



Agenda Item # 12

SUB-SW-003828-2026

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

5301 Moffett Road

Applicant / Agent:

Canopy Partners, LLC

Property Owner:

Canopy Partners, LLC

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

Mixed Commercial Corridor

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Sidewalk Regulations
- Map for Mobile Comprehensive Plan

Proposal:

Request to waive the construction of a sidewalk along Moffett Road.

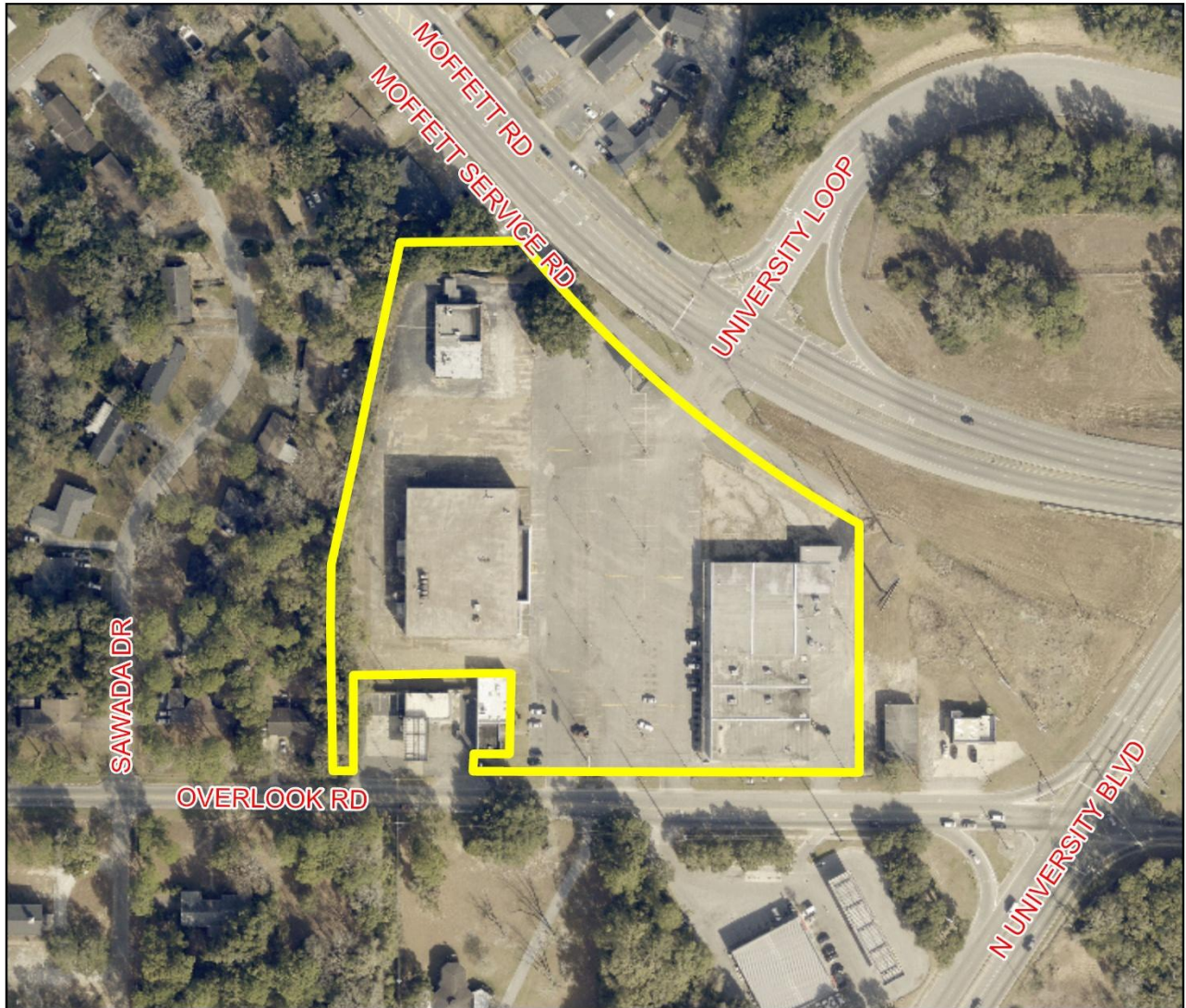
Commission Considerations:

1. Sidewalk Waiver

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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and commercial units.

