



## Agenda Item # 9

BOA-SE-003604-2026

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

[Applicant Materials for Consideration](#)

### DETAILS

**Location:**

610 Providence Park Drive East

**Applicant / Agent:**

The Alabama Education Company, LLC

**Property Owner:**

Pediatric Properties, LLC

**Current Zoning:**

B-3, Community Business Suburban District

**Future Land Use:**

Institutional

**Case Number(s):**

6729

**Unified Development Code (UDC) Requirement:**

- The UDC requires a Special Exception to allow operation of a private school in a B-3, Community Business Suburban District.

**Board Consideration:**

- Special Exception to allow operation of a private school in a B-3, Community Business Suburban District.

**Report Contents:**

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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER	6729	DATE	February 2, 2026
APPLICANT	The Alabama Education Company, LLC		
REQUEST	Special Exception		



## SITE HISTORY

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The site was annexed into Mobile City limits in 1956 and given a single-family residential zoning classification, a designation it retained through the adoption of the 1967 Zoning Ordinance.

Rezoning of the site from R-1, Single-Family Residential District, to B-3, Community Business District, was adopted by the City Council on September 4, 1984, with the condition that any development of the property be subject to approval of a Planned Unit Development (PUD).

The original subdivision and PUD applications were approved in December 1998 to allow construction of six (6) office buildings. However, only two (2) of the approved buildings were constructed between the time of approval and 2005.

A one-lot subdivision of the property was approved in December 2001 and subsequently recorded in the Mobile County Probate Court.

In June 2006, the Planning Commission approved a further subdivision of the property into three (3) lots, along with a PUD that allowed for shared access and parking between Lot 2 (the subject site) and Lot 3.

The subject site, Lot 2, is currently developed with a single-story, multi-tenant building used primarily for medical offices.

There are no additional Planning Commission cases associated with the site, and there are no Board of Zoning Adjustment cases on record for the property.

## STAFF COMMENTS

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### Engineering Comments:

No comments.

### Traffic Engineering Comments:

Traffic Engineering will need to be contacted before beginning operation so that School Zone signs can be placed.

### 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 has requested approval of a Special Exception to operate a private school within the B-3, Community Business Suburban District. The application materials indicate that the proposal involves only minor interior renovations, with no expansion of the building and no changes to existing parking, access, or site layout. The proposed school will consist of four classrooms and operate on a limited weekday schedule (7:00 a.m. until 5:00 p.m.). The applicant asserts that the use is compatible with the surrounding medical and institutional development within Providence Park, will not adversely impact adjacent properties or public infrastructure, and is consistent with the intent of the zoning ordinance. The application and all supporting documentation are available via the link provided on Page 1 of this report.

The subject property is developed with an approximately 25,000 square-foot, single-story building primarily used for medical offices, along with off-street parking, landscaped islands, and mature tree plantings. The submitted site plan depicts the building footprint, interior pedestrian walkways, and the parking lot.

Although no exterior site improvements are proposed as part of this request, the site plan should nonetheless demonstrate compliance with all applicable zoning and development regulations. At a minimum, the plan should include a parking data table identifying existing and required parking for all uses on the site; parking circulation; required tree plantings and landscape areas with accompanying calculations; property lines; public sidewalks, if any; and all other notes and measurements customarily required for site plan review in connection with permit approvals.

An approved tree and landscaping plan for the site was filed with the Planning and Zoning Department in 1999. Staff is unable to verify continued compliance with that plan. Therefore, if the Special Exception is approved, the applicant should coordinate with staff to confirm compliance with current tree planting and landscape area requirements.

The site is surrounded by properties zoned B-3, Community Business Suburban District, which are predominantly developed with medical clinics, except for a child day care facility located diagonally from the subject property. A child day care center is a use permitted by right in the B-3 district. By contrast, the applicant proposes a private school serving students in kindergarten through eighth grade. The determination of whether this use is compatible with the surrounding medical facilities rests with the Board; however, any approval should be conditioned upon the submission of a complete and compliant site plan that accurately reflects all existing site improvements.

