



# Agenda Item # 12

## ZON-UDC-003729-2026

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

[Applicant Materials for Consideration](#)

### DETAILS

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**Location:**

5361 Moffett Road

**Applicant / Agent:**

Nikita Pleasure

**Property Owner:**

Shalom Property Group, LLC

**Current Zoning:**

R-1, Single Family Residential Suburban District

**Proposed Zoning:**

B-3, Community Business Suburban District

**Future Land Use:**

Mixed Commercial Corridor

**Applicable Codes, Policies, and Plans:**

- Unified Development Code
- Map for Mobile Comprehensive Plan

**Proposal:**

- Rezoning from R-1 Suburban to B-3 Suburban
- **Note:**  
Any use permitted in the proposed district would be allowed at this location if the zoning is approved. The Planning Commission may consider other zoning districts than the proposed sought by the applicant for this property.

**Commission Considerations:**

1. Rezoning with one (1) condition.


**Report Contents:**

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## PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER <u>    12    </u> DATE <u>    May 21, 2026    </u>	 NTS
APPLICANT <u>    Nikita Pleasure    </u>	
REQUEST <u>    Rezoning from R-1 to B-3    </u>	

## SITE HISTORY

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There are no Planning Commission or Board of Zoning Adjustment cases associated with the property.

## STAFF COMMENTS

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### 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.
4. 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.
5. 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.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

### Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

### 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 requests the rezoning of the subject property from R-1, Single-Family Residential Suburban District, to B-3, Community Business Suburban District, to allow use of the existing residence as a small real estate office. In support of the request, the applicant states that the property is located along the Moffett Road corridor, which has transitioned from primarily residential development to a mixture of commercial, office, and service-oriented uses. The applicant further states that the proposed office use would maintain the residential scale and character of the existing structure while incorporating limited site improvements, including parking, ADA accessibility upgrades, landscaping, and lighting improvements. According to the applicant, the proposed use would generate minimal impacts and support reinvestment and revitalization along the corridor in a manner consistent with the goals of Map for Mobile.

A detailed description and justification of the request are provided in the applicant's narrative, accessible via the link on Page 1 of this report.

The subject site is entirely surrounded by properties zoned R-1, Single-Family Residential Suburban District.

The submitted site plan depicts the existing 2,264± square-foot dwelling proposed to be expanded with a 1,225± square-foot addition on the west side of the structure, as well as a new 1,357± square-foot storage building. The submitted plan also depicts parking, access, and maneuvering areas that do not appear to comply with the standards of Article 3 of the Unified Development Code (UDC). It should be noted that, if the rezoning is approved, all site plans submitted at the time of permitting must demonstrate full compliance with all applicable UDC requirements.

Any proposed signage must comply with the UDC and will require separate permitting through the Planning and Zoning Department.

It should also be noted that the subject site is currently a metes-and-bounds parcel and not a legal lot of record. If the rezoning is approved, the applicant should be advised that a one-lot Subdivision application will be required prior to the issuance of permits for new construction on the site.

The Unified Development Code (UDC) states that rezonings should promote sound, stable, and desirable development patterns and be evaluated for consistency with the Comprehensive Plan, surrounding development patterns, compatibility with adjacent uses, infrastructure capacity, changing conditions in the area, and the broader public benefit of the request.

The subject site is designated Mixed Commercial Corridor on the Future Land Use Map (FLUM), a designation that generally supports commercial, office, and service-related uses along major transportation corridors. As such, the proposed office use appears generally consistent with the intent of the FLUM and the goals of Map for Mobile encouraging reinvestment and adaptive reuse along established corridors. The applicant does not allege that the existing R-1 zoning was established in error, but instead bases the request on changing conditions along portions of the Moffett Road corridor.

