BOARD OF ZONING ADJUSTMENT
STAFF REPORT **Date: June 4, 2018**

CASE NUMBER 6181

APPLICANT NAME Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

LOCATION 70 Midtown Park East
(Northwest corner of Midtown Park East and Midtown Park South)

VARIANCE REQUEST **SIGN:** Sign Variance to allow a second freestanding sign for a multi-tenant site with less than 601' of linear street frontage in a B-3, Community Business District.

ZONING ORDINANCE REQUIREMENT **SIGN:** The Zoning Ordinance allows one freestanding sign on a multi-tenant site with less than 601' of linear street frontage in a B-3, Community Business District.

ZONING B-3, Community Business

AREA OF PROPERTY 0.74± Acre

ENGINEERING COMMENTS No comments.

TRAFFIC ENGINEERING COMMENTS No comments.

CITY COUNCIL DISTRICT District 1

ANALYSIS The applicant is requesting a Sign Variance to allow a second freestanding sign for a multi-tenant site with less than 601' of linear street frontage in a B-3, Community Business District; the Zoning Ordinance allows one freestanding sign on a multi-tenant site with less than 601' of linear street frontage in a B-3, Community Business District.

The subject site is situated in a sharp U-shaped curve where Midtown Park East transitions into Midtown Park South. The site has one drive onto each street with an existing monument sign at the Midtown Park East entrance. The applicant proposes to also have a monument sign at the Midtown Park South entrance. The site is considered multi-tenant and has approximately 410'

of linear street frontage. Multi-tenant sites with over 600' of linear street frontage are allowed two freestanding signs, but are only allowed one if there is less than 600' of linear street frontage; hence this application.

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:

> *Sunrise Dermatology is a busy medical office that is located at 70 Midtown Park East in Mobile. We are located on a bend which often causes confusion for patients. Currently, our street sign is only displayed on one side of the office. Patients and visitors often miss one entrance because there is no sign directing them or letting them know where to enter. They are not able to see our current street sign if they are on the opposite side of the building. With growth and success, Dr. Scott Freeman has been approved for an Ambulatory Surgery Center named Sunrise Skin Cancer Surgery Center. This is located within the same building as Sunrise Dermatology. Sunrise Skin Surgery Center stands as its own entity and needs appropriate street sign at the entrance into the parking lot.*
>
> *The purpose of this letter is to request a variance on behalf of Sunrise Skin Cancer Surgery Center located at 70 Midtown Park East, Suite A in Mobile. Dr. Freeman performs a specialized skin cancer surgery using the Mohs technique. The average age of his patients are older and often arrive nervous due to their surgery. Not having a clear idea of where to go when they arrive or where to park adds to the stress or anxiety patients have. Some patients have wheelchairs and walkers and since we only have one street sign on the other side of the parking lot, they will park over there not knowing that Dr. Freeman is located on the opposite side of the building. Often times, patients will enter the building and get confused on where to go. Patients have complained about not being able to find Dr. Freeman's office because there wasn't a street sign directing them or letting them know the surgery center is located here.*

We believe having a street sign at Dr. Freeman's entrance will help our patients know where to go and be clear to the public that the designated entrance is for Sunrise Skin Cancer Surgery Center. This is a separate entity that will be operating in the current building. Granting permission to allow a street sign for Sunrise Skin Cancer Surgery Center will ease confusion for patients and visitors and allow for a clear division of the two businesses.

The subject site is within a commercial park consisting primarily of various types of offices. It is bordered to the North and West and across the street to the East by B-3 zoning, and across the street to the South by B-1, Buffer Business District zoning.

The site has been given a Mixed Commercial Corridor land use designation per the recently adopted Future Land Use Plan and Map. 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 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; improve 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.

Each clinic has a separate entrance into the building from the parking lot, with one facing Midtown Park East and one facing Midtown Park South. The applicant asserts that the hardship which would justify the second sign is the fact that the current sign is only visible from one side of the building (the Midtown Park East side) and that drivers will miss that entrance and not be aware of the second entrance. Since there are two clinics in the building with each entrance visible from only one street, patients and visitors can get confused as to where to enter the site.