## SPECIAL EXCEPTION CONSIDERATIONS

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### Standards of Review:

- Special Exceptions are those uses that may have some special impact which differs from the potential impacts of permitted uses, exceeds permitted uses in intensity, or have a uniqueness such that their effect on the surrounding environment cannot readily be determined in advance of the use being proposed in a particular location.

Article 5 Section 11-E.1. of the Unified Development Code states the Board of Adjustment will not approve an Application for Special Exception unless the request complies with the following criteria:

- (a) The proposed use is in harmony with the general purpose, goals, objectives and standards of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
- (b) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
- (c) The proposed use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities or services are not available or adequate to service the proposed use in the proposed location, the Applicant shall, as part of the application and as a condition to approval of the proposed Special Exception permit, be responsible for establishing ability, willingness and commitment to provide such improvements, facilities, utilities and services in sufficient time and in a manner consistent with this Chapter, and other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the Special Exception Permit shall be conditioned upon such improvements, facilities, utilities and services being provided and guaranteed by the Applicant.
- (d) The proposed use is consistent with all applicable requirements of this Chapter, including:
  - (1) Any applicable development standards in Article 3; and
  - (2) Any applicable use regulations in Article 4.
- (e) The proposed use is compatible with the character of the neighborhood within the same zoning district in which it is located;
- (f) The proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district; and
- (g) The proposed use will have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district.
  - (1) In making this determination, the Board of Adjustment shall consider:
    - a. The location, type and height of buildings or structures;
    - b. The type and extent of landscaping and screening;
    - c. Lighting;
    - d. Hours of operation; or

- e. Other conditions that might require mitigation of any adverse impacts of the proposed development.
- (h) The site is designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- (i) The site is designed to minimize the impact on storm water facilities.
- (j) The use will be adequately served by water and sanitary sewer services.
- (k) The use is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- (l) The use will not be detrimental or endanger the public health, safety or general welfare.

Article 5 Section 11-E.2. states; that when considering a Special Exception application, the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request should also be evaluated.

Additionally, Article 5, Section 11-E.3. states:

- The Board of Adjustment shall give careful consideration to the warrants and criteria set forth in this section in judging applications for Special Exceptions involving the following uses. In granting a Special Exception, the board may attach such reasonable conditions and safeguards in addition to those set forth in this section, as it may deem necessary to implement the purposes of this Chapter.

## Considerations:

Based on the requested Special Exception application, if the Board considers approval of the request, the following findings of fact must be present:

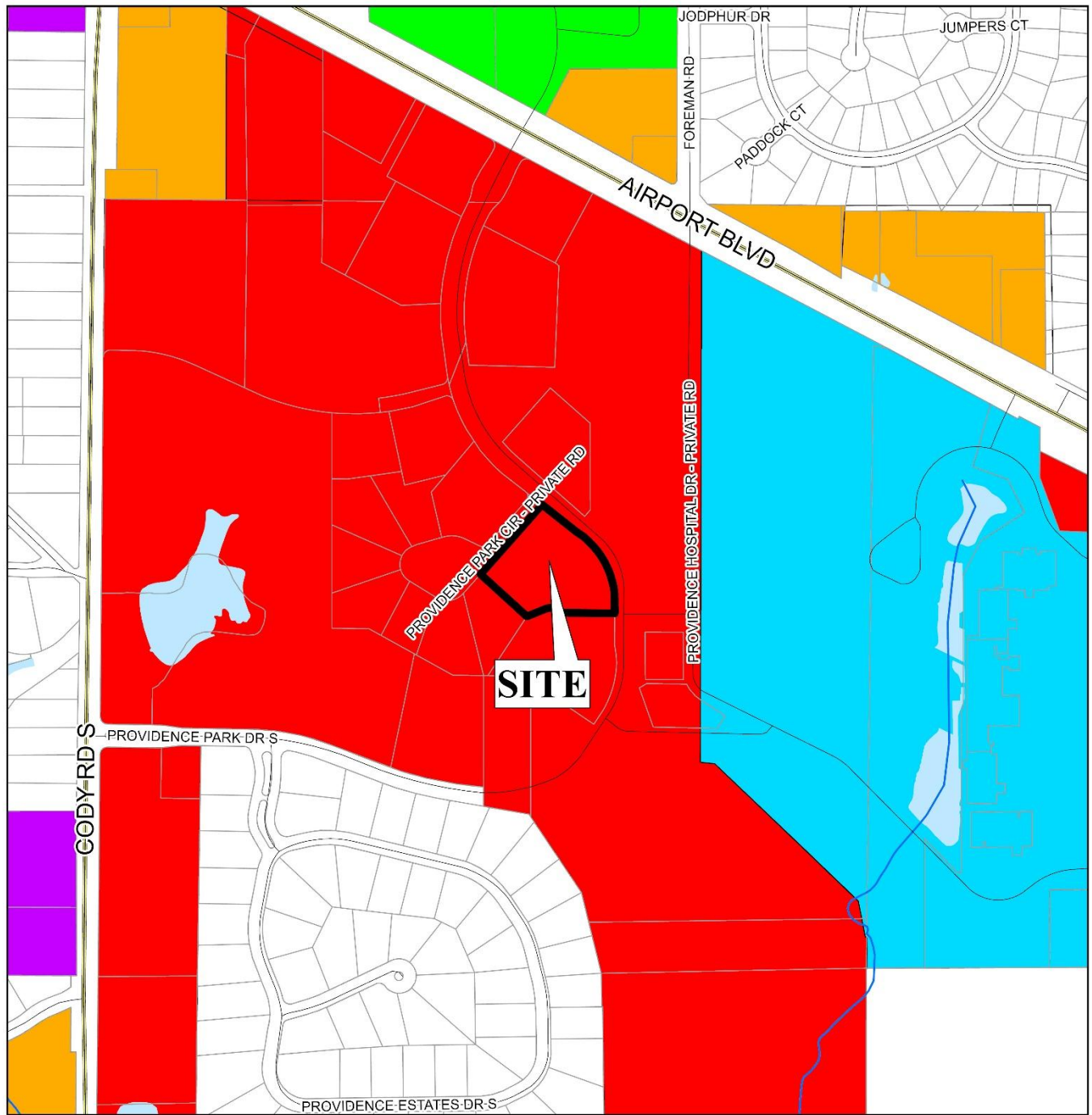
- A) The proposed use **is** in harmony with the general purpose, goals, objectives and standards of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
- B) The proposed use at the proposed location **shall not** result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
- C) The proposed use **will** be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, and services specified in this subsection.
- D) The proposed use **is** consistent with all applicable requirements of this Chapter, including: any applicable development standards in Article 3; and any applicable use regulations in Article 4.
- E) The proposed use **is** compatible with the character of the neighborhood within the same zoning district in which it is located.
- F) The proposed use **will not** impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- G) The proposed use **will** have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district.
- H) The site **is** designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- I) The site **is** designed to minimize the impact on storm water facilities.

- J) The use **will** be adequately served by water and sanitary sewer services.
- K) The use **is not** noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- L) The use **will not** be detrimental or endanger the public health, safety or general welfare.

If approved, the Special Exception should be subject to the following conditions:

- 1) Provide a site plan depicting all existing site improvements, including a parking data table identifying existing and required parking for all uses on the site (including the school), and compliance with the previously approved tree and landscape plan, or in compliance with current tree planting and landscape regulations;
- 2) Place a note on the revised site plan stating the school is limited to four (4) classrooms, as proposed;
- 3) Place a note on the revised site plan limiting the school to the following hours of operation, as proposed: Monday to Friday, 7:00 a.m. to 5:00 p.m.;
- 4) Place a note on the revised site plan stating any increase in the number of classrooms will require approval of a new Special Exception application;
- 5) Comply with the Traffic Engineering comments noted in this staff report; and
- 6) Full compliance with all municipal codes and ordinances.