APPLICATION NUMBER	12	DATE	August 20, 2026
APPLICANT	Canopy Partners, LLC		
REQUEST	Sidewalk Waiver		



SITE HISTORY

The site was incorporated into the city limits of Mobile in 1956.

At the September 30, 1984, meeting of the Board of Adjustment a Front Yard Variance was approved to allow an ATM within five (5) feet of the Moffett Road service road right-of-way.

On August 20, 2017, the site went through an Administrative Planned Unit Development (PUD) to allow an ATM to operate within two (2) on-site parking spaces.

The site received Special Exception approval from the Board of Zoning Adjustment to allow warehousing over 40,000 square feet in a B-3, Community Business Suburban District.

The site was rezoned from B-2, Neighborhood Business Suburban District, to B-3, Community Business Suburban District, by the City Council on March 18, 2025. The site also went through the one (1) lot subdivision process. The final plat was approved and recorded in the Mobile County Probate Court as the *Overlook Cargo Connection Subdivision*.

The site was most recently before the Board of Adjustment at its July 12, 2026, meeting for a Special Exception application to allow Warehousing over 40,000 square feet and a Site Variance to allow a chain-link fence with vegetative screening to serve as a residential buffer in a B-3 Community Business Suburban District. The applications were approved.

There have been no other Planning Commission or Board of Zoning Adjustment applications associated with the site.

STAFF COMMENTS

Engineering Comments:

Although it appears that the current site conditions allow for sidewalk construction within the ROW the slopes for the vehicular entrance from Moffett Rd does not appear to allow for adequate sight distance before the location of a sidewalk. Also, this is located within ALDOT right-of-way. It is recommended that this request be approved.

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-sprinklered commercial buildings, within 600' of sprinklered commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The site is currently under construction with a 60,500 square-foot pre-engineered metal building.

Pursuant to Section 7.C.4. of the Subdivision Regulations, sidewalks are required along the site's frontage on Moffett Road and Overlook Road. The applicant has requested a waiver from this requirement along Moffett Road, citing the following justifications:

1. **No pre-existing sidewalks.** There are no pre-existing sidewalks to connect to on either Moffett Road or Moffett Service Road.
2. **Existing live Oak Tree.** There is an existing 72-inch Live Oak tree that would be disturbed to construct a sidewalk along Moffett Service Road.
3. **Existing topography.** The turnoff from Moffett Road into the parking lot is significantly steep and oncoming traffic would pose a threat to pedestrians. Once the warehouse is operational, the additional truck traffic would also create more danger for pedestrians.

The applicant has submitted a site plan illustrating the existing development. All application materials are available for review via the link provided on Page 1 of this report.

SIDEWALK WAIVER CONSIDERATIONS

Standards of Review:

The Mobile City Council adopted a "Complete Streets" policy on May 31, 2011. The purpose of the Complete Streets Policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities.

