



Agenda Item # 4 - EXTENSION

BOA-002778-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

812, 816, and 824 West I-65 Service Road South

Applicant / Agent:

Eduardo Robinson, DI Hotels Sun, LLC

Property Owner:

DI Hotels Sun, LLC

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

District Center

Case Number(s):

6567

Unified Development Code (UDC) Requirement:

- Structures are limited to a maximum of 45-feet in a B-3, Community Business Suburban District.

Board Consideration:

- A Height Variance to allow a structure taller than 45-feet 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>6567</u> DATE <u>September 9, 2024</u>
APPLICANT <u>Eduardo Robinson, DI Hotels Sun, LLC</u>
REQUEST <u>Height Variance</u>



NTS

SITE HISTORY

The site was last before the Board at its February 5, 2024 meeting, where the height variance request to allow a 79-foot tall hotel was approved.

The site was before the Planning Commission at its May 5, 1977 meeting, where the eight (8) lot subdivision named Western America Commercial Park, Unit 2 was approved, and later recorded in Probate Court.

A portion of the subject site was then part of the Darryl's Subdivision, A Resubdivision of Lot 4, Western America Commercial Park, First Unit, which was approved by the Planning Commission at its May 5, 1983 meeting and later recorded in Probate Court.

STAFF COMMENTS

Engineering Comments:

No Additional 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 non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The applicant is requesting a six (6)-month extension on the original approval of the height variance approved by the Board at its February 5, 2024 meeting with the following conditions:

- 1) Revise the site plan to relocate the trash enclosure outside of all required setbacks;
- 2) Revise the site plan to correct the parking calculations to include the 5,500 square feet of meeting rooms;
- 3) Revise the site plan to depict curbing and/or bumper stops for all parking spaces;

- 4) Either revise the site plan to state the proposed gate will be for pedestrian access only, or make the gate a minimum of 24-feet wide with adequate queuing spaces;
- 5) Placement of a note on the site plan stating that each business (hotel and restaurant) is limited to a total of three (3) signs with no more than one (1) freestanding sign; and
- 6) Either completion of a one (1) lot Subdivision or recording of an easement in Probate Court to allowed shared parking between the lots prior to the approval of any building permits for the proposed development.

The applicant states that they were delayed in preparing storm water drainage plans for the development, but are now in the final stages of preparing a submittal for a land disturbance permit. They were unable to file the permit request before the August 5, 2024 variance expiration date.