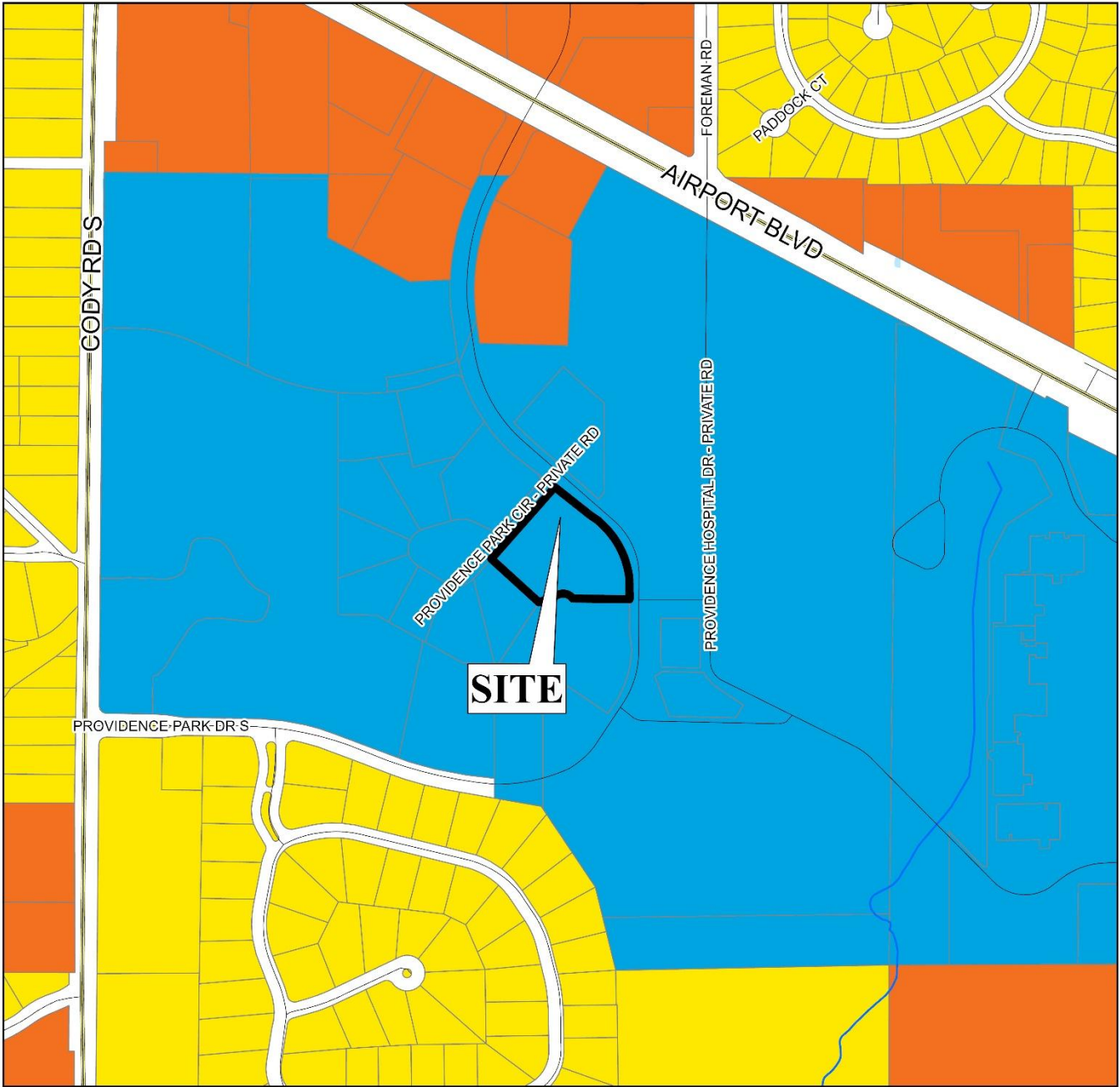
# LOCATOR ZONING MAP



APPLICATION NUMBER	6729	DATE	February 2, 2026
APPLICANT	The Alabama Education Company, LLC		
REQUEST	Special Exception		