An on-site review and review of the site plan indicates that there is no line-of-sight visibility from one entrance to the other due to the location of the building on the site and the sharp curvature of the street. It would seem that a sign at the unmarked entrance would help relieve some of the confusion associated with the street configuration and site limitations, and the Board should consider the request for the second sign for approval.

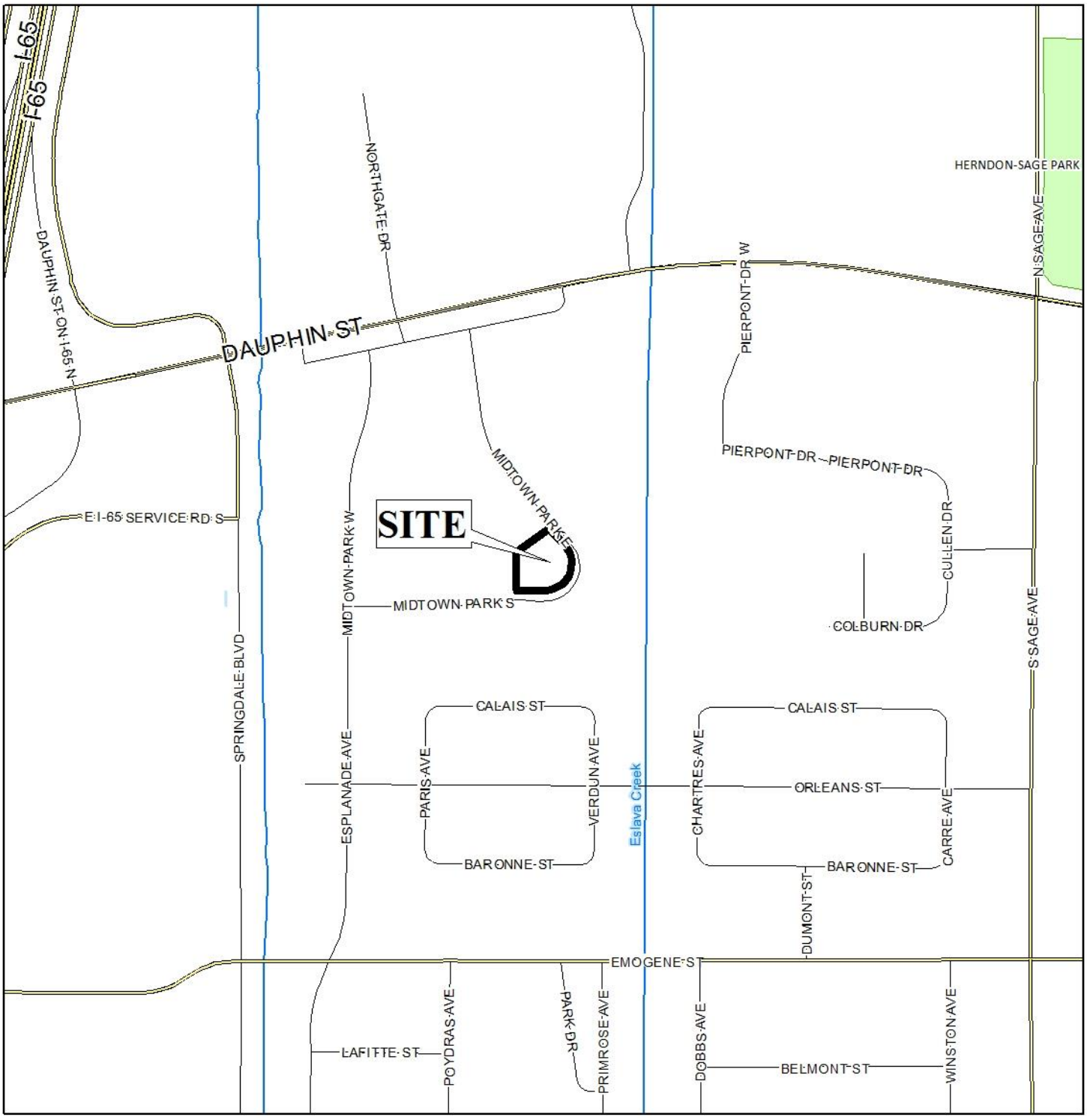
RECOMMENDATION: Staff recommends to the Board the following findings of fact for approval:

1) Based on the fact that the site is situated in a sharp U-shaped street curve and one entrance is not readily visible from the other, and only one entrance is marked with identifying signage, no allowance is made for complete site identification, thus the variance will not be contrary to the public interest;
2) These special conditions (the building blocks line-of-sight visibility from entrance to entrance causing driver confusion, the unusual shape of the property and the separation of entrances by a sharp curve in the street) exist 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 site identification will be visible along both street frontages.

Therefore, the request to allow a second wall sign for each tenant on a multi-tenant site is recommended for approval, subject to the following conditions:

1) obtaining of a sign permit for the proposed signage; and
2) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 6181 DATE June 4, 2018

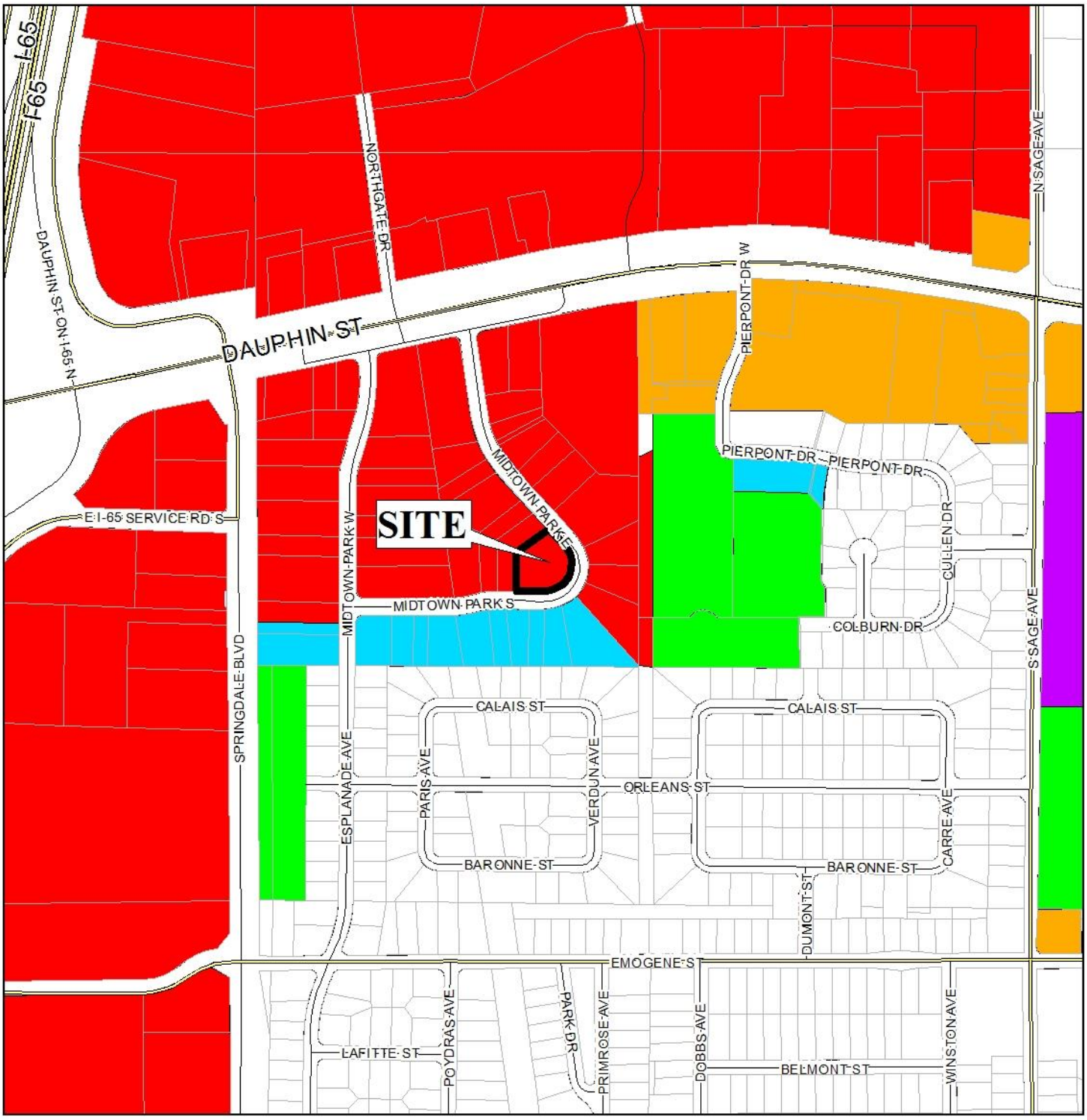
APPLICANT Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

