

**PLANNED UNIT DEVELOPMENT &
PLANNING APPROVAL STAFF REPORT****Date: September 1, 2022****NAME**

Accel Academy

LOCATION3725 Airport Boulevard and 817 Downtowner Boulevard
(Southwest corner of Airport Boulevard and Montlimar
Drive, extending West to Downtowner Boulevard).**CITY COUNCIL
DISTRICT**

District 5

PRESENT ZONING

B-3, Community Business District

AREA OF PROPERTY

2 Lots / 45.25± Acres

CONTEMPLATED USEPlanning Approval to amend a previously approved
Planning Approval to allow an expansion of an existing
charter secondary school in a B-3, Community Business
District, and Planned Unit Development Approval to allow
shared access between two (2) building sites.**TIME SCHEDULE
FOR DEVELOPMENT**

Within one (1) year of approvals.

**ENGINEERING
COMMENTS****Planning Approval:**

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.

Planned Unit Development:

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.

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 addition 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.

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.

FIRE DEPARTMENT

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.

REMARKS

The applicant is requesting Planning Approval to allow a charter secondary school in a B-3, Community Business District, and Planned Unit Development Approval to allow shared access between two (2) building sites.

The site has been given District Center and Mixed Commercial Corridor land use designations, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. 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.

The District Center 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 dwelling units per acre) 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.

The Mixed Commercial Corridor land use designation mostly applies to transportation corridors west of I-65 serving primarily low-density (suburban) residential neighborhoods. Mixed Commercial Corridor includes a wide variety of retail, services and entertainment uses.

The Mixed Commercial Corridor 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; improved 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.

The review required for Planning Approval examines the applicant's location and site plan with regard to: transportation, parking and access; public utilities and facilities; traffic congestion and hazards; and, to determine if the proposal is in harmony with the orderly and appropriate development of the district.

It is very important to note that the Planning Approval review is site plan-specific and limited to the scope of operations; therefore, any future changes to the site plan or scope of operations, as approved, by current or future applicants, must be submitted for Planning Approval.

Planned Unit Development (PUD) review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and, that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and, to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) 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 re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

PUD approval is also site plan-specific, thus any changes to the site plan will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

The site has been the subject of various PUD approvals since 1986, as the Festival Center, and Planning Approval to allow use of the property as a charter secondary school was granted by the Planning Commission in 2021. The applicant is now requesting to expand the school use to include an adjacent lot on which a gymnasium is proposed to be constructed. The site is zoned B-3, Community Business District, and schools require Planning Approval to operate in a B-3 zoning district. Approval of a PUD is necessary to amend the previously approved PUDs, specifically to incorporate the adjacent lot and facilitate cross access between the two (2) properties.

The applicant provided the following information:

ACCEL ACADEMY IS A CHARTER SECONDARY SCHOOL THAT IS LOCATED IN THE BUILDING ON THE WEST SIDE OF MOBILE FESTIVAL CENTRE. THE PLANNING COMMISSION GRANTED PLANNING APPROVAL FOR THE LOCATION AT ITS MEETING ON FEBRUARY 18, 2021. THE SCHOOL IS NOW PROPOSING TO EXPAND ITS PHYSICAL EDUCATION DEPARTMENT WITH THE CONSTRUCTION OF A GYMNASIUM AND OUTDOOR BASKETBALL COURTS. ACCEL ACADEMY, THROUGH A HOLDING COMPANY, PURCHASED A VACANT LOT ADJACENT TO THE FESTIVAL CENTRE FOR THE PROPOSED FACILITY. ENTRY TO THE PROPOSED DRIVE AND PARKING AREA IS FROM A PRIVATE DRIVE THAT CONNECTS MOBILE FESTIVAL CENTRE TO DOWNTOWNER BOULEVARD.

THE PLANNED UNIT DEVELOPMENT APPLICATION IS TO ALLOW SHARED ACCESS BETWEEN MOBILE FESTIVAL CENTRE AND ACCEL ACADEMY PROPERTIES.

THE PLANNING APPROVAL APPLICATION IS TO ALLOW A SCHOOL FACILITY TO BE LOCATED IN A B-3 ZONING DISTRICT.

The site is surrounded to the North, East, and West by commercial uses in B-2, Neighborhood Business, and B-3, Community Business Districts. To the South of the Festival Center is a multi-family apartment complex in a B-1, Buffer Business District. To the South of the proposed gymnasium site are additional commercial uses, also in B-2, Neighborhood Business, and B-3, Community Business Districts.

The Festival Center has frontages and access along Airport Boulevard, Montlimar Drive, and Downtowner Boulevard. The proposed gymnasium site can be accessed via the Festival Center, but has its own frontage and access along Downtowner Boulevard.

