



Agenda Item # 16 BOA-002614-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

312 Schillinger Road South

Applicant / Agent:

Floor and Décor Outlets of America, Inc., Joseph J. Minus, Jr., Agent

Property Owner:

Del/White Joint Venture and Mobile Airport Authority

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

District Center

Case Numbers:

6545/6055

Unified Development Code (UDC) Requirement:

- The UDC does not allow logo wall signs larger than 350 square feet, or informational signs with logos larger than 20 square feet for a tenant on a multi-tenant site in a B-3, Community Business Suburban District.

Board Consideration:

- To allow one logo wall sign larger than 350 square feet, and one informational wall sign with logo larger than 20 square feet for a tenant on a multi-tenant site 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 <u>6545</u> DATE <u>September 11, 2023</u>	
APPLICANT <u>Floor and Décor Outlets of America, Inc. (Joseph J. Minus, Jr., Agent)</u>	
REQUEST <u>Sign Variance</u>	

SITE HISTORY

The subject site was annexed into the City in 2008 and was subsequently assigned its current B-3 zoning classification.

In January 2013, the Planning Commission approved a Planned Unit Development (PUD) to allow shared access and parking between multiple building sites.

In September 2016, the Board granted a Sign Variance to allow two wall signs on the front elevation of a corner tenant in a multi-tenant site.

STAFF COMMENTS

Engineering Comments:

No comments.

Traffic Engineering Comments:

No comments.

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 within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 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 commercial buildings and 600' of sprinkled commercial buildings.

Planning Comments:

The applicant is requesting a Sign Variance to allow one logo wall sign larger than 350 square feet, and one informational wall sign with logo larger than 20 square feet for a tenant on a multi-tenant site in a B-3, Community Business Suburban District; the Unified Development Code (UDC) does not allow logo wall signs larger than 350 square feet, or informational wall signs with logos larger than 20 square feet for a tenant on a multi-tenant site in a B-3, Community Business Suburban District.

The entire application packet is available via the link on Page 1.

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 subject site is a multi-tenant shopping center with a Floor & Décor store proposed in an interior unit. As such, it is allowed one (1) wall sign up to 350 square feet in area. Signage square footage is calculated on an over-all width times height blocked-out basis. The applicant proposes a main centrally-positioned “FLOOR & DÉCOR” logo sign, and one each “TILE”, “WOOD” and “STONE” signs. The sum of the square footage of the four (4) individual signs is approximately 201.17 square feet. However, when the over-all width times the height of the extended signage is blocked-out, the total square footage is approximately 608 square feet. Essentially, the applicant is blocking around the extent of the front elevation signage depicted on page 10 and requesting this be considered as one sign at almost two times the allowable size (608 square feet requested, 350 square feet allowed).

The applicant also proposes a side wall informational sign with logo larger than 20 square feet. The proposed sign would read “FLOOR & DÉCOR CUSTOMER PICK-UP”. Informational/directional signs are allowed up to 20 square feet, but without any logos. The sign would be a total of 25.65 square feet calculated as blocked-out. Without the FLOOR & DÉCOR logo portion, the sign would be a compliant 12.75 square feet. Furthermore, the FLOOR & DÉCOR sign constitutes a second logo wall sign, which is not allowed for a single tenant on a multi-tenant site.

The applicant also proposes two (2) “CURBSIDE PICK UP” directional freestanding signs under 20 square feet per face, but containing the “FLOOR & DÉCOR” logo. It should be noted that these proposed signs are not allowed if containing the corporate logo.