REQUEST Sign Variance

N

NTS

LOCATOR ZONING MAP



APPLICATION NUMBER 6181 DATE June 4, 2018

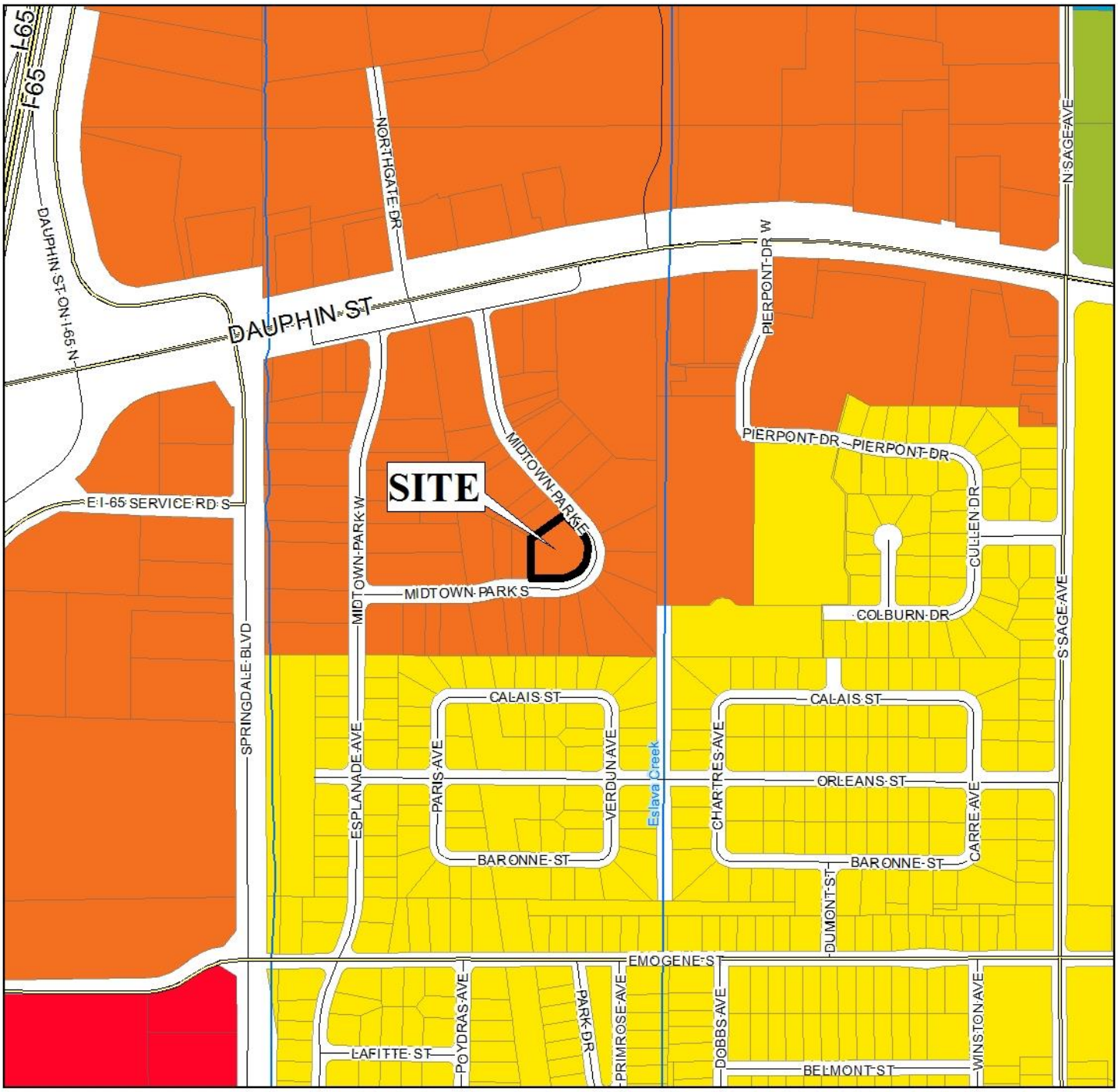
APPLICANT Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