However, the subject site remains within a predominantly residential area and is surrounded by properties zoned R-1, Single-Family Residential Suburban District. While commercial zoning and uses exist farther west along Moffett Road, the properties immediately surrounding the site remain residential in both zoning and character. Additionally, the transition from predominantly residential development to a more intensive mix of commercial and residential uses appears to occur farther east along the corridor, rather than in the immediate vicinity of the site. Therefore, the requested B-3 zoning classification may be more intensive than necessary to accommodate the applicant's proposed use of a small real estate office within the existing residence.

The applicant proposes to maintain the residential character and scale of the existing structure and indicates that the office would operate during normal business hours with minimal external impacts. Given those representations, a less intensive zoning classification, such as B-1, Buffer Business District, may be more compatible with the surrounding residential context while still accommodating the proposed office use. Additionally, B-1 zoning could provide a more appropriate transitional buffer between nearby residential properties and the more intensive commercial uses located farther west along the corridor.

The applicant also proposes site improvements including parking, ADA accessibility upgrades, landscaping, and down-shielded lighting, which may improve the appearance and functionality of the site. The site is already served by existing public infrastructure and utilities, and the proposed low-intensity office use does not appear likely to create infrastructure capacity concerns.

Overall, while the proposed office use appears relatively low-intensity and generally consistent with the Mixed Commercial Corridor FLUM designation, consideration should be given to whether the requested B-3 zoning classification is appropriate within the predominantly residential context of the immediate area, or whether a less intensive commercial classification would better balance the proposed use with the established development pattern along this portion of the corridor.

## REZONING CONSIDERATIONS

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### Standards of Review:

The Unified Development Code (UDC) in 64-5-5.E. states that Rezoning is intended to carry out the objective of a sound, stable and desirable development and that casual change or amendment would be detrimental to the achievement of that objective.

The UDC goes on to say that zoning changes should be consistent with the Comprehensive Plan. However, the Comprehensive Plan and Future Land Use Plan (FLUP) and Map (FLUM) are meant to serve as a general guide, not a detailed lot and district plan; they are not a legal mandate for development. The FLUP and FLUM allow the

Planning Commission and City Council to consider individual cases based on several factors including: surrounding development, classification requested, timing of the request, and the appropriateness and compatibility of the proposed use the zoning classification.

The UDC states that an application for rezoning shall include a statement of the justification for the proposed amendment that addresses all of the following:

- A. Consistency. Whether the proposed amendment is consistent with the Comprehensive Plan;
- B. Mistake. For a Rezoning, whether there was a mistake or error in the original zoning map; and
- C. Compatibility. Whether the proposed amendment is compatible with:
  - (1) The current development trends, if any, in the vicinity of the subject property;
  - (2) Surrounding land uses;
  - (3) Would adversely impact neighboring properties; or
  - (4) Cause a loss in property values.
- D. Health, Safety and General Welfare. Whether the proposed amendment promotes the community's public health, safety, and general welfare;
- E. Capacity. Whether the infrastructure is in place to accommodate the proposed amendment; and
- F. Change. Whether changed or changing conditions in a particular area make an amendment necessary and desirable.
- G. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