The site plan provided by the applicant depicts the adjacent lot on which a 10,900± square-foot gymnasium is proposed to be constructed, along with two (2) basketball courts and 17 parking spaces. A dumpster enclosure and several additional parking spaces located on the adjacent Festival Center site are illustrated, but the remainder of the Festival Center is not depicted, and no work is proposed to occur on the Festival Center Site. However, a revised site plan illustrating

the proposed changes to the overall PUD site should be required prior to the approval of any permits.

No parking calculations were provided that justify the amount of parking provided for the gymnasium, but shared access with the Festival Center may satisfy any off-street parking requirements for the proposed use. It should be noted, however, that the site shares access via a private drive, to the South, and other than driveways providing vehicle access, there does not appear to be any infrastructure that allows pedestrians to access the gymnasium site from the Festival Center. A sidewalk is illustrated along Downtowner Boulevard, and a sidewalk is illustrated around the proposed basketball courts, but no other pedestrian access to the site is provided, particularly from the existing school. As such, the site plan should be revised to either provide pedestrian access between the two sites, or depict existing pedestrian access between the two sites.

No tree plantings or landscape area are illustrated on the site plan for the gymnasium site, and are not required for this review; however, a note should be placed on both the Planning Approval and PUD site plans stating that the gymnasium site will comply with the tree planting and landscape area requirements of Section 64-4.E. of the Zoning Ordinance. A compliant tree planting and landscape area plan for the gymnasium site will be required at the time of permitting.

Expansion of the existing school onto the adjacent property for use as a gymnasium does not appear to constitute an increase in the number of students or teachers such that it would impact the school's consistency with previous uses. It also does not appear that it would impact the other uses within the Festival Center as the expansion will be located on an adjacent property, with direct access to Downtowner Boulevard, thereby limiting the need to access the site through the larger Festival Center site.

RECOMMENDATION

Planning Approval: Staff recommends the following Findings of Fact for Approval of the Planning 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 should be 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.

Planned Unit Development: Staff recommends 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;

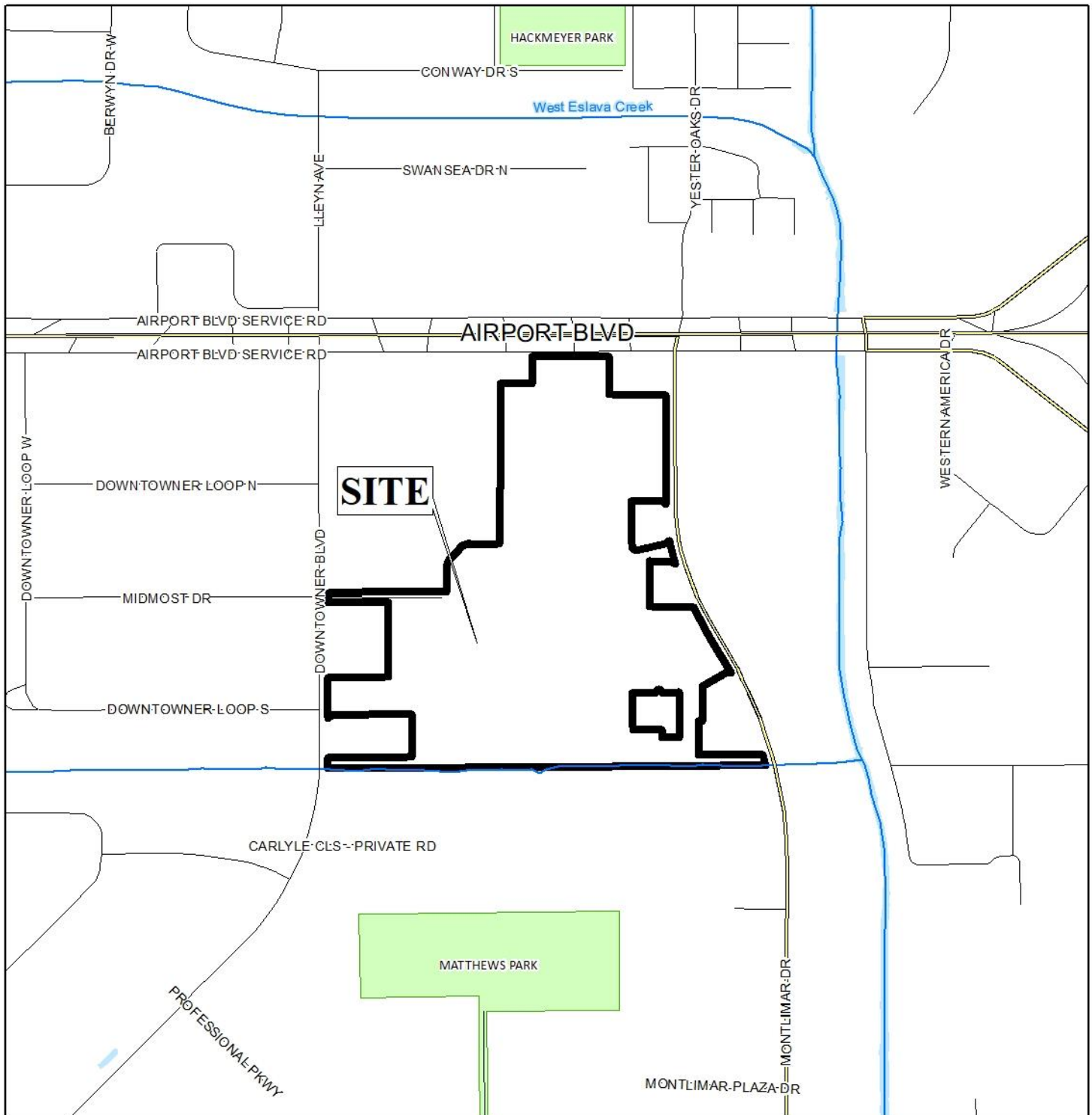
The approval should be subject to the following:

- 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.*

LOCATOR MAP



APPLICATION NUMBER 3 DATE September 1, 2022

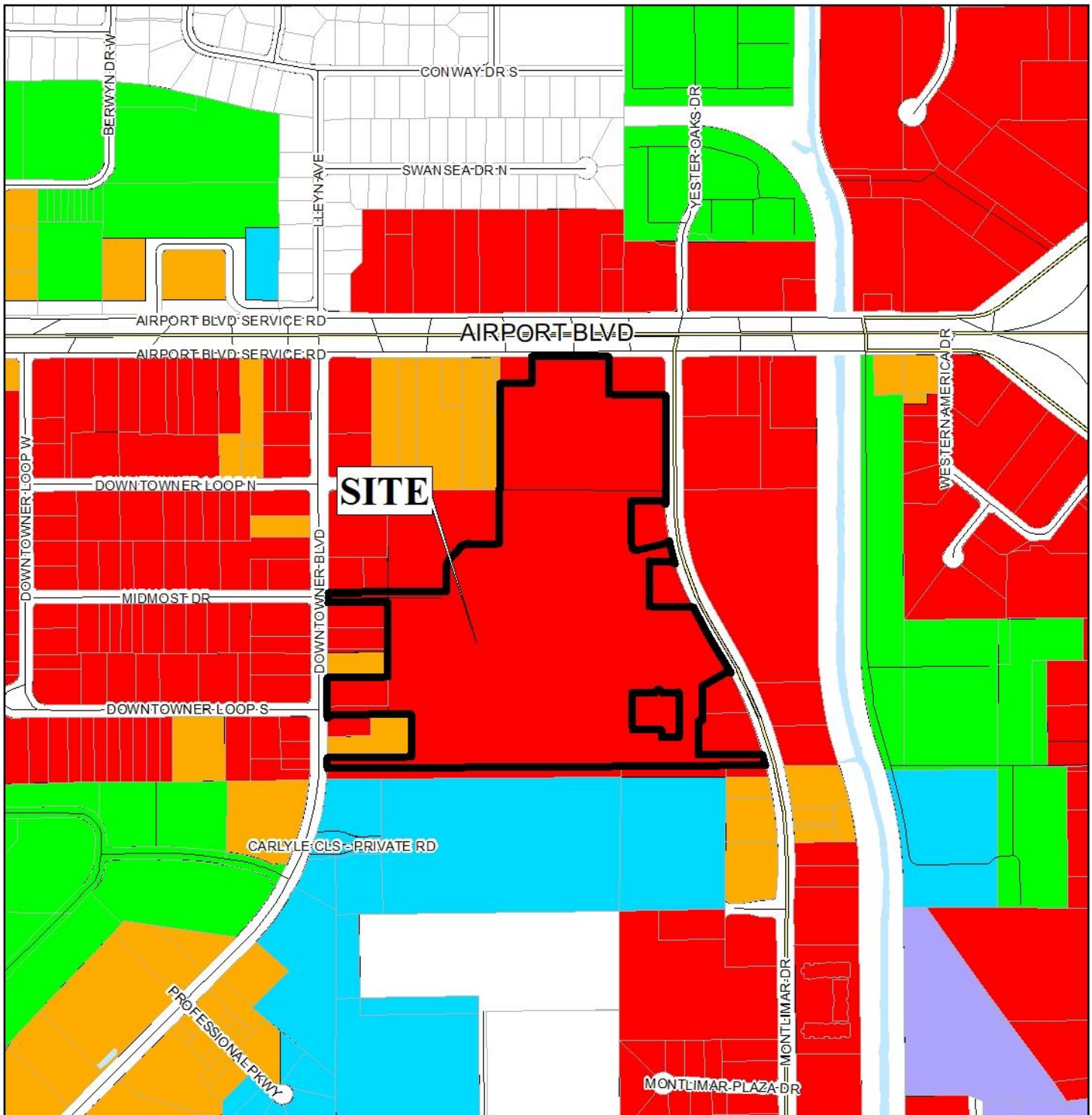
APPLICANT Accel Academy

REQUEST Planning Approval, Planned Unit Development



