



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

September 6, 2022

Gerald Byrd
Byrd Surveying
2609 Halls Mill Road
Mobile, Alabama 36606

Re: 3725 Airport Boulevard and 817 Downtowner Boulevard
(Southwest corner of Airport Boulevard and Montlimar Drive, extending West to Downtowner Boulevard).
Council District 5
PA-002155-2022 (Planning Approval)
Accel Academy
Planning Approval to amend a previously approved Planning Approval allow an expansion of an existing charter secondary school in a B-3, Community Business District.

Dear Applicant(s)/ Property Owner (s):

At its meeting on September 1, 2022, the Planning Commission considered the above referenced Planning Approval application.

After discussion, the Planning Commission determined the following Findings of Fact for Approval:

- a. **The proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because an existing facility with more than adequate capacity and access will be utilized for the school;**
- b. **The proposal will not cause undue traffic congestion or create a traffic hazard, because the overall site has multiple points to access to three abutting streets; and**
- c. **The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located because the expanded operation of the school is minimal and is not anticipated to impact the existing uses within the shopping center.**

The Approval is subject to the following conditions:

- 1) **Provision of a revised PUD site plan showing the overall development, as amended by the inclusion of the adjacent lot;**

- 2) Revision of the site plan to either provide pedestrian access between the two sites, or depict existing pedestrian access between the two sites;
- 3) Placement of a note on the revised site plan stating the gymnasium site will comply with the tree planting and landscape area requirements of Section 64-4.E. of the Zoning Ordinance;
- 4) Any proposed change to the scope of operations that will result in an increase in the number of students or an expansion of the hours of operation are subject to appropriate review for compliance with the requirements of the Zoning Ordinance;
- 5) Compliance with Engineering comments: *(1) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2) A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3) Any and all proposed land disturbing activity within the property will need to be submitted for review and 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.);*
- 6) Compliance with Traffic Engineering comments *(Previous Planning Approval Traffic Engineering condition stated that if the site were to develop outside the footprint of the building that an impact study would be required. Since this proposed additional is accessory in nature to the overall use of the site, an impact study is not required at this time. If in the future enrollment capacity is increased or if any access changes are proposed, a traffic impact study will be required for this site. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 7) Compliance with 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);*
- 8) Compliance with Fire comments *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 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.);*
- 9) Submittal of two (2) copies (.pdf and hard copy) of the revised site plan prior to issuance of permits; and,
- 10) Full compliance with all other municipal codes and ordinances.

PA-002155-2022 Accel Academy
September 6, 2022

If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

MOBILE CITY PLANNING COMMISSION

Ms. Jennifer Denson, Secretary

By: 
Margaret Pappas
Deputy Director of Planning and Zoning



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MOBILE CITY PLANNING COMMISSION

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September 6, 2022

Gerald Byrd
Byrd Surveying
2609 Halls Mill Road
Mobile, Alabama 36606

Re: 3725 Airport Boulevard and 817 Downtowner Boulevard
(Southwest corner of Airport Boulevard and Montlimar Drive, extending West to Downtowner Boulevard).
Council District 5
PUD-002156-2022 (Planned Unit Development)
Accel Academy
Planned Unit Development approval to allow shared access between two building sites.

Dear Applicant(s)/ Property Owner (s):

At its meeting on September 1, 2022, the Planning Commission considered the above referenced Planned Unit Development application.

After discussion, the Planning Commission determined the following Findings of Fact for Approval of the Planned Unit Development:

- a. **The proposal promotes the objective of creative design (to encourage innovative and diversified design in building form and site development) by facilitating cross access between multiple sites, thus encouraging site development that is diverse from traditional site development, which is limited to one building per building site, and because greater flexibility is required due to the scope and scale of the site;**
- b. **The proposal promotes the objective of flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations) by permitting cross access between building sites, thus accommodating existing conditions of the site; and,**
- c. **The proposal promotes the objective of efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment) by facilitating minor changes to a site whose impact on the use of the land may be considered less demanding of resources than denser commercial developments within the neighborhood;**

The Approval is subject to the following conditions:

- 1) Provision of a revised PUD site plan showing the overall development, as amended by the inclusion of the adjacent lot;
- 2) Revision of the site plan to either provide pedestrian access between the two sites, or depict existing pedestrian access between the two sites;
- 3) Placement of a note on the revised site plan stating the gymnasium site will comply with the tree planting and landscape area requirements of Section 64-4.E. of the Zoning Ordinance;
- 4) Compliance with Engineering comments: *(1) Provide a PUD Site Plan for review and approval; or rename the applicable drawing that was submitted to PUD SITE PLAN. 2) ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b) A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c) Any and all proposed land disturbing activity within the property will need to be submitted for review and 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. d) Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. e) The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. f) The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 5) Compliance with Traffic Engineering comments *(Previous Planning Approval Traffic Engineering condition stated that if the site were to develop outside the footprint of the building that an impact study would be required. Since this proposed additional is accessory in nature to the overall use of the site, an impact study is not required at this time. If in the future enrollment capacity is increased or if any access changes are proposed, a traffic impact study will be required for this site. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*

- 6) **Compliance with 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.*);
- 7) **Compliance with Fire comments** (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 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.*);
- 8) **Submittal of two (2) copies (.pdf and hard copy) of the revised site plan prior to issuance of permits; and,**
- 9) **Full compliance with all other municipal codes and ordinances.**

Please note that a Planned Unit Development approval by the Planning Commission **expires after one year** if no permits are obtained.

If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

MOBILE CITY PLANNING COMMISSION

Ms. Jennifer Denson, Secretary

By: 
Margaret Pappas
Deputy Director of Planning and Zoning