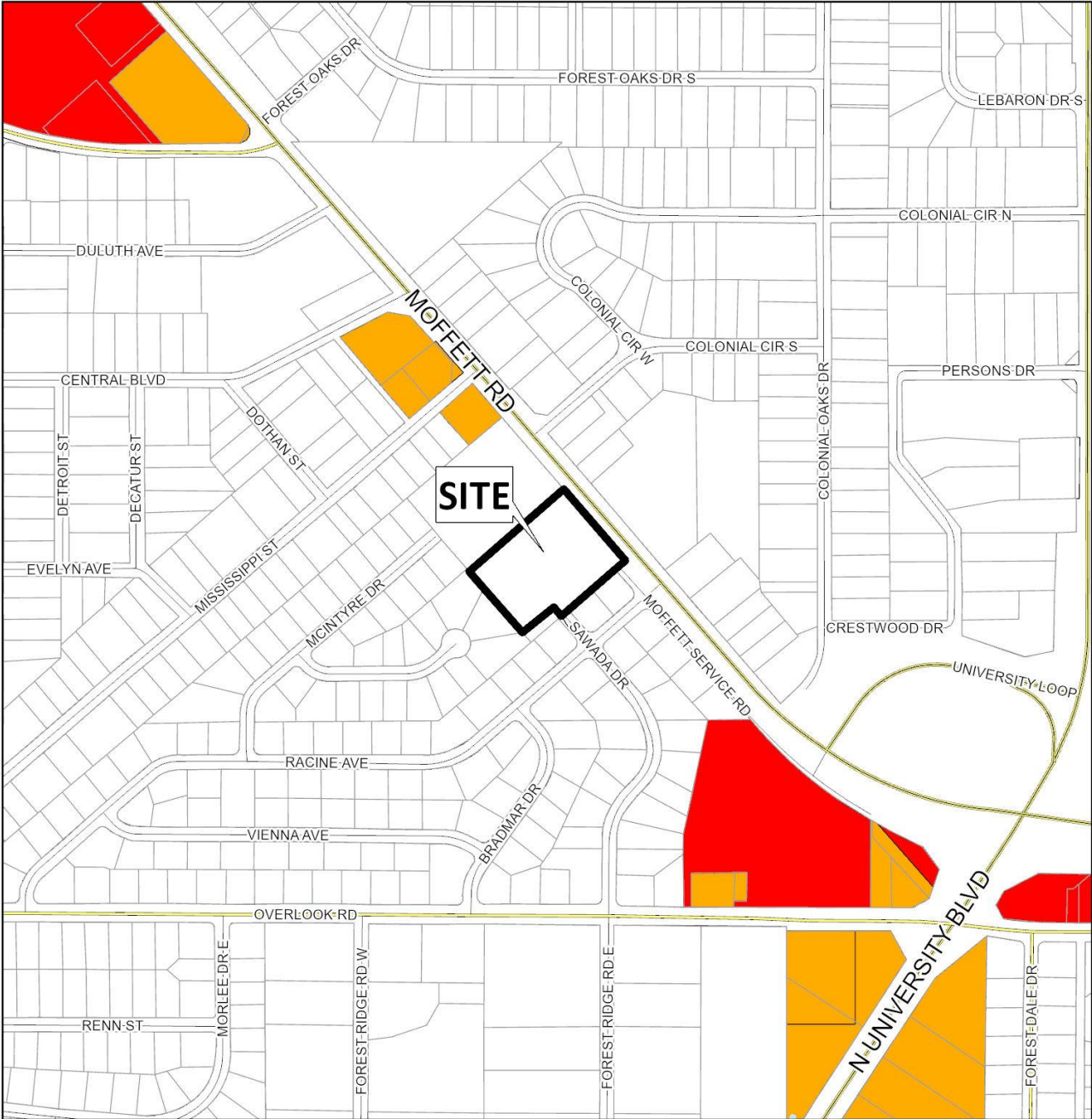
The applicant's responses to address the above criteria are available in the link on page one (1).

### **Considerations:**

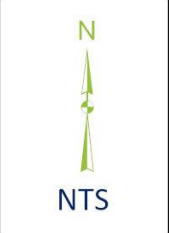
If the Planning Commission considers a recommendation of approval of the request to the City Council to Rezone the site to either B-1 or B-3, the following condition could apply:

1. Full compliance with all municipal codes and ordinances.

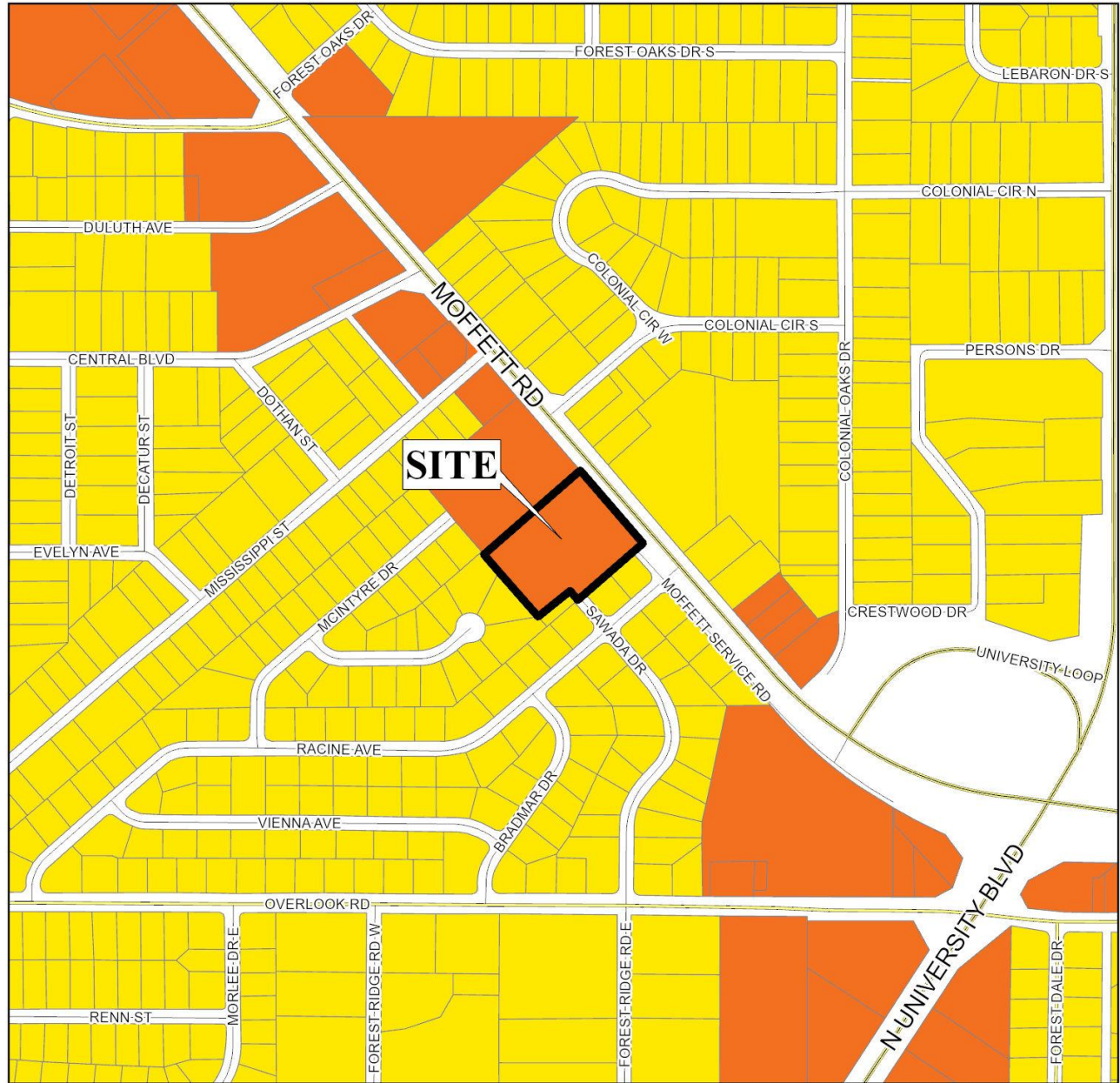
# LOCATOR ZONING MAP



APPLICATION NUMBER	12	DATE	May 21, 2026
APPLICANT	Nikita Pleasure		
REQUEST	Rezoning from R-1 to B-3		