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LOCATOR ZONING MAP



APPLICATION NUMBER 3 DATE September 1, 2022

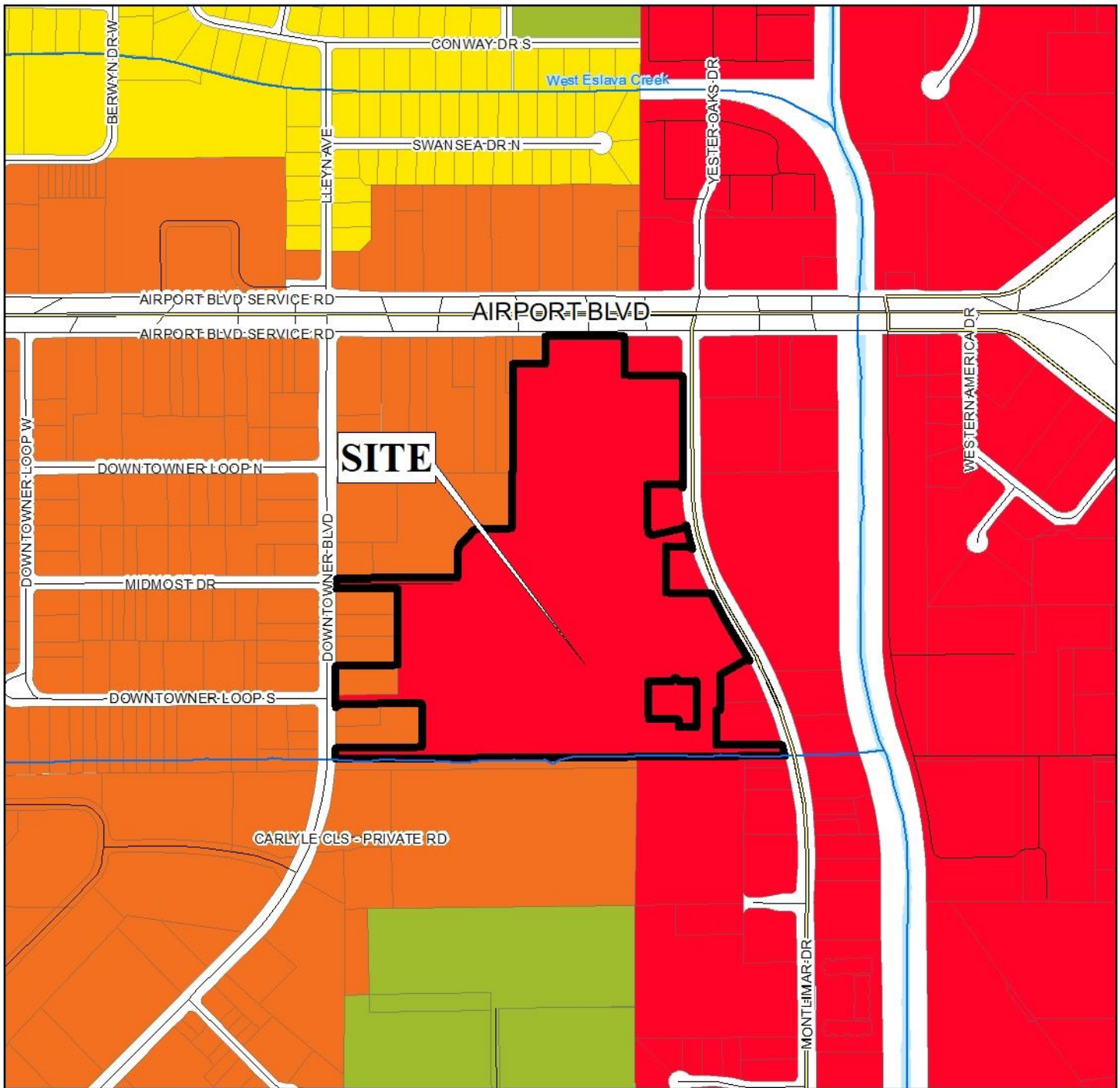
APPLICANT Accel Academy

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FLUM LOCATOR MAP