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:

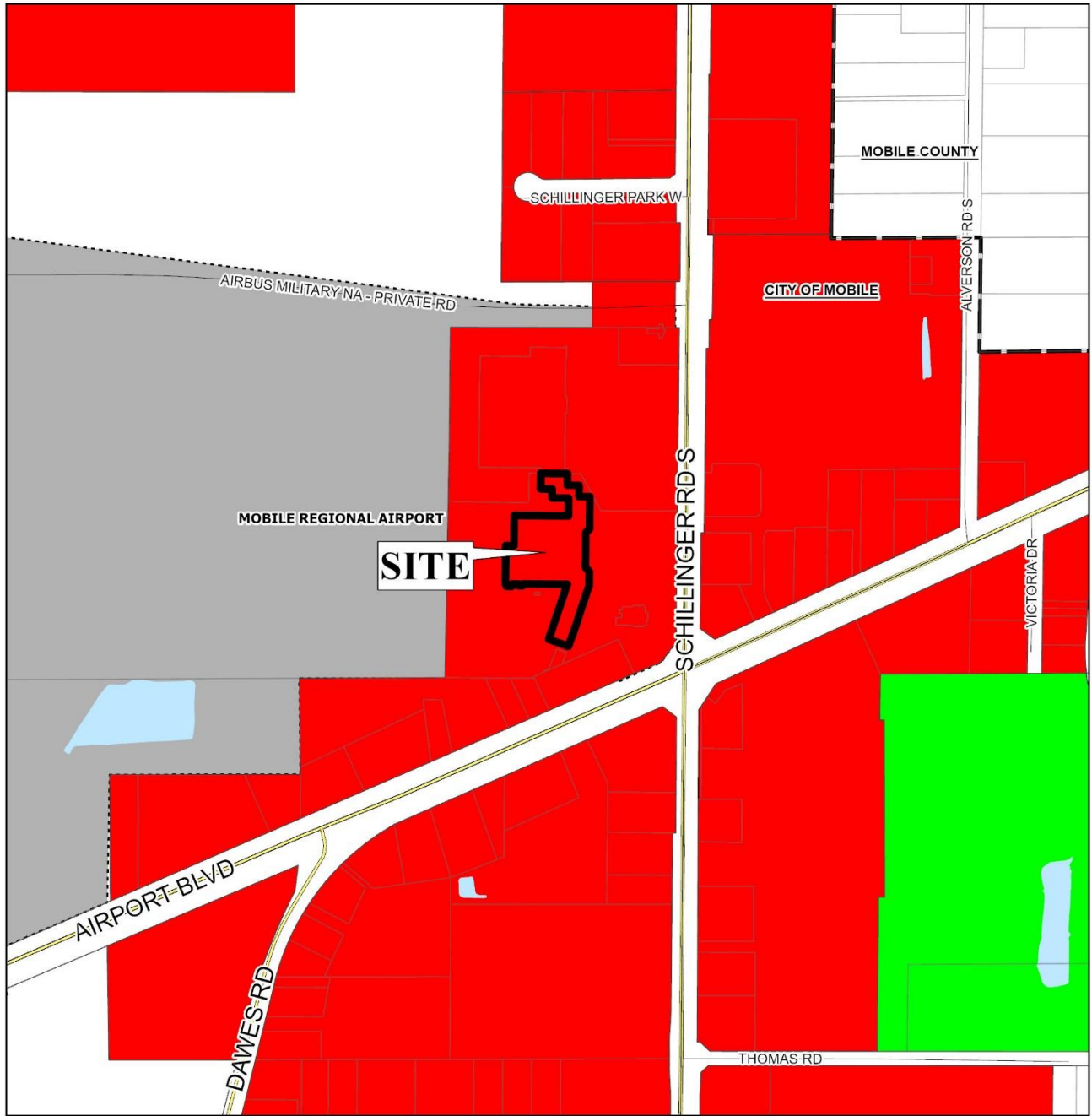
- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

Considerations:

Based on the requested Variance application, and documentation submitted, if the Board considers 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.