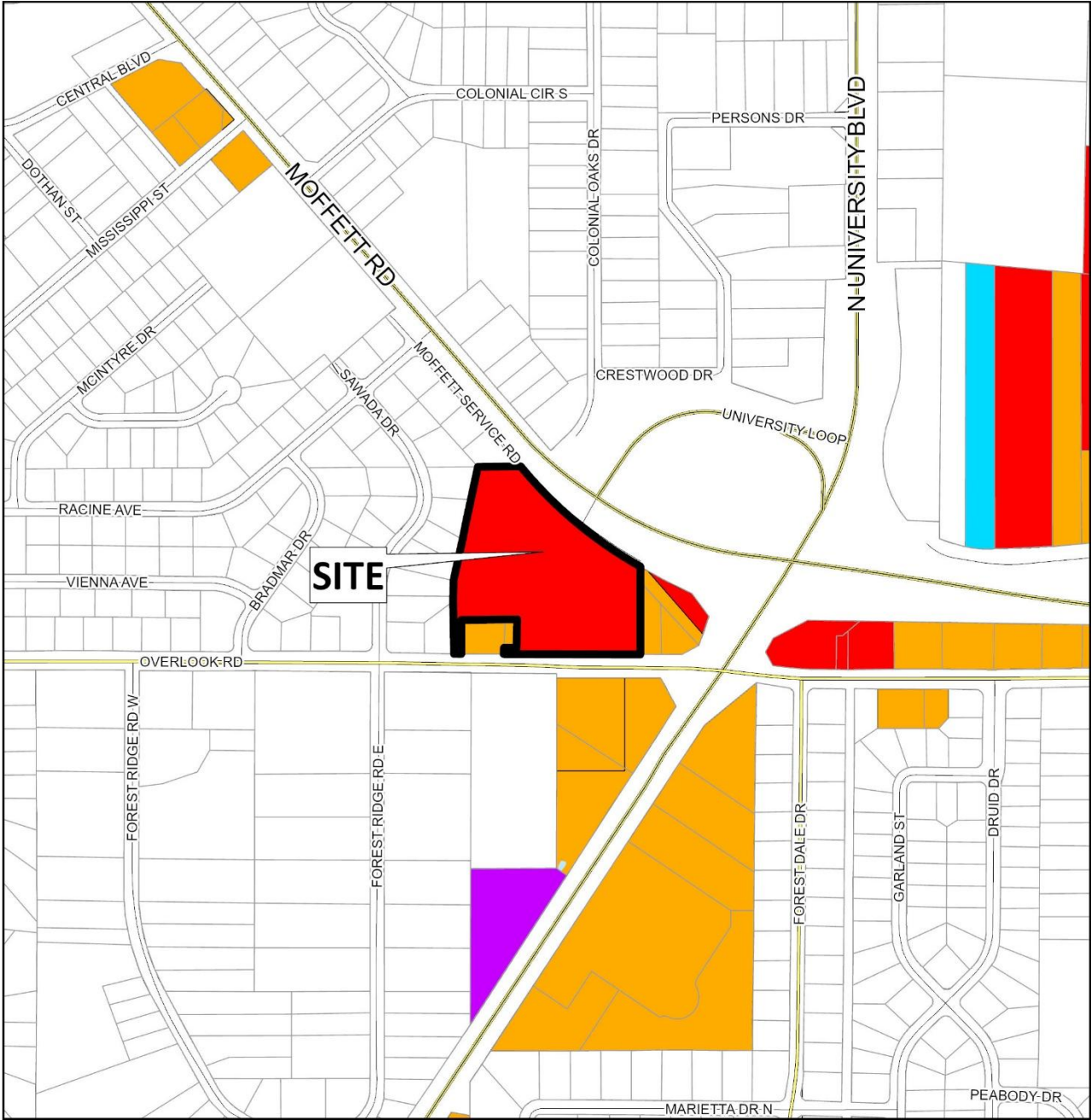
Sidewalks are typically encouraged, even in areas where none currently exist, although the appropriateness of sidewalks should also consider the existing infrastructure in the area.

Considerations:

In rendering a decision, the Planning Commission should evaluate the following factors:

1. The City of Mobile Complete Streets Policy which supports the design and construction of streets for all users, including pedestrians;
2. The existing infrastructure in the area, such as adequate room for construction of a sidewalk, topography, as well as connectivity to existing sidewalks; and
3. Engineering comments, which recommended approval of the request