APPLICATION NUMBER 3 DATE September 1, 2022

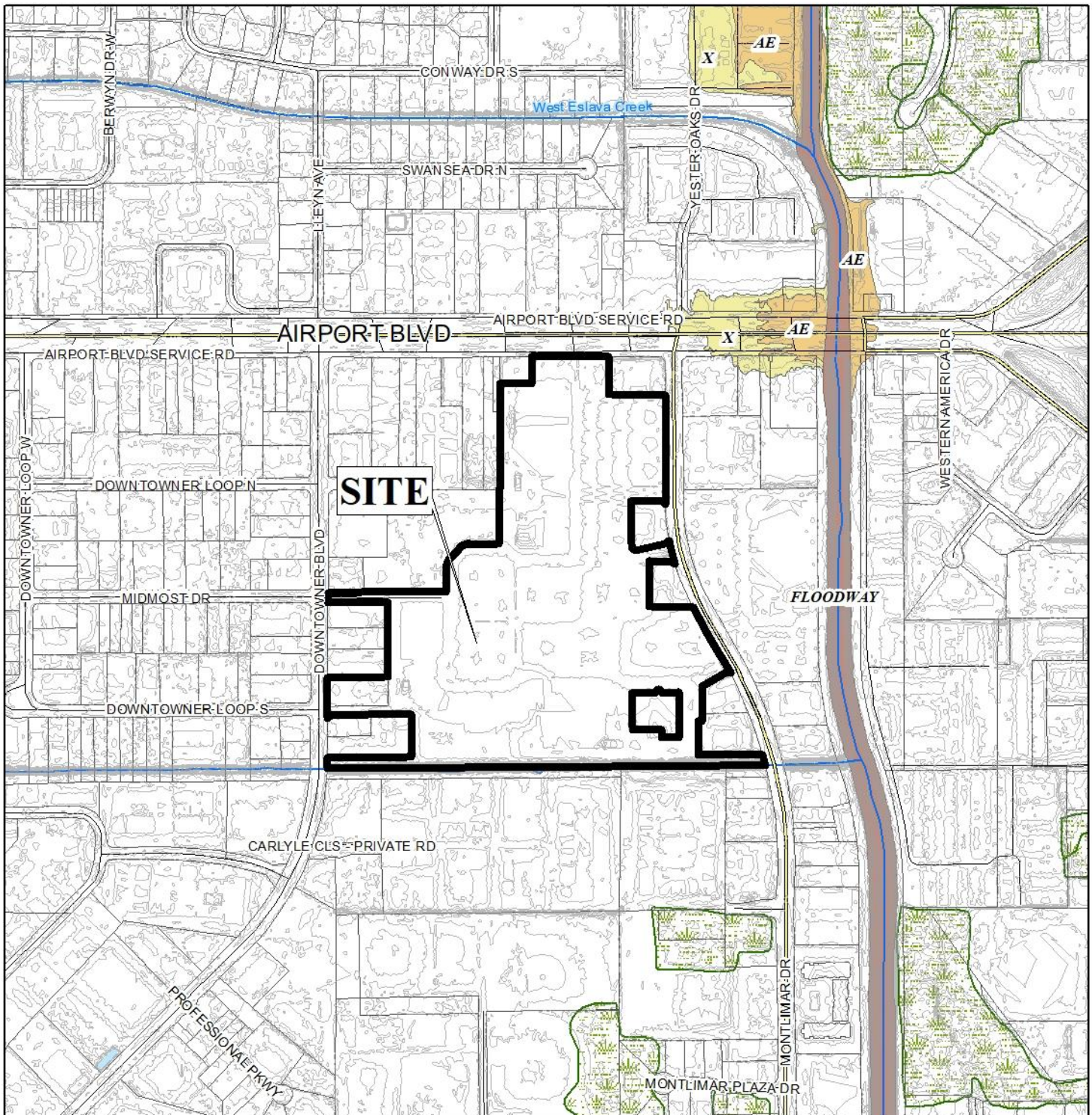
APPLICANT Accel Academy

REQUEST Planning Approval, Planned Unit Development

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	



ENVIRONMENTAL LOCATOR MAP



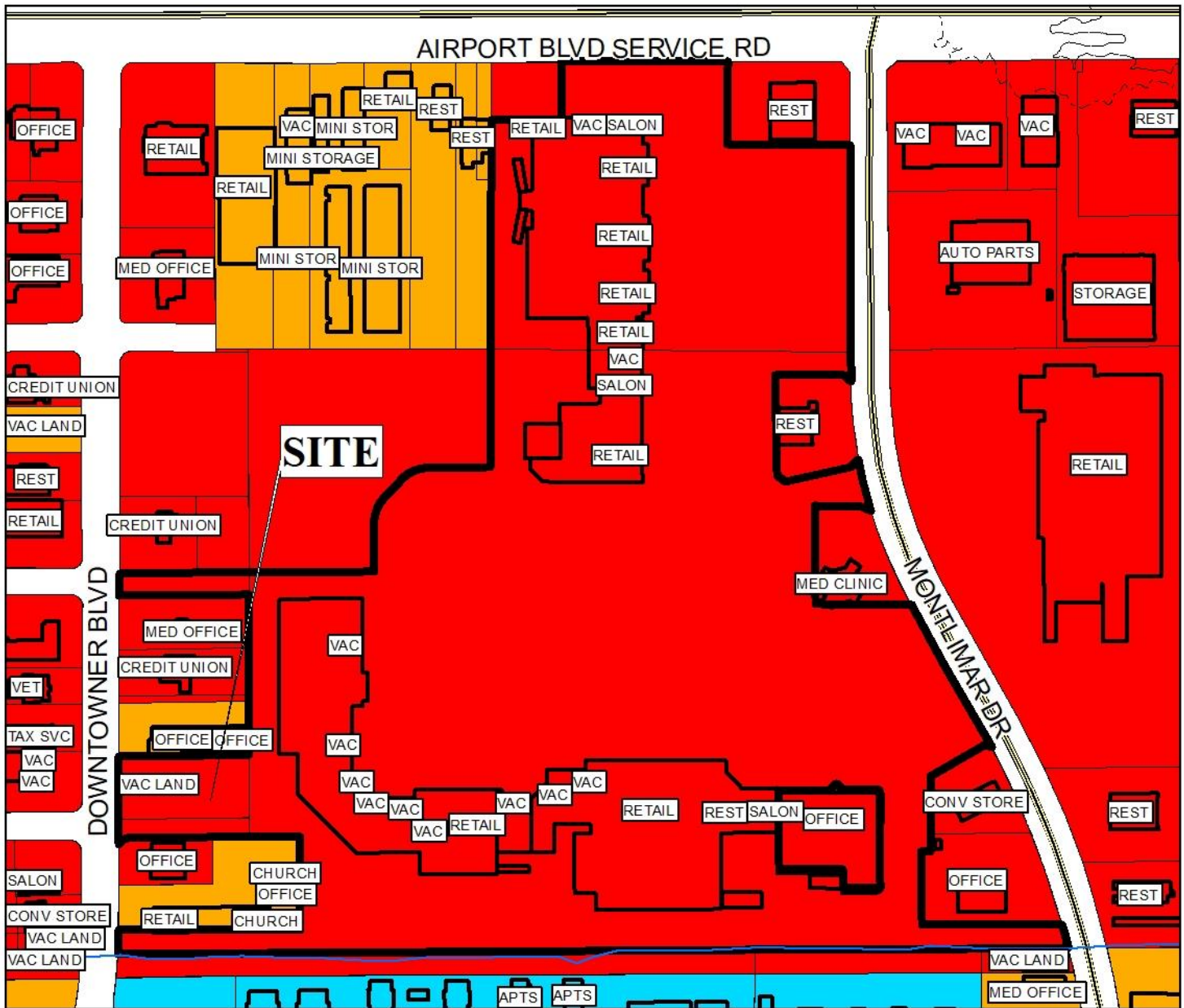
