ratio of 1.5 parking spaces per unit, and the applicant proposes a compliant 361 parking spaces. The applicant proposes to provide the required parking to accommodate the multi-family residential use at 1.5 spaces per unit.

It should be noted that the proposed development would be on a site which previously received Planned Unit Development (PUD) Approval to amend a previously approved Planned Unit Development to allow shared access and parking between three (3) building sites. As such, that PUD must be amended for the new site plan and the proposed shared access and parking between the three (3) lots within the over-all site. A Major Modification (MOD) application for such has been submitted by the applicant to be heard by the Planning Commission and City Council. The approval of that MOD would be contingent upon the approval of the Density Variance at hand.

VARIANCE CONSIDERATIONS

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:

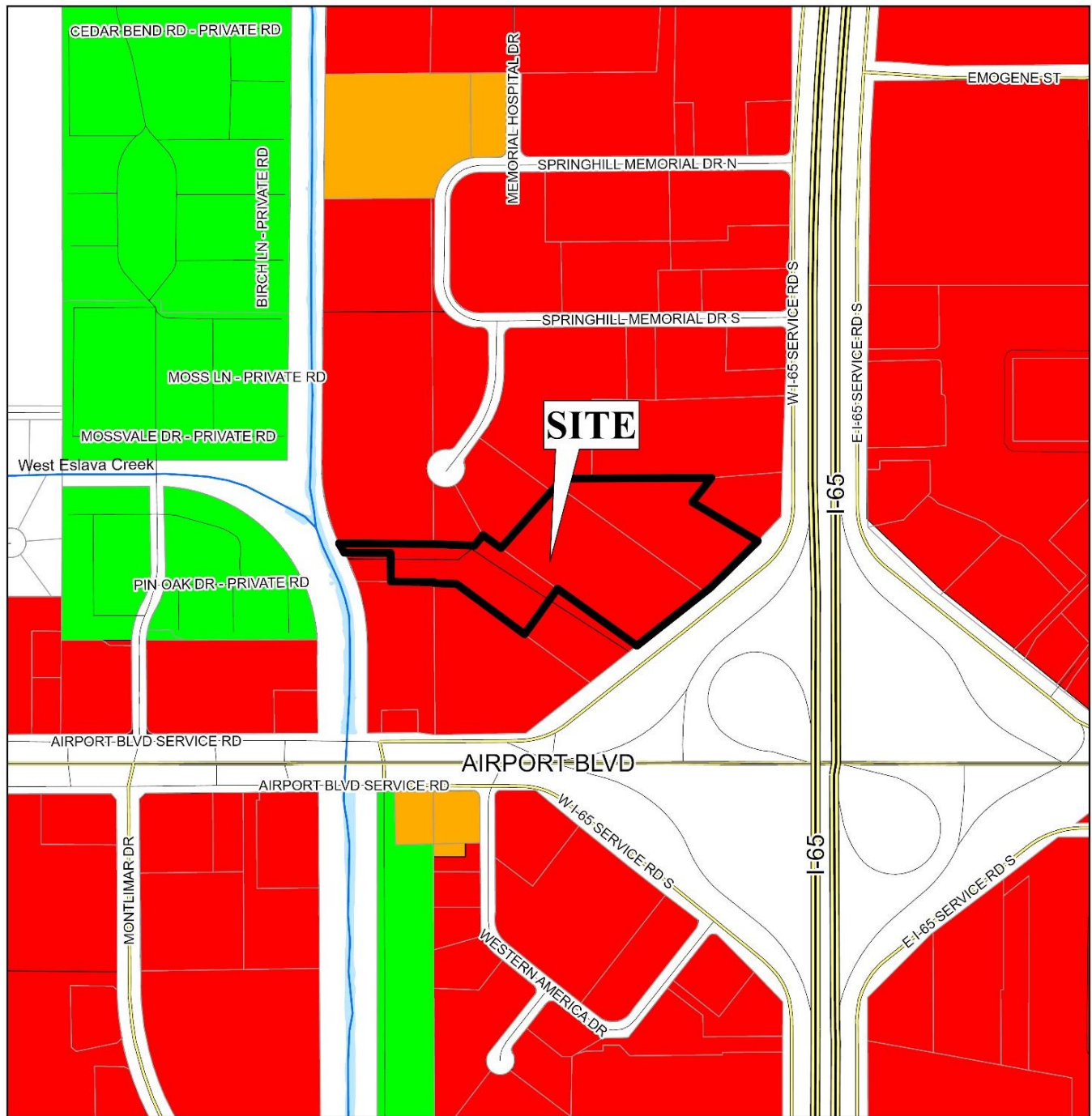
Based on the requested Variance application and documentation submitted if, the Board considers the approval of the request, the following findings of fact must be present:

- 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 the Board is inclined to approve this request, the following condition should apply:

- 1) Approval of a MOD to amend the previously approved PUD for the overall site; and
- 2) Full compliance with all other municipal codes and ordinances.

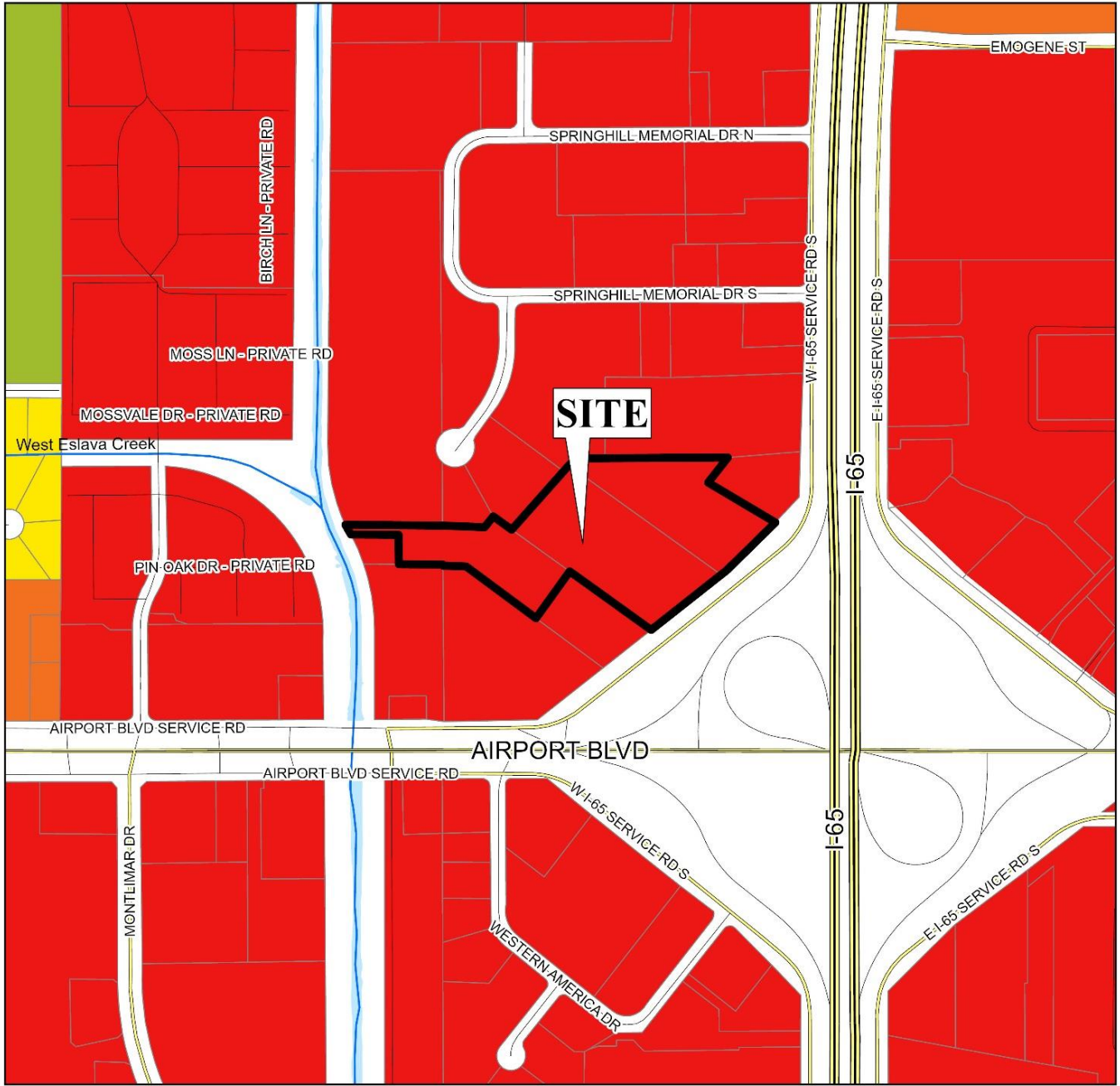
LOCATOR ZONING MAP



APPLICATION NUMBER 6692 DATE August 4, 2025
 APPLICANT A & R Development Group, LLC
 REQUEST Density Variance



FLUM LOCATOR MAP



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APPLICANT A & R Development Group, LLC