REQUEST Sign Variance

N

NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 6181 DATE June 4, 2018

APPLICANT Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

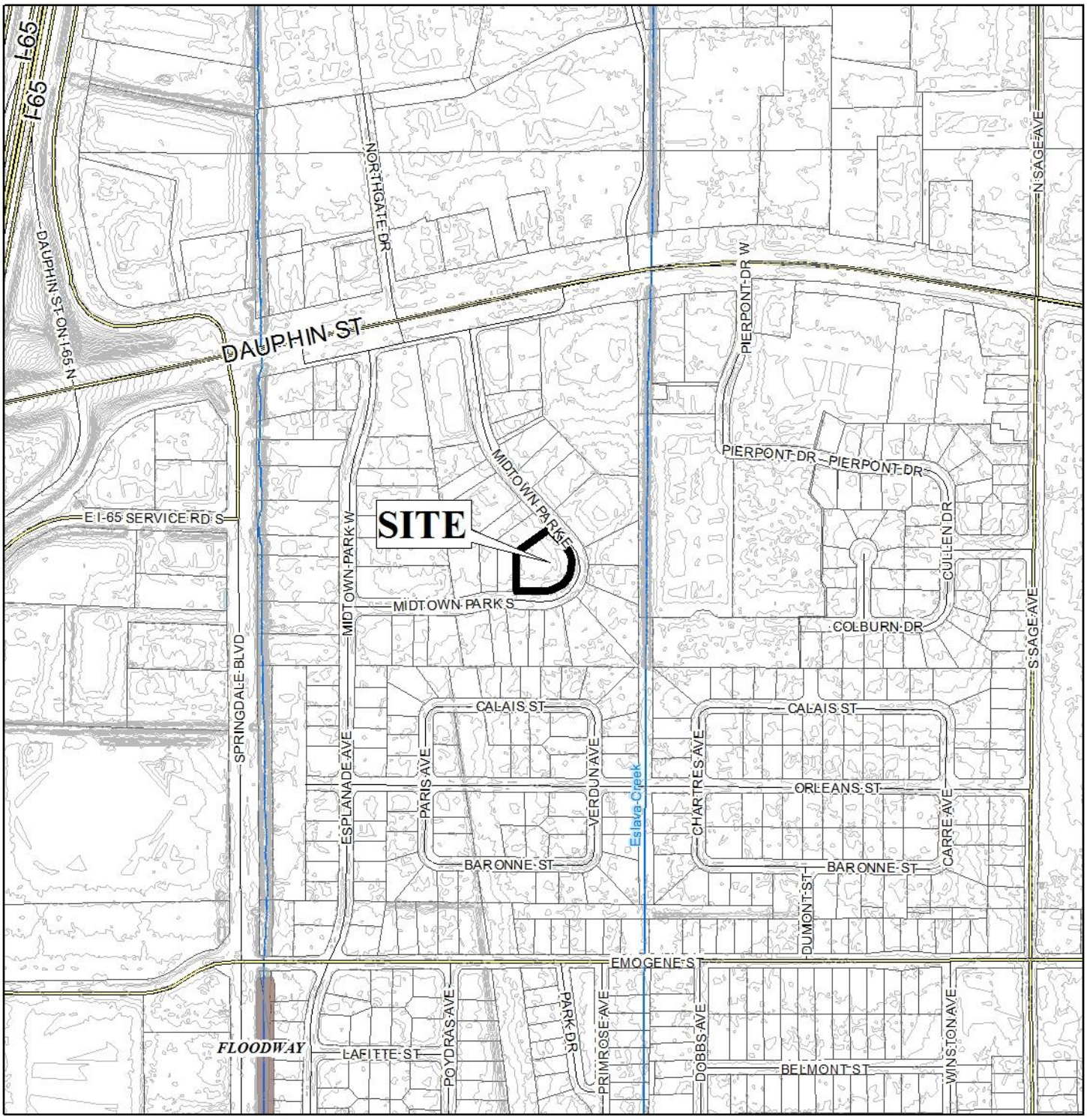
REQUEST Sign Variance