APPLICATION NUMBER 3 DATE September 1, 2022

APPLICANT Accel Academy

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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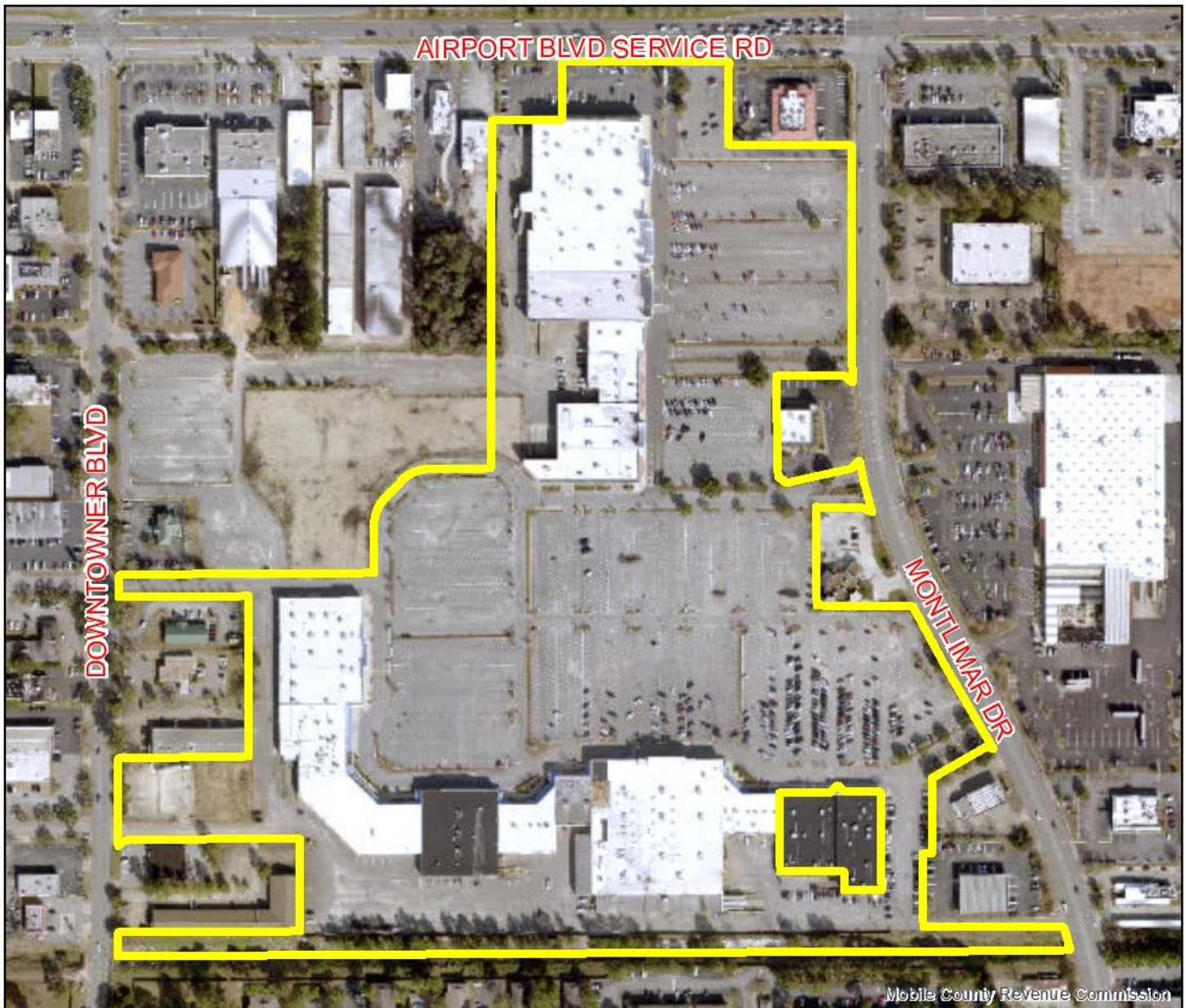
APPLICANT Accel Academy