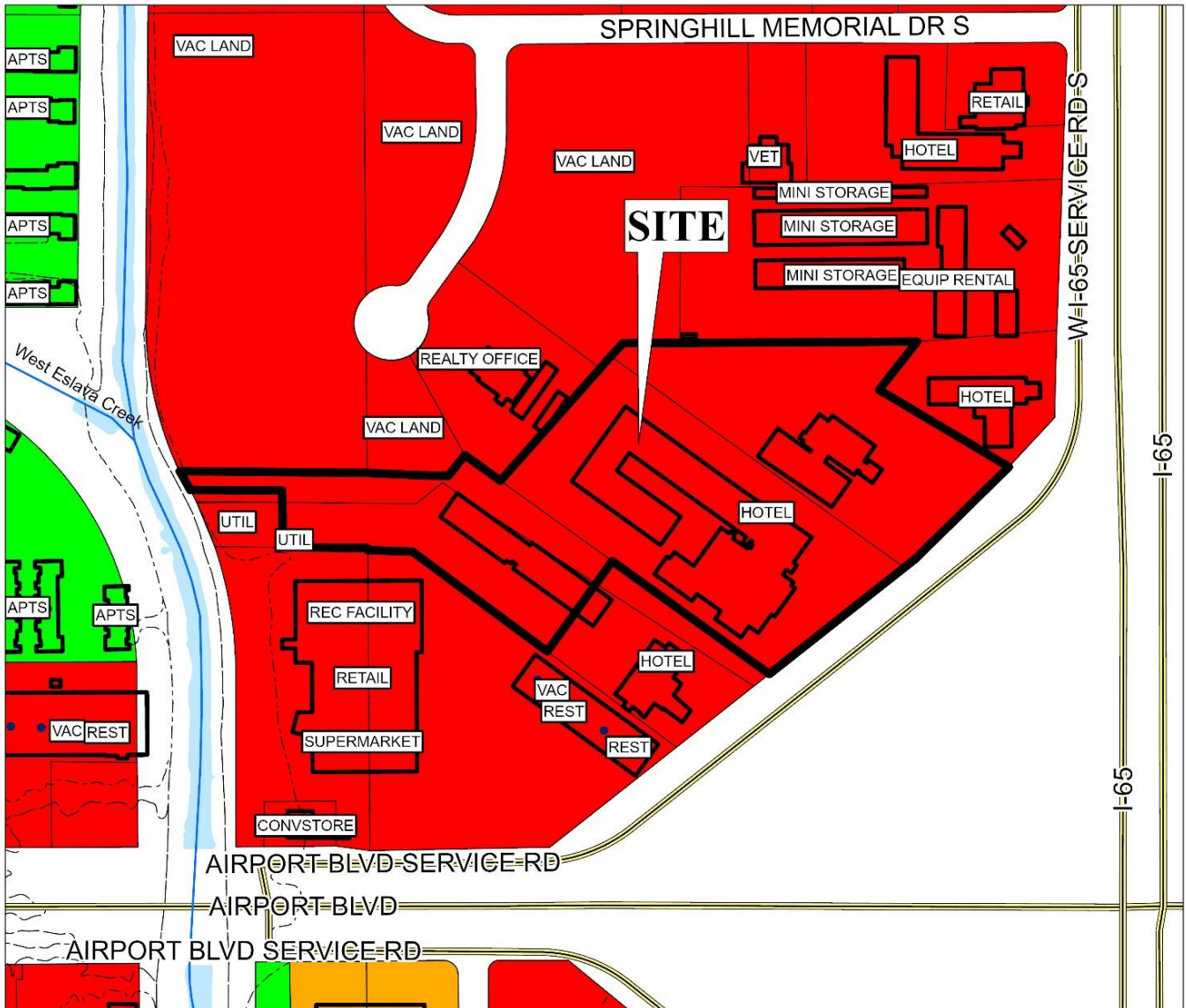
REQUEST Density Variance

- | | | | |
|---------------------------|-----------------------------------|-------------------|-----------------|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional | |
| District Center | Mixed Commercial Corridor | Parks, Open Space | |



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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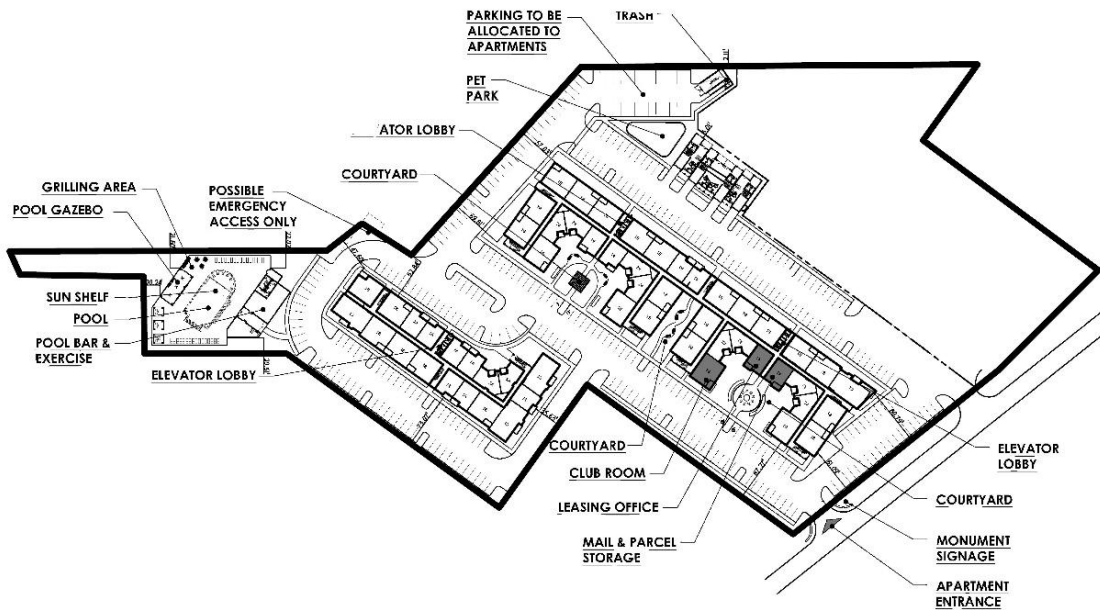
APPLICANT A & R Development Group, LLC