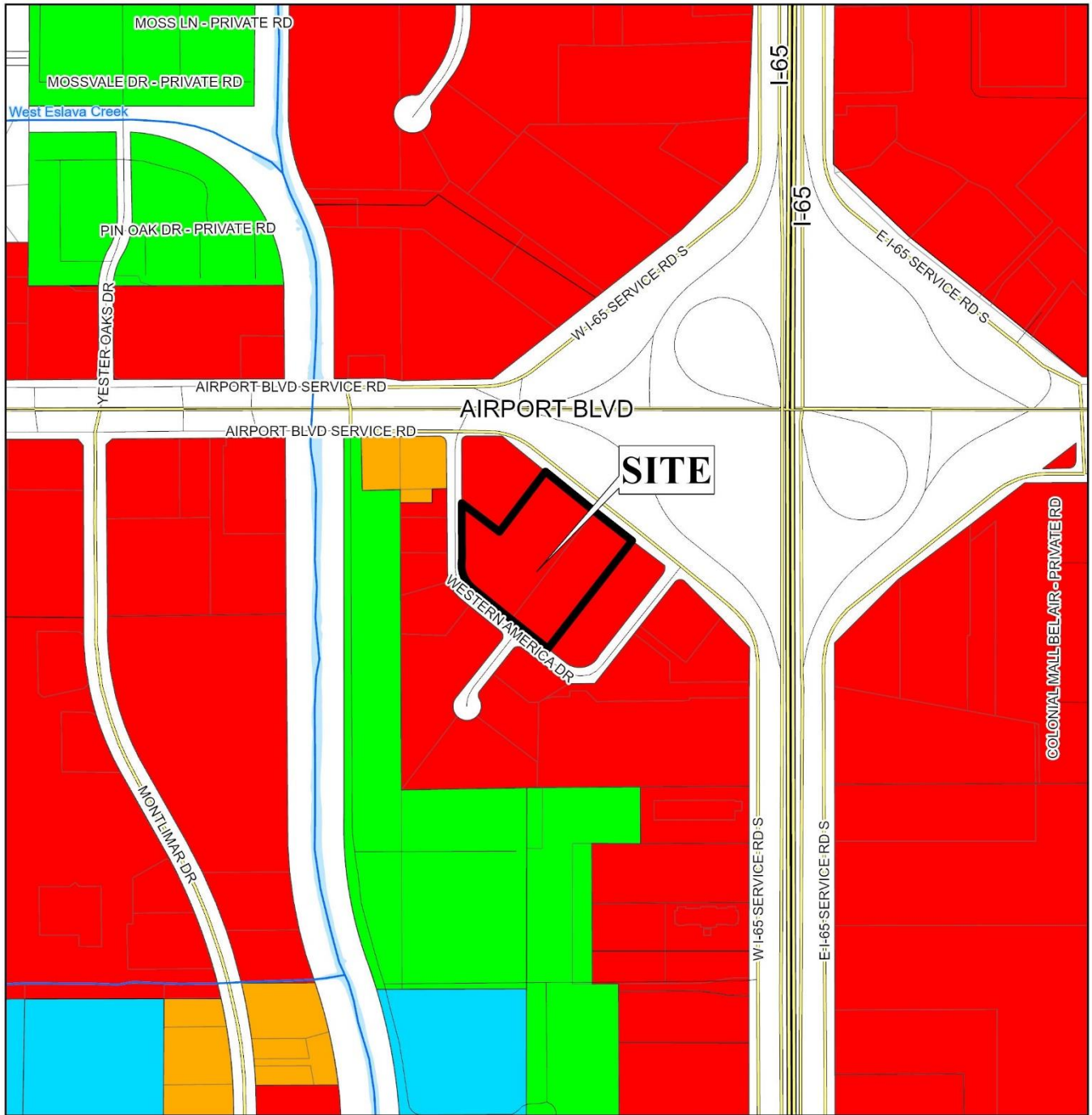
The complete application and supporting documents are available via the link on page 1.

VARIANCE EXTENSION CONSIDERATIONS

Standards of Review:

The Board is typically amenable to granting extensions, especially a first request when the applicant is working towards complying with the conditions of approval. Granting of such extensions are always in compliance with the findings of facts and conditions associated with the original approval.