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	

N

NTS

ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 6181 DATE June 4, 2018

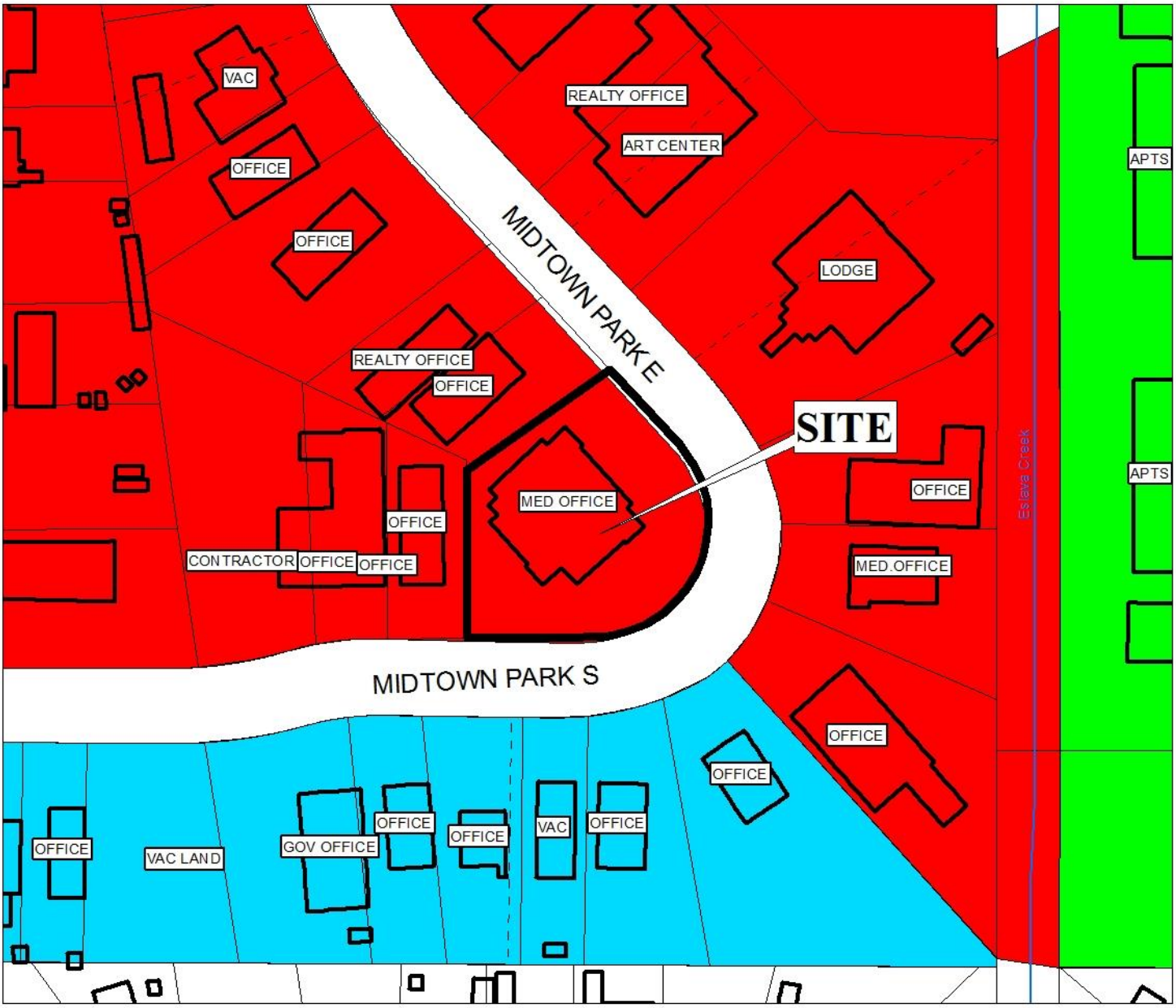
APPLICANT Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