REQUEST Planning Approval, Planned Unit Development

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



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL

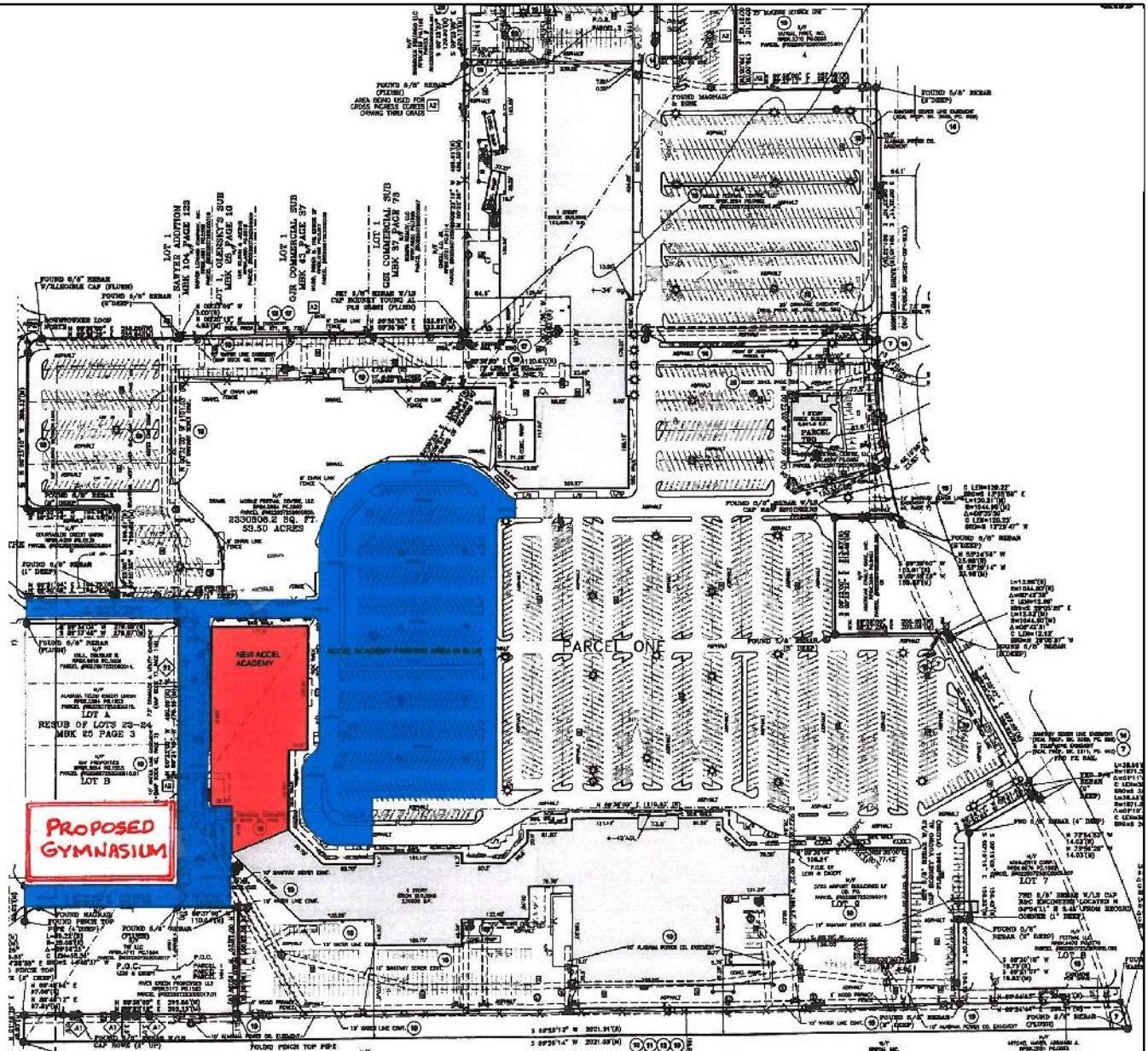


The site is surrounded by commercial units.

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SITE PLAN