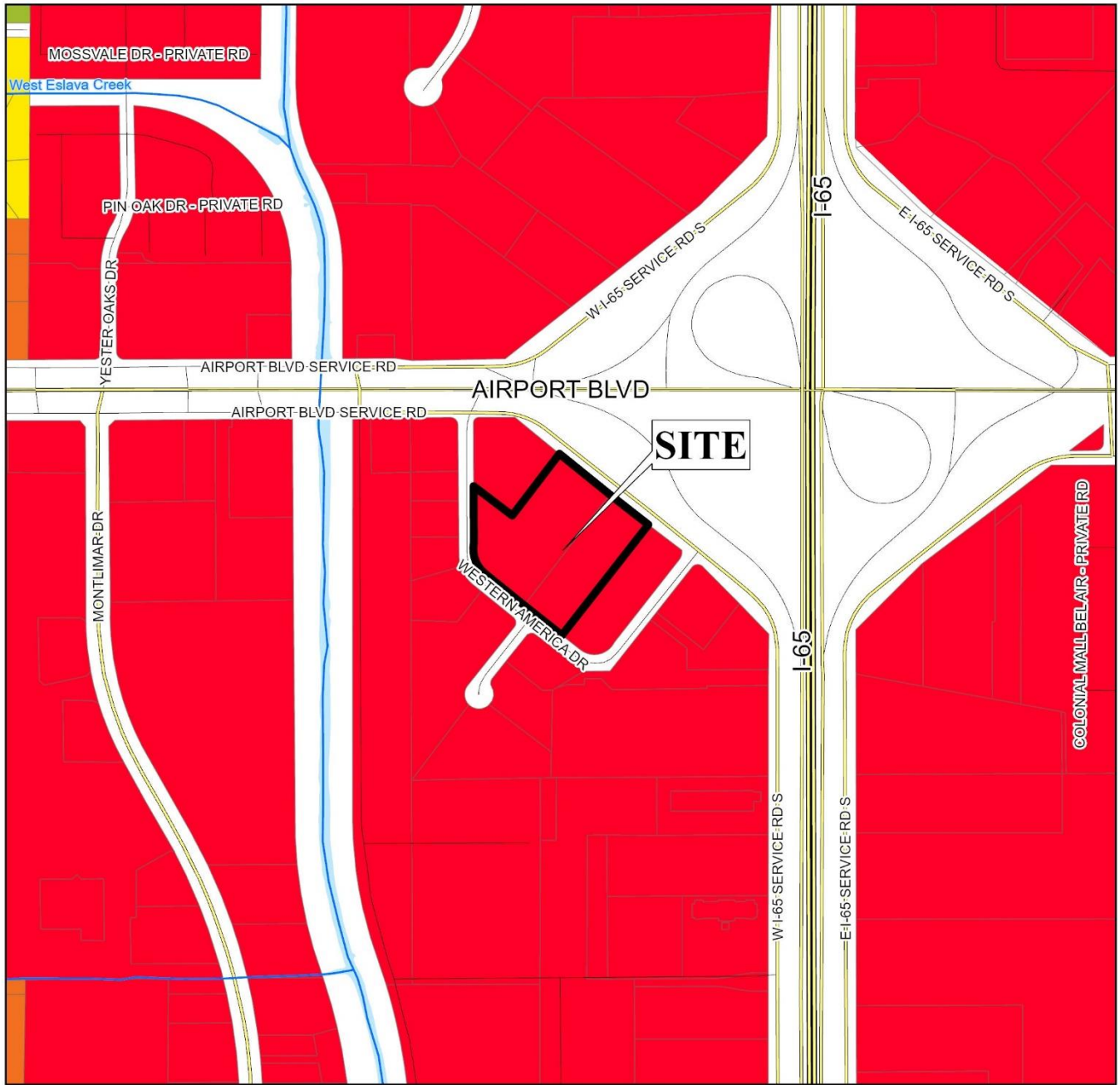
LOCATOR ZONING MAP



APPLICATION NUMBER	6567	DATE	September 9, 2024
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FLUM LOCATOR MAP