REQUEST Density Variance

R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



SITE PLAN

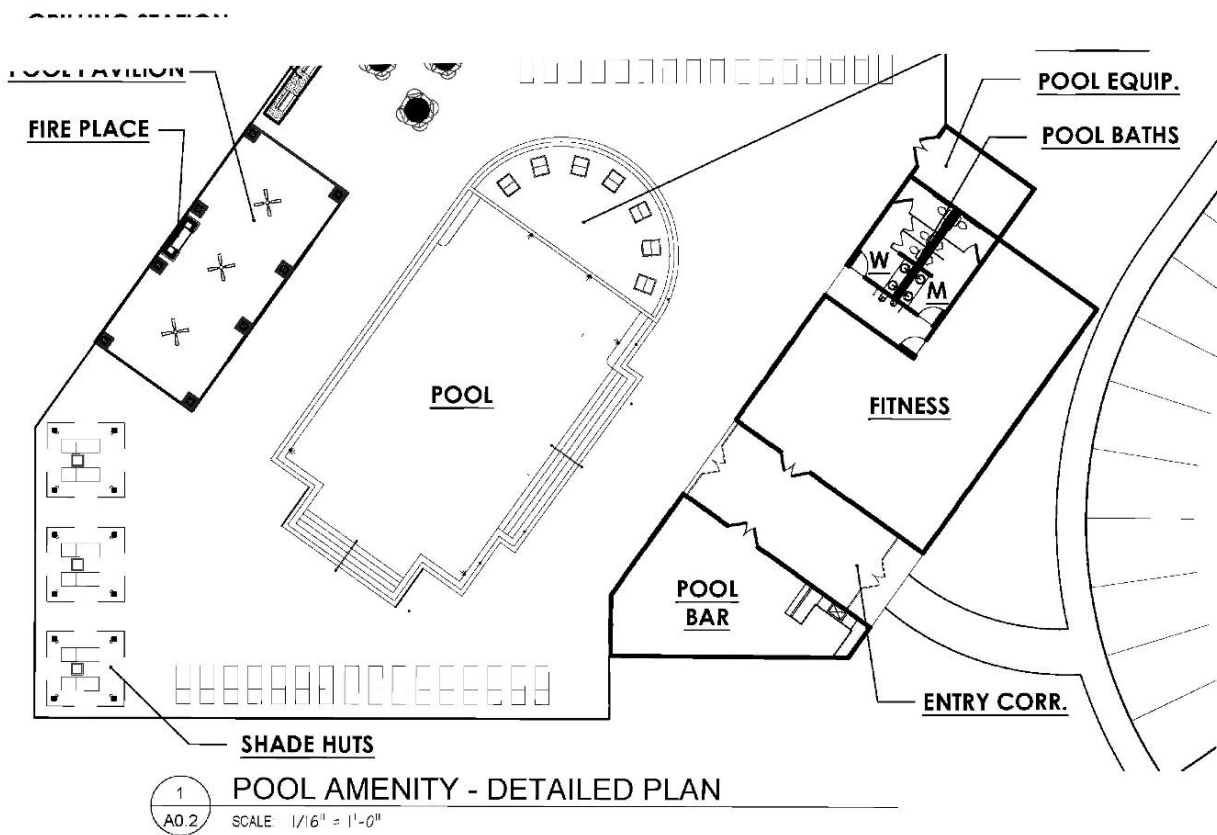


The site plan illustrates proposed buildings, drives, sidewalk, pool and parking.

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DETAIL SITE PLAN



APPLICATION NUMBER 6692 DATE August 4, 2025

APPLICANT A & R Development Group, LLC

REQUEST Density Variance



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 (WDWU)
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)



DISTRICT CENTER (DC)

This designation applies across the city to larger areas of existing mixed-use character or where such character is encouraged. These areas will include moderate to high-density residential (minimum densities of 6 du/ac) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers generally serve several surrounding neighborhoods and may even have a city-wide or region-wide reach. As such, they are often anchored by a major commercial or institutional employer such as a shopping mall or a medical center.

Depending on location and assigned zoning, residential areas in District Centers may incorporate a mix of housing types, ranging from mid-rise multifamily buildings containing apartments and lofts, to townhouses and detached single-family homes. Major civic cultural institutions and public spaces provide regional and neighborhood destinations.

District Centers should be designed to induce pedestrian activity, with high quality streetscapes connecting the different components of a center as well as the center to its surrounding area. DC districts may be served by transit and include development of an intensity and design that supports transit use.