# FLUM LOCATOR MAP



APPLICATION NUMBER 12 DATE May 21, 2026

APPLICANT Nikita Pleasure

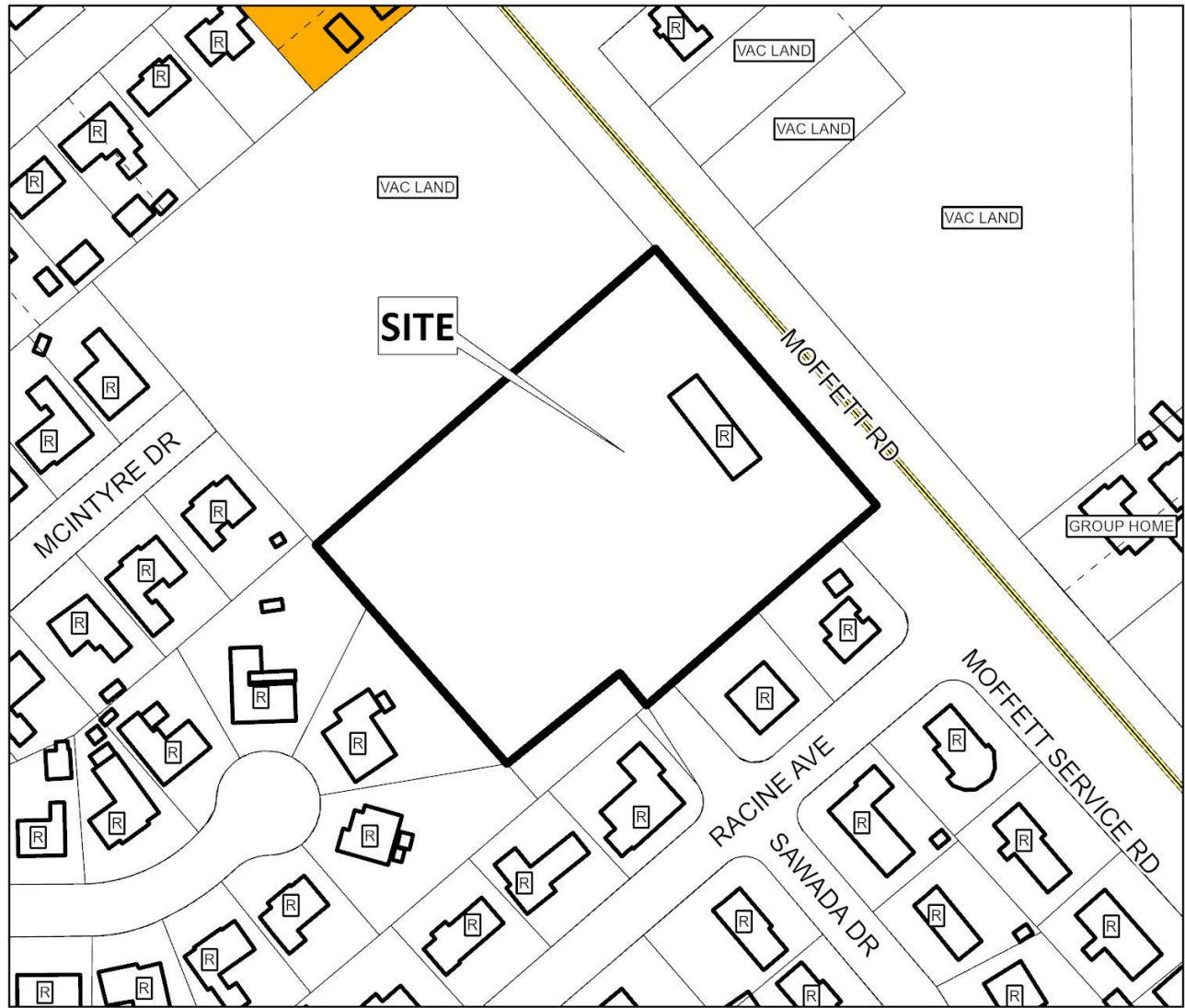
REQUEST Rezoning from R-1 to B-3

- |   |  |   |   |
|---|--|---|---|
| <span style="color: yellow;">■</span> Low Density Residential   | <span style="color: red;">■</span> Neighborhood Center - Traditional | <span style="color: lightgrey;">■</span> Light Industry | <span style="color: darkblue;">■</span> Water Dependent |
| <span style="color: orange;">■</span> Mixed Density Residential | <span style="color: purple;">■</span> Neighborhood Center - Suburban | <span style="color: grey;">■</span> Heavy Industry      |   |
| <span style="color: pink;">■</span> Downtown                    | <span style="color: magenta;">■</span> Traditional Corridor          | <span style="color: cyan;">■</span> Institutional       |   |
| <span style="color: darkred;">■</span> District Center          | <span style="color: brown;">■</span> Mixed Commercial Corridor       | <span style="color: green;">■</span> Parks, Open Space  |   |



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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# FUTURE LAND USE MAP CORRESPONDENCE TO ZONING

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).

Each future land use designation on the FLUM will have at least one corresponding zoning district, allowing a more precise application of the FLUM based on specific local conditions. In most cases, there are multiple combinations or types of zoning techniques that can accomplish the future land use designation's objectives.

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.

The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is “automatically” assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