LOCATOR ZONING MAP

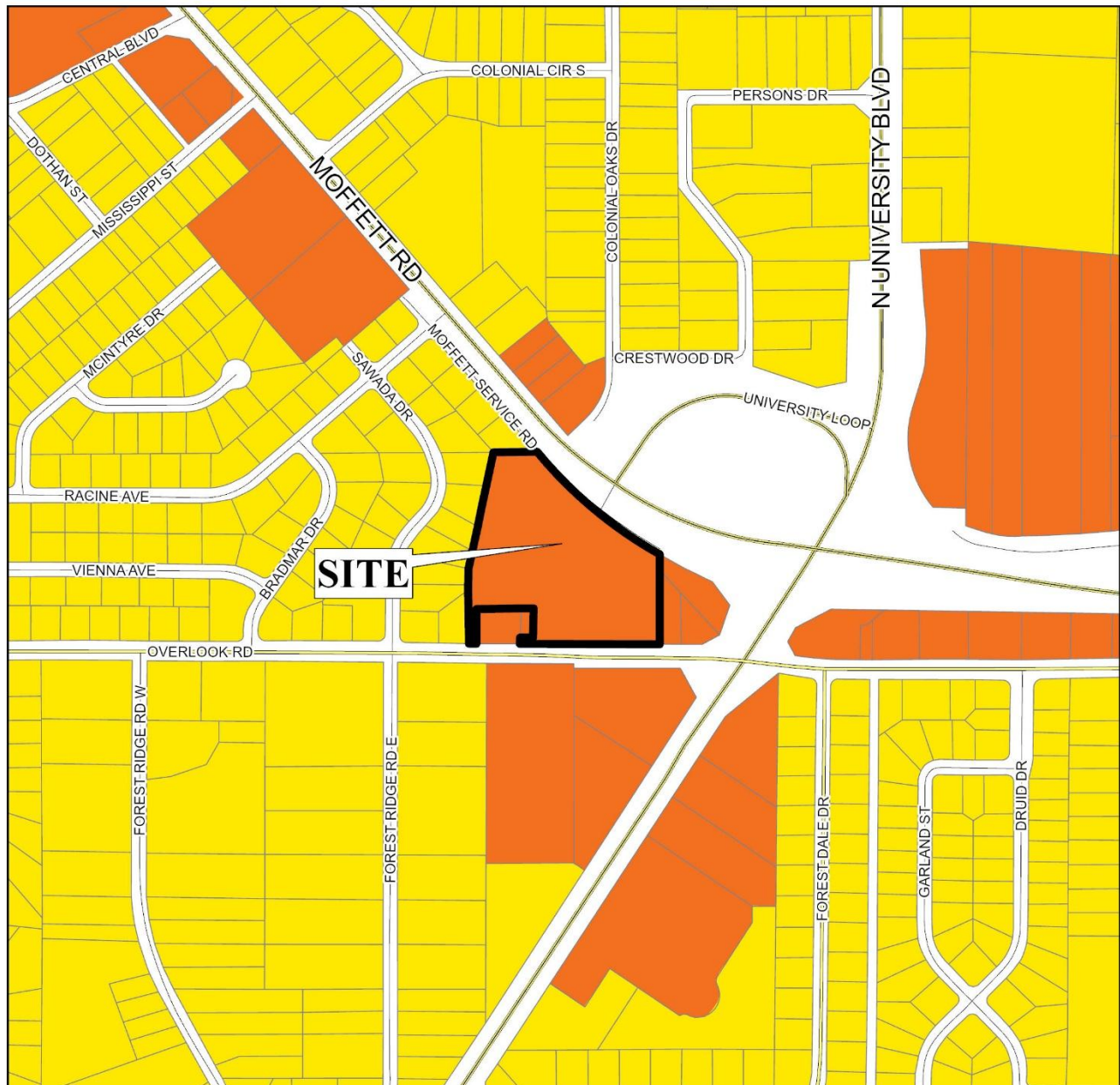


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FLUM LOCATOR MAP



APPLICATION NUMBER 12 DATE August 20, 2026

APPLICANT Canopy Partners, LLC

REQUEST Sidewalk Waiver

- | | | | |
|---|--|---|---|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional | |
| District Center | Mixed Commercial Corridor | Parks, Open Space | |