APPLICATION NUMBER 6567 DATE September 9, 2024

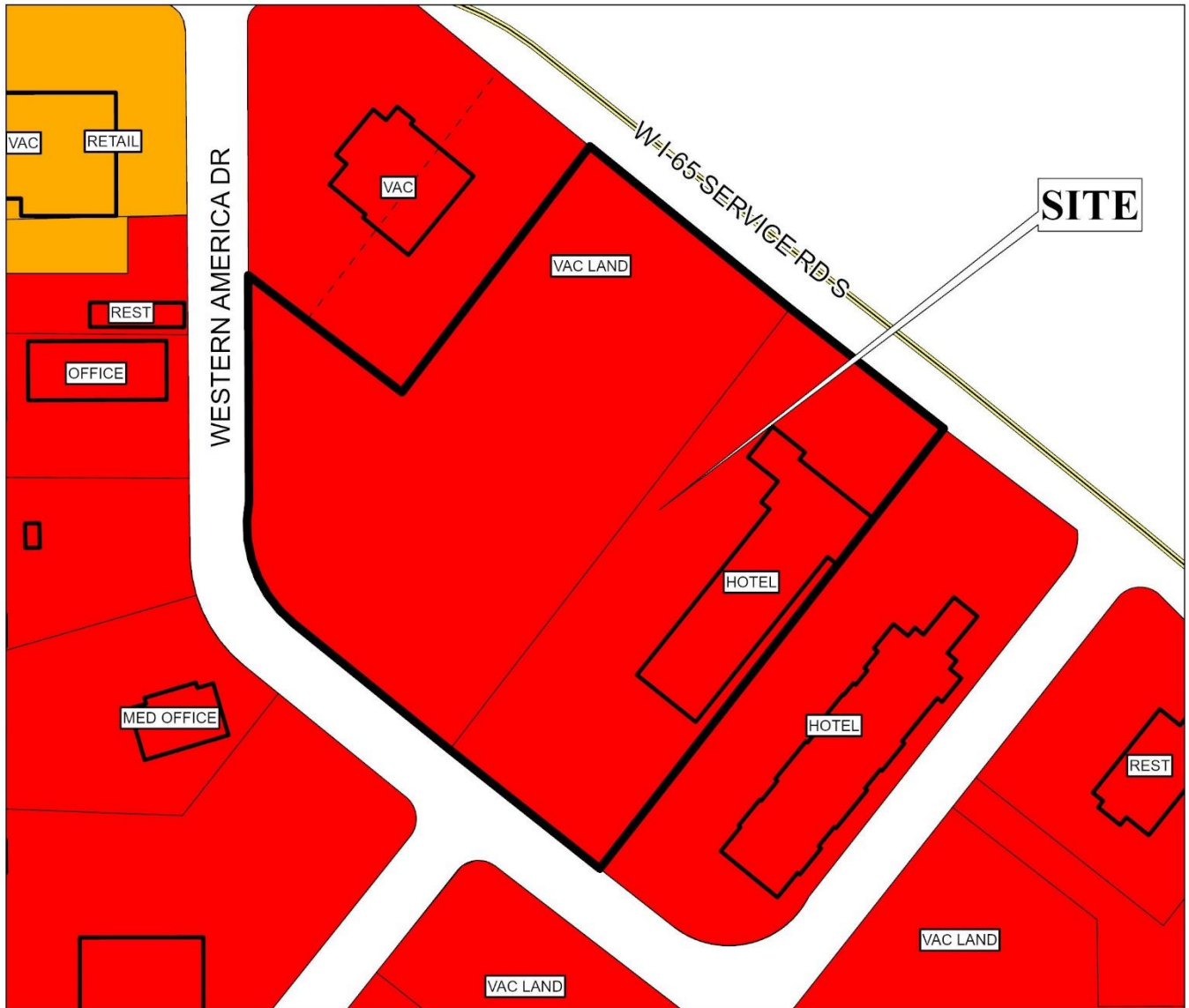
APPLICANT Eduardo Robinson, DI Hotels Sun, LLC