# FLUM LOCATOR MAP



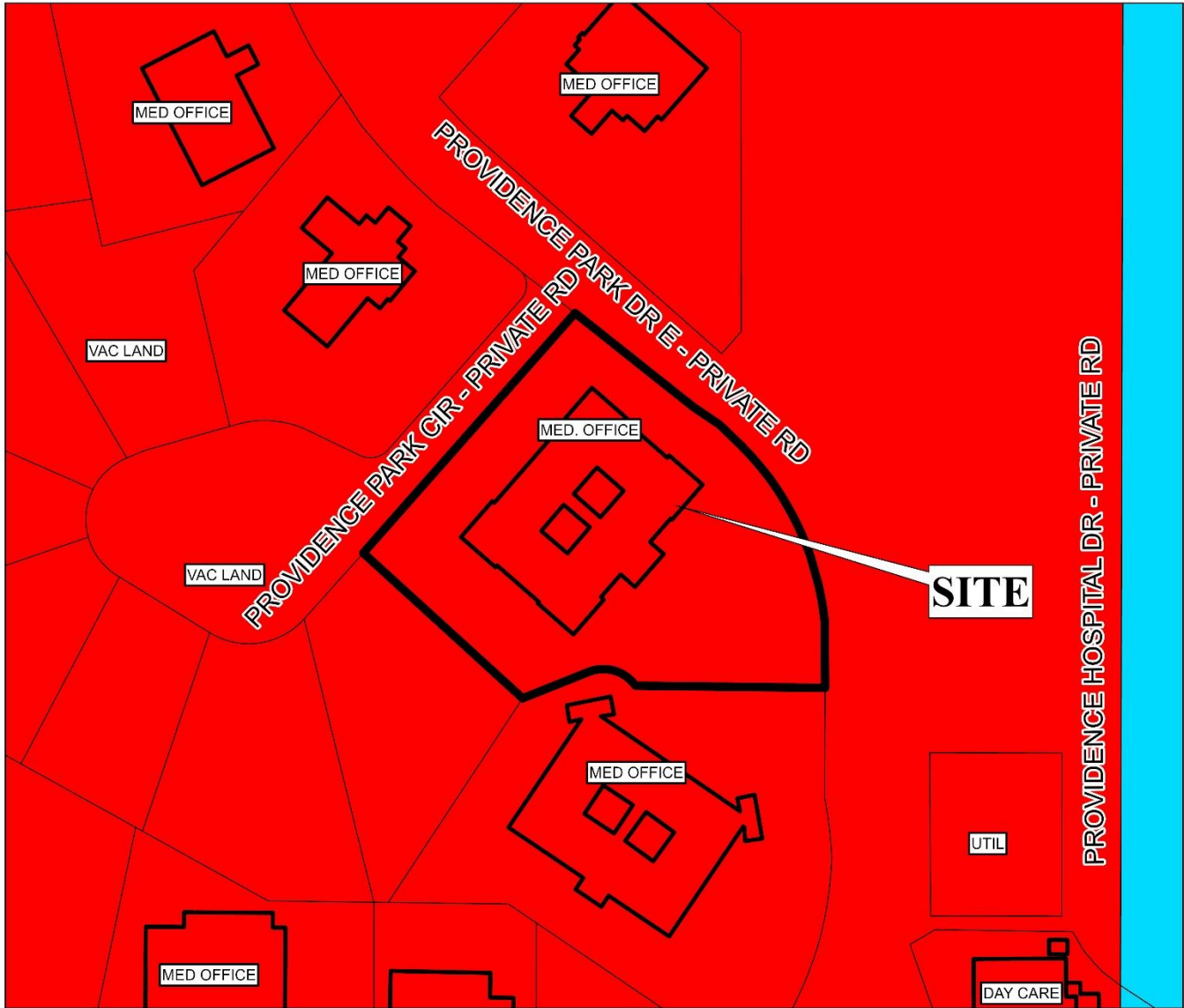
APPLICATION NUMBER 6729    DATE February 2, 2026  
 APPLICANT The Alabama Education Company, LLC  
 REQUEST Special Exception