## Zoning correspondence matrix

	RESIDENTIAL - AG (R-A)	ONE-FAMILY RESIDENCE (R-1)	TWO-FAMILY RESIDENCE (R-2)	MULTIPLE-FAMILY (R-3)	RESIDENTIAL BUSINESS (R-B)	HISTORIC BUSINESS (H-B)	BUFFER BUSINESS (B-1)	TRANSITIONAL BUSINESS (T-B)	LIMITED BUSINESS (LB-2)	NEIGHBORHOOD BUSINESS (B-2)	COMMUNITY BUSINESS (B-3)	GENERAL BUSINESS (B-4)	OFFICE-DISTRIBUTION (B-5)	COMMERCIAL WAREHOUSE (CW)	MARITIME MIXED (MM)	MARITIME LIGHT (ML)	MARITIME HEAVY (MH)	LIGHT INDUSTRY (I-1)	HEAVY INDUSTRY (I-2)	VILLAGE CENTER (TCD)	NEIGHBORHOOD CENTER (TCD)	NEIGHBORHOOD 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. DD (SD-WH)	DOWNTOWN DEV. DD (SD)	
LOW DENSITY RESIDENTIAL (LDR)	■	S	S	S			○								○															○
MIXED DENSITY RESIDENTIAL (MDR)		U	U	■	■			■	■						■															○
DOWNTOWN (DT)						■						■											■	■	■	■	■	○	○	
DISTRICT CENTER (DC)								■			U	○	○																	
NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	■	■	U	■	■	○		■	○	○	○										■	■	■							
NEIGHBORHOOD CENTER - SUBURBAN (NC-S)			S			S		■	S	S	○										■	■								○
TRADITIONAL CORRIDOR (TC)		■	■	■	■	U		■	U	U	○																			○
MIXED COMMERCIAL CORRIDOR (MCC)						■		■	■	■	■	■	■	■	■															
LIGHT INDUSTRIAL (LI)													■	■	■					■									○	○
HEAVY INDUSTRY (HI)															■	■	■	■	■										○	○
INSTITUTIONAL LAND USE (INS)											■	■		○	○					○										
PARKS & OPEN SPACE (POS)	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□
WATER DEPENDENT USES (WDWRU)	■					○									■	■	■		○											

- Zoning district is appropriate to implement the future land use category.
- US Zoning district with Urban or Suburban subdistrict is appropriate to implement the future land use category.
- Elements of the zoning district are related to the future land use category and may be appropriate with qualifications or conditions.
- Zoning district is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

## 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