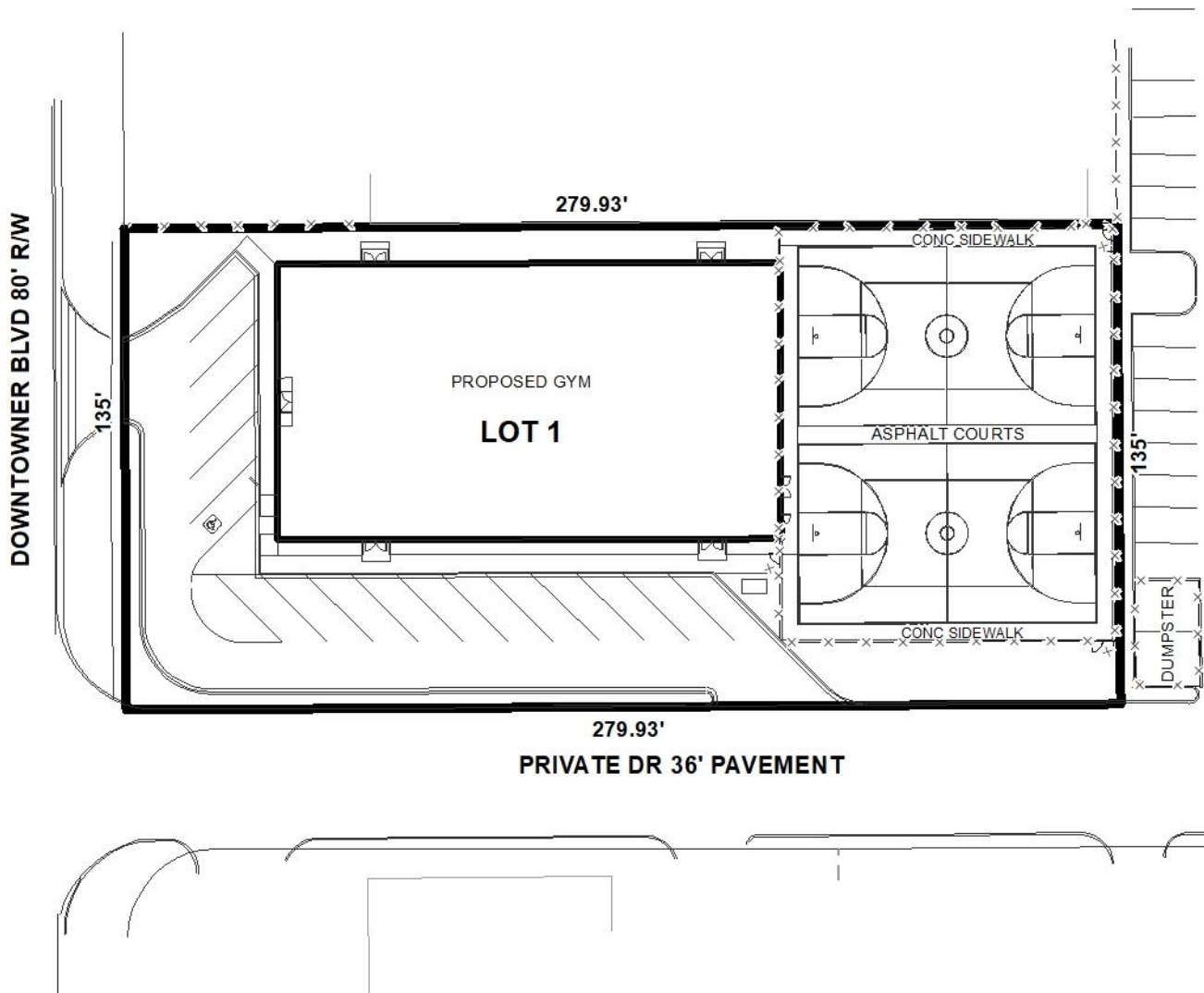
The site plan illustrates the proposed gym, academy, and parking.

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SITE PLAN



The site plan illustrates the proposed gym, parking, courts, and sidewalks.

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