REQUEST Sign Variance

N

NTS

BOARD OF ADJUSTMENT
VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

APPLICATION NUMBER 6181 DATE June 4, 2018

APPLICANT Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

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

N

NTS

BOARD OF ADJUSTMENT
VICINITY MAP - EXISTING AERIAL

The site is surrounded by commercial units.

APPLICATION NUMBER 6181 DATE June 4, 2018

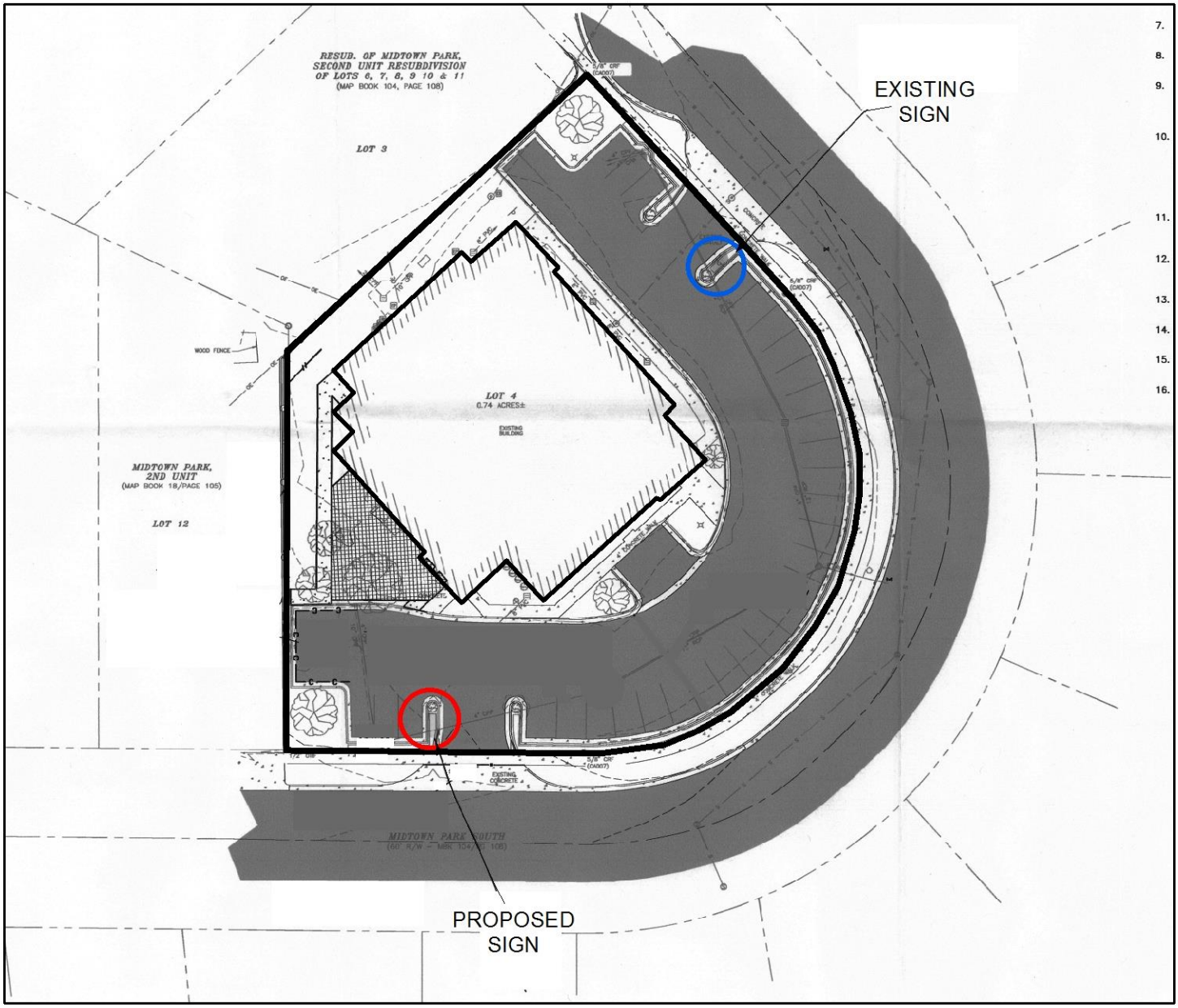
APPLICANT Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