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|---|--|---|---|
| <span style="display:inline-block; width:15px; height:10px; background-color:yellow; border:1px solid black;"></span> Low Density Residential   | <span style="display:inline-block; width:15px; height:10px; background-color:darkred; border:1px solid black;"></span> Neighborhood Center - Traditional | <span style="display:inline-block; width:15px; height:10px; background-color:lightblue; border:1px solid black;"></span> Light Industry     | <span style="display:inline-block; width:15px; height:10px; background-color:darkblue; border:1px solid black;"></span> Water Dependent |
| <span style="display:inline-block; width:15px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Density Residential | <span style="display:inline-block; width:15px; height:10px; background-color:purple; border:1px solid black;"></span> Neighborhood Center - Suburban     | <span style="display:inline-block; width:15px; height:10px; background-color:darkpurple; border:1px solid black;"></span> Heavy Industry    |   |
| <span style="display:inline-block; width:15px; height:10px; background-color:magenta; border:1px solid black;"></span> Downtown                 | <span style="display:inline-block; width:15px; height:10px; background-color:pink; border:1px solid black;"></span> Traditional Corridor                 | <span style="display:inline-block; width:15px; height:10px; background-color:lightblue; border:1px solid black;"></span> Institutional      |   |
| <span style="display:inline-block; width:15px; height:10px; background-color:red; border:1px solid black;"></span> District Center              | <span style="display:inline-block; width:15px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Commercial Corridor          | <span style="display:inline-block; width:15px; height:10px; background-color:lightgreen; border:1px solid black;"></span> Parks, Open Space |   |