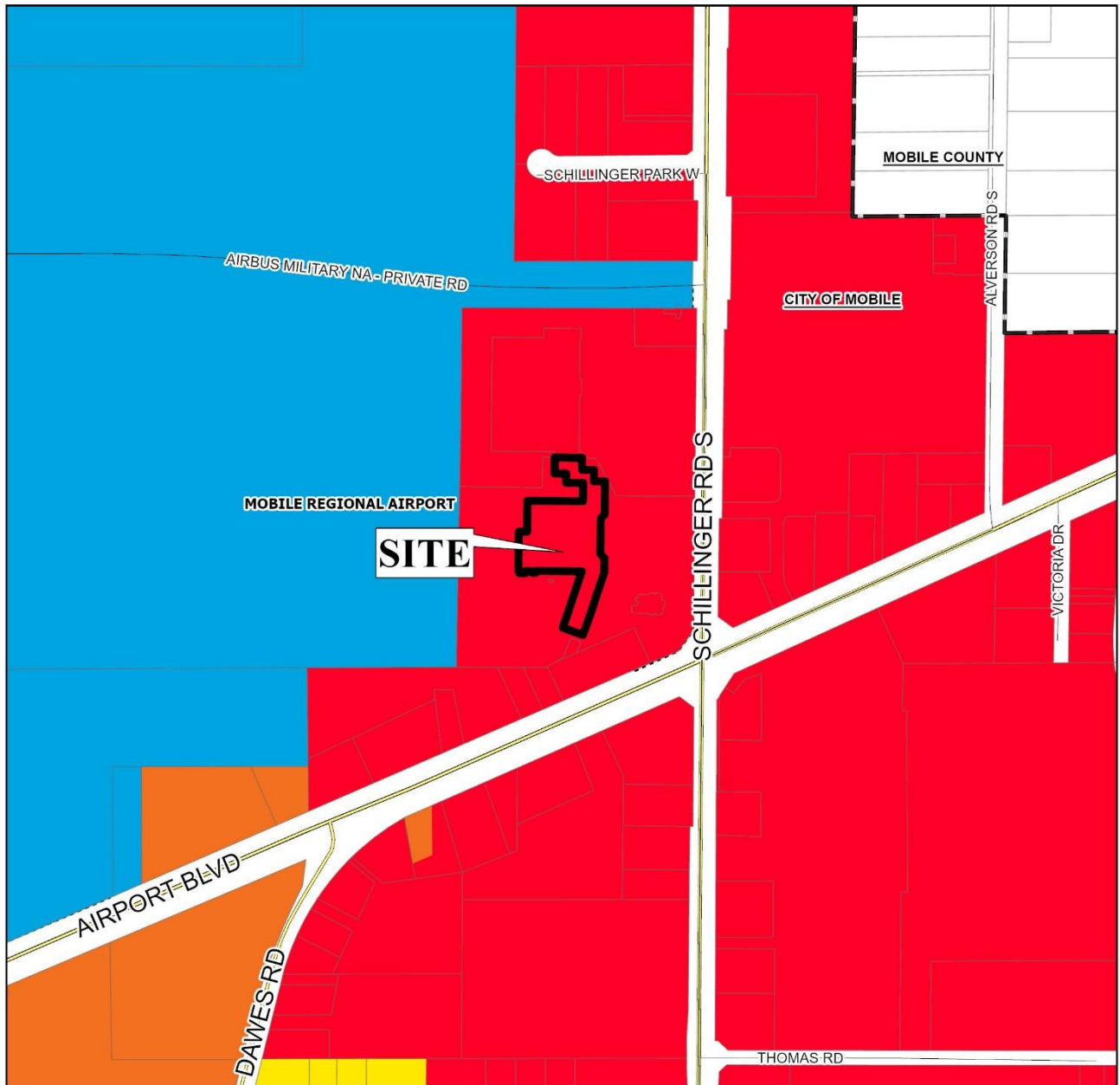
LOCATOR ZONING MAP



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 APPLICANT Floor and Décor Outlets of America, Inc. (Joseph J. Minus, Jr., Agent)
 REQUEST Sign Variance