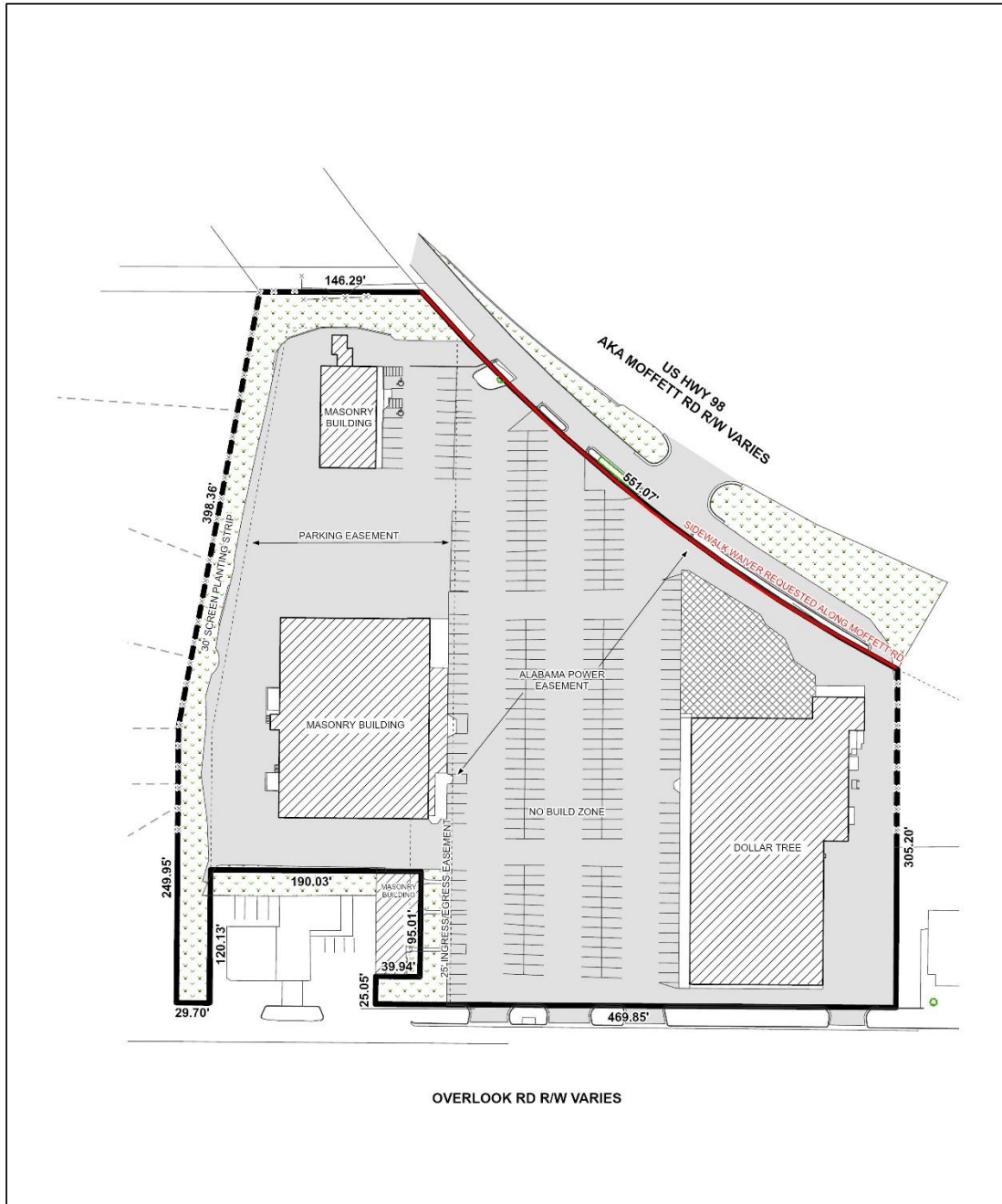
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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<table border="0"> <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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SITE PLAN