REQUEST Sign Variance

N

NTS

SITE PLAN



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

APPLICATION NUMBER 6181 DATE June 4, 2018

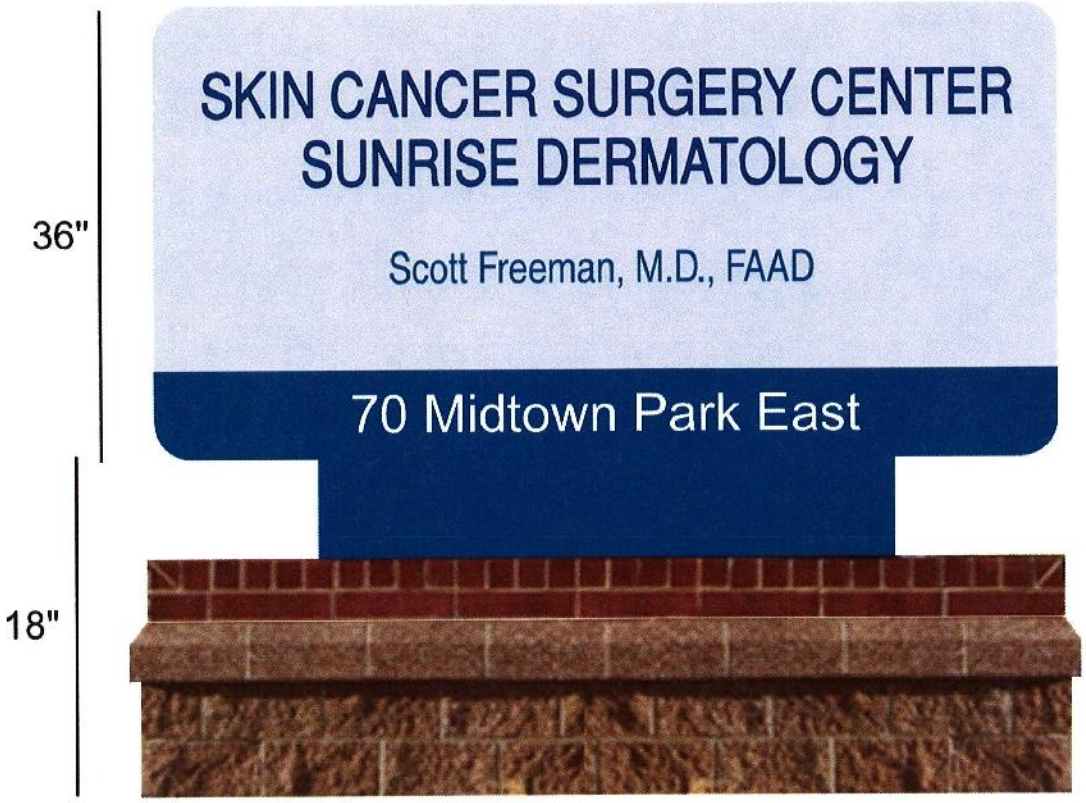
APPLICANT Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

REQUEST Sign Variance

N

NTS

DETAIL SITE PLAN



APPLICATION NUMBER 6181 DATE June 4, 2018

APPLICANT Wrico Signs, Inc. (Skin Cancer Surgery Center Sunrise Dermatology)

REQUEST Sign Variance

N

NTS