FLUM LOCATOR MAP

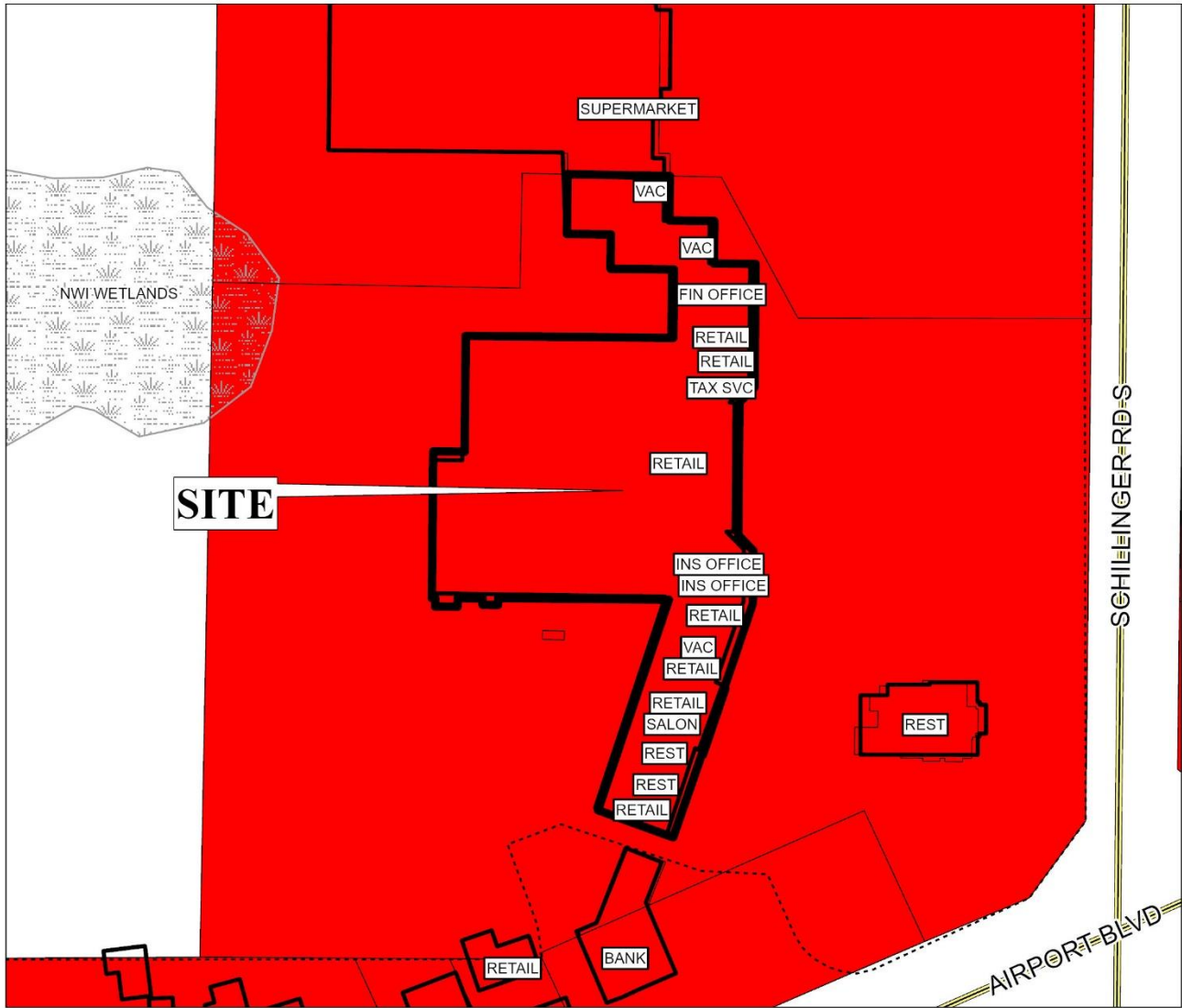


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- | | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential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