REQUEST Height 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 | |



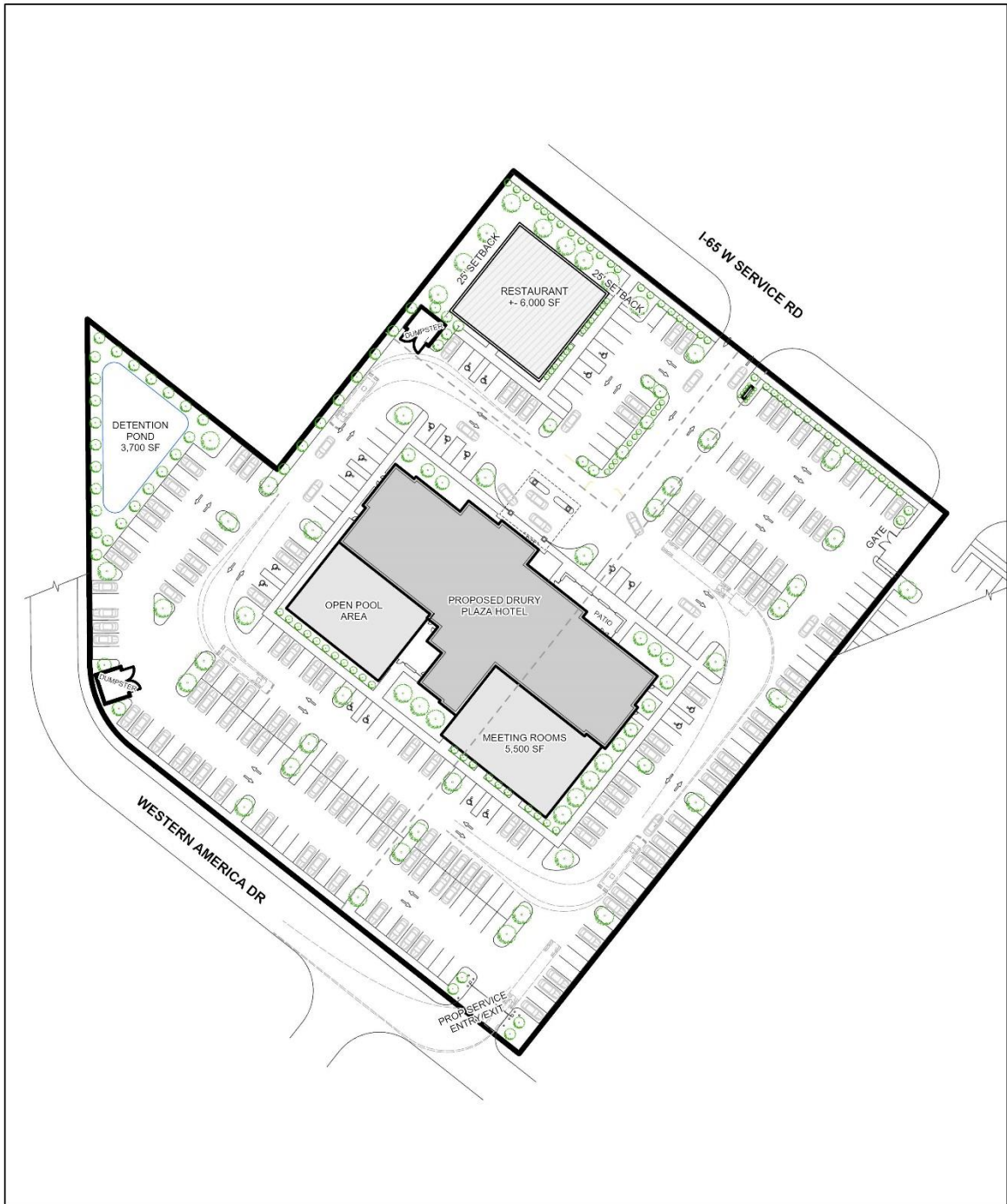
BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.


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

SITE PLAN



The site plan illustrates the proposed hotel, restaurant, parking, and landscaping.

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DETAIL SITE PLAN



**Drury Southwest Inc. - Dury Inn & Suites
Front View**

APPLICATION NUMBER 6567 DATE September 9, 2024
 APPLICANT Eduardo Robinson, DI Hotels Sun, LLC
 REQUEST Height Variance



DETAIL SITE PLAN



**Drury Southwest Inc. - Dury Inn & Suites
Rear View**

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DETAIL SITE PLAN



**Drury Southwest Inc. - Dury Inn & Suites
Right View**

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DETAIL SITE PLAN



**Drury Southwest Inc. - Dury Inn & Suites
Left View**

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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 (WDWRLU)
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.