# BOARD OF ADJUSTMENT

## VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

APPLICATION NUMBER 6729 DATE February 2, 2026

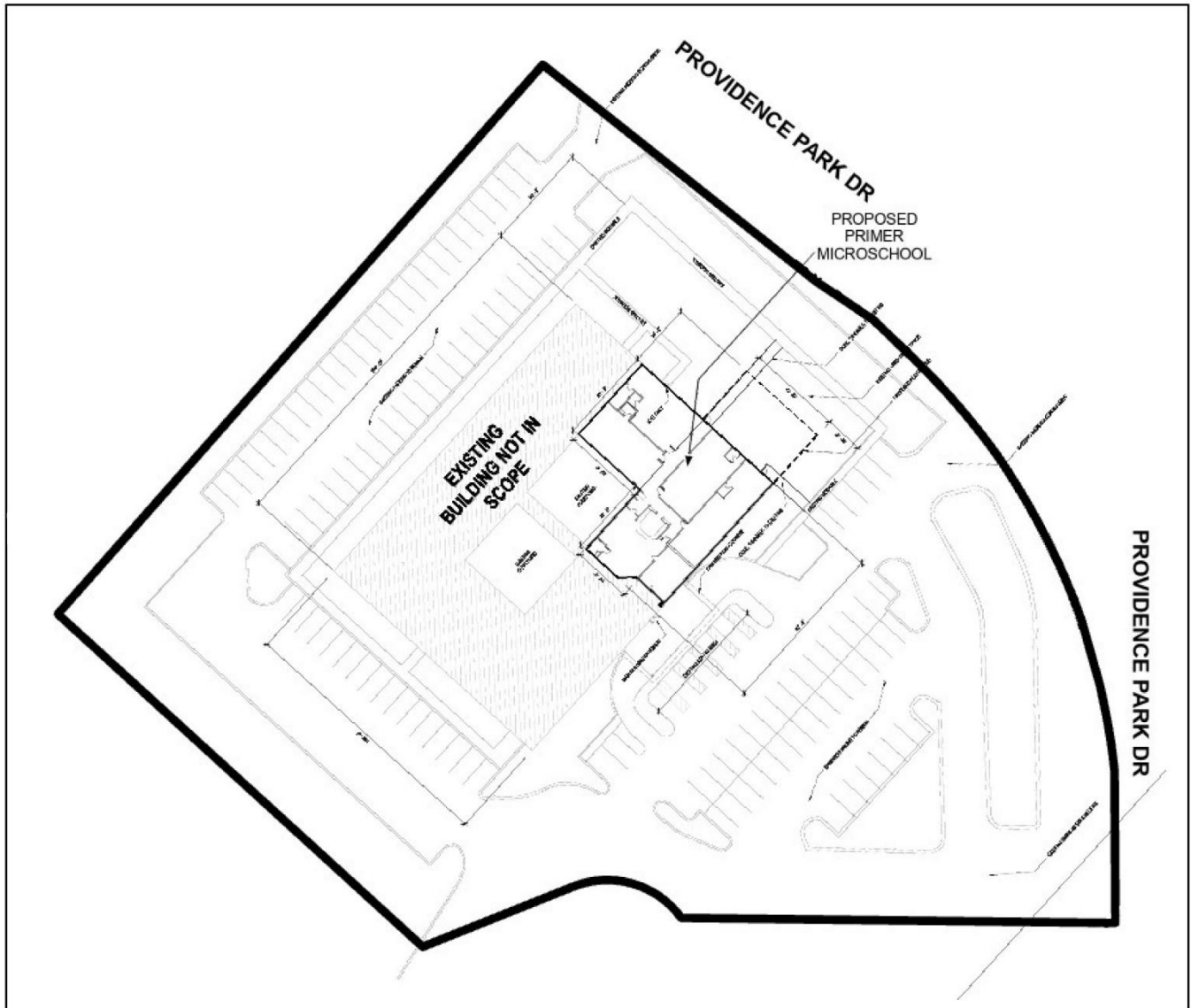
APPLICANT The Alabama Education Company, LLC

REQUEST Special Exception

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 proposed school placements.

APPLICATION NUMBER <u>6727</u> DATE <u>February 2, 2026</u>
APPLICANT <u>Alabama Education Company, LLC</u>
REQUEST <u>Special Exception</u>





## INSTITUTIONAL LAND USE (INS)

This designation includes land and buildings occupied by municipal and other governmental agencies for the exercise of their functions, to serve the public or provide a civic use or amenity. These include major libraries, airports, public schools and public safety facilities. Semi-public uses such as schools, colleges and universities, hospitals, and other major institutions that serve the public and/or operate in a public function are included.

### Development Features

- ▶ The specific location and design of these complementary uses is subject to zoning. In some cases, depending on ownership, these areas may not be subject to City zoning.
- ▶ Small-scale properties (less than 2 acres) accommodating subsidiary public and semi-public facilities, such as branch libraries, substations, satellite clinics, etc., may not be specifically called out in the FLUM under this land use designation, but may instead be considered part of the array of integrated complementary uses typically found in a residential neighborhood or a mixed-use center or corridor.

### Character Example



## PARKS AND OPEN SPACE (POS)

This designation applies to land maintained in a natural, semi-natural state, or developed with facilities and set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. This designation includes existing parks, squares, playgrounds, playfields, gardens, greens, cemeteries, greenways and blueways, and other recreational areas and facilities that are accessible to the public. These areas are generally owned by a public entity but may include some privately owned areas that have been designated as open space. This designation is not intended to identify public land acquisition or to prohibit the development potential of individual privately-owned properties.

### Character Example