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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<table style="width: 100%; font-size: small;"> <tr> <td style="width: 12.5%;"> R-A</td> <td style="width: 12.5%;"> R-3</td> <td style="width: 12.5%;"> B-1</td> <td style="width: 12.5%;"> B-2</td> <td style="width: 12.5%;"> B-5</td> <td style="width: 12.5%;"> ML</td> <td style="width: 12.5%;"> I-2</td> <td style="width: 12.5%;"> OPEN</td> <td style="width: 12.5%;"> T-3</td> <td style="width: 12.5%;"> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>		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	
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																							

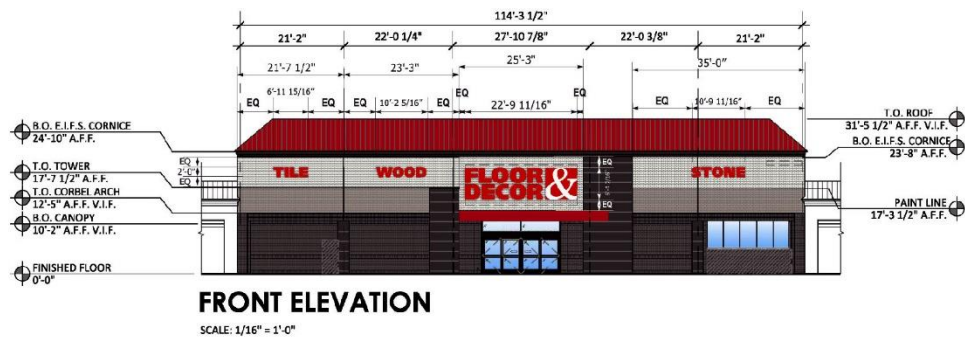
SITE PLAN



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

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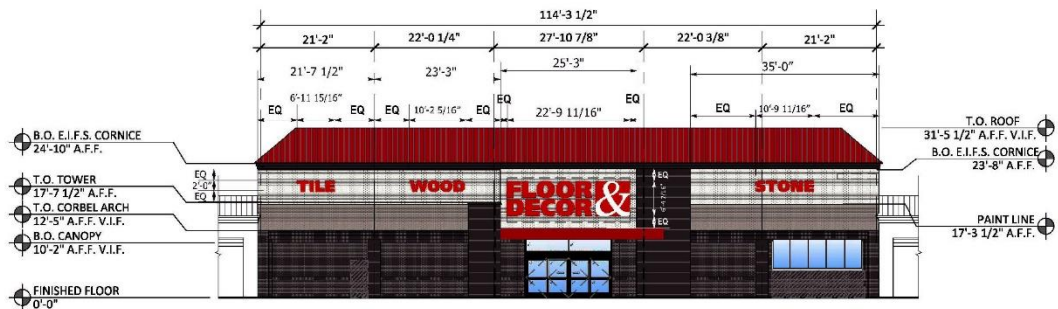
DETAIL SITE PLAN



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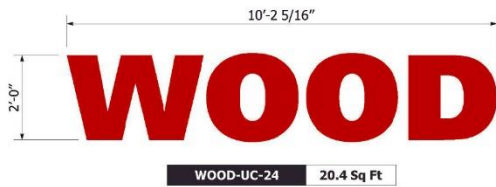
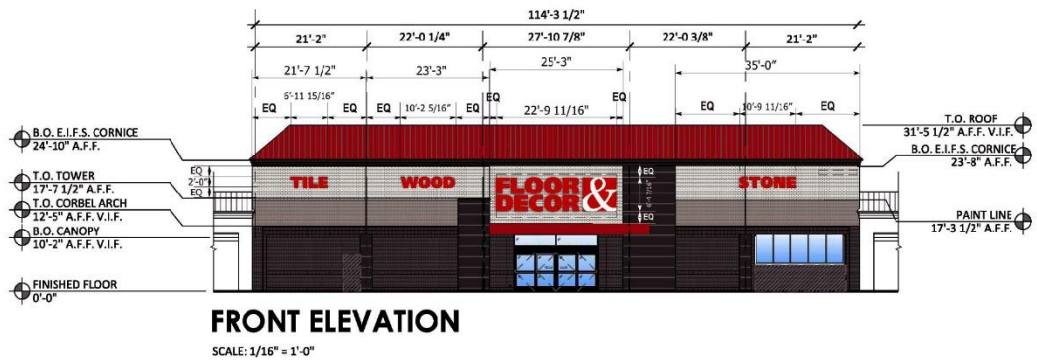
FRONT ELEVATION