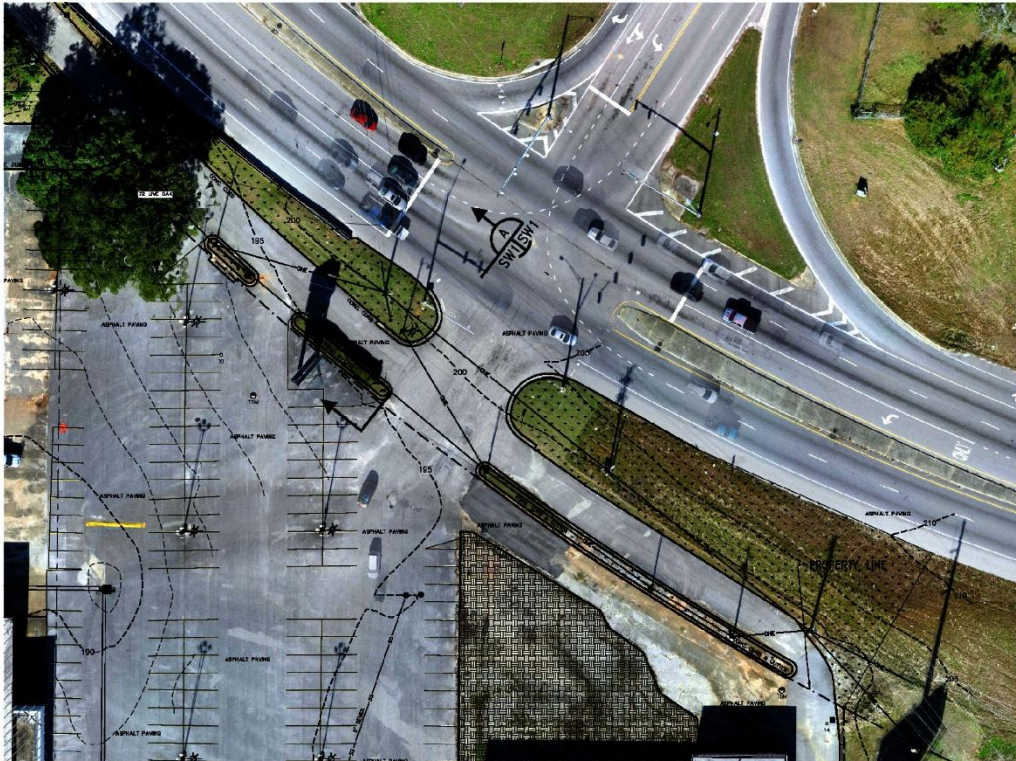


The site plan illustrates existing buildings, parking, asphalt, and concrete.

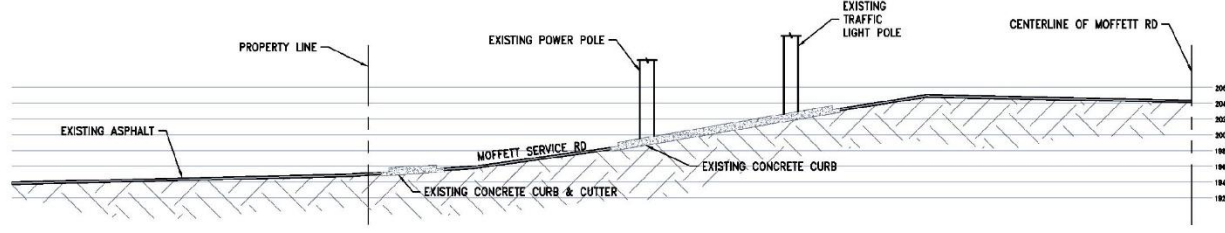
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DETAIL SITE PLAN



PLAN VIEW
1"=40'-0"



SECTION A
1"=10'-0" SW1 | SW1

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A primary purpose of the Future Land Use Map is to guide zoning decisions. In many cases the designation on the FLUM may match the existing use of land, but in others the designated land use may differ from what is on the ground today. For example, a parcel that is in commercial use today but designated as any of the “mixed use” types on the map could redevelop with a mix of residential and commercial uses (such as retail, office, entertainment, etc., depending on the location).

The correspondence between the FLUM and the zoning district structure is described in the matrix below. This tool gives the City the flexibility over the long-term to determine appropriate changes to the zoning map based on various factors.

Zoning correspondence matrix

[illegible]

MIXED COMMERCIAL CORRIDOR (MCC)

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

Development Intent

- › 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.

Land use mix

Primary Uses

- › Commercial
- › Office

Secondary Uses

- › Residential, Multifamily
- › Residential, Attached
- › Civic
- › Parks

Housing mix

- › Multifamily buildings
- › Attached residential such as duplexes, multiplexes, and townhomes

Character Example