SCALE: 1/16" = 1'-0"



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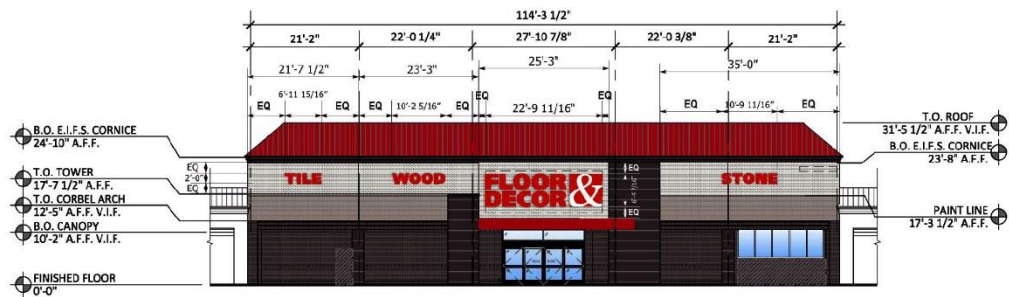
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DETAIL SITE PLAN



FRONT ELEVATION

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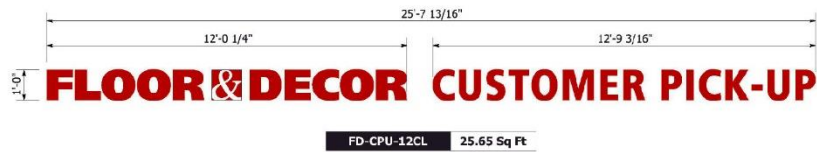
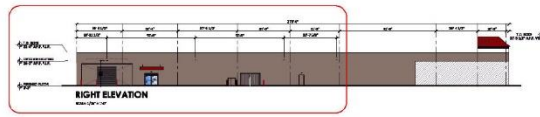
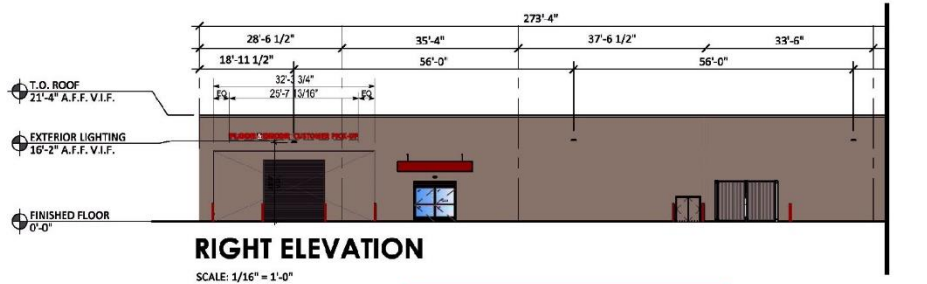


STONE-UC-24 21.6 Sq Ft

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DETAIL SITE PLAN



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DETAIL SITE PLAN



Proposed

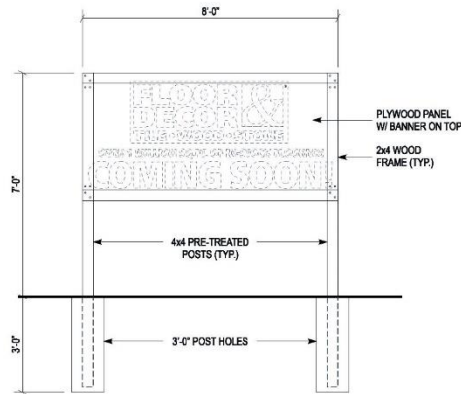


Existing Conditions

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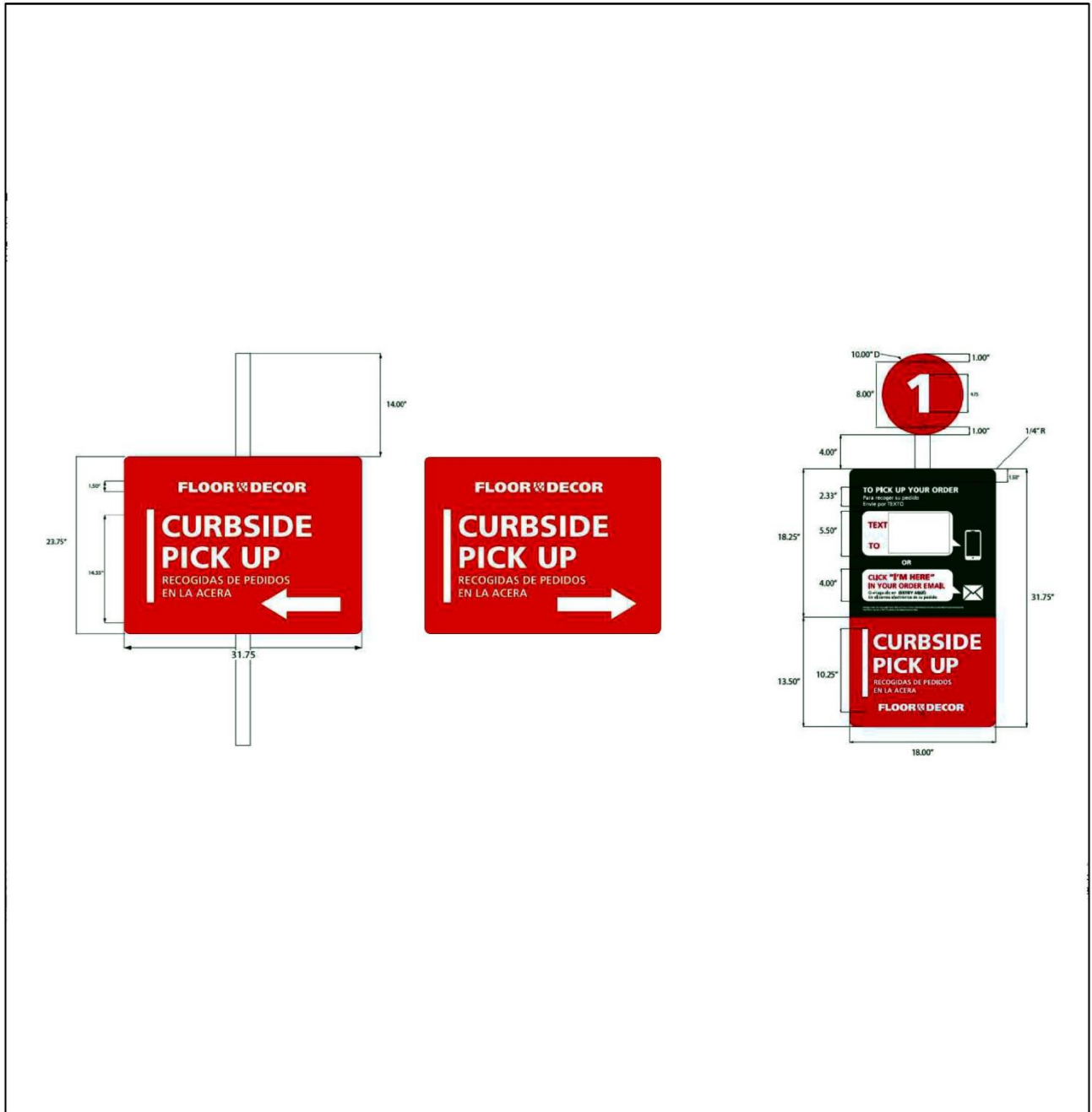
DETAIL SITE PLAN



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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 (WDWRU)
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.

