Planning Commission
February 19, 2026

Agenda Item # 13
ZON-UDC-003474-2025

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

Applicant Materials for Consideration

DETAILS

Location:
5101 Moffett Road

Applicant / Agent:
MYMS, Inc. / Walid George Harb

Property Owner:
MYMS, Inc.

Current Zoning:
B-2, Neighborhood Business 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 B-2 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. Holdover.

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PLANNING COMMISSION
VICINITY MAP - EXISTING AERIAL

The site is surrounded by residential and commercial units.

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APPLICANT MYMS, Inc. (Walid George Harb, Agent)

REQUEST Rezoning From B-2 To B-3

N

NTS

SITE HISTORY

The subject site was originally part of Lot C of the Mandrell's Subdivision, the plat of which was recorded in the Mobile County Probate Court in April 1937.

The site was annexed into the City of Mobile in 1956 and initially assigned a C-1, Neighborhood Business District zoning classification. With the adoption of the 1967 Zoning Ordinance, the property was rezoned to B-2, Neighborhood Business District, a designation it has retained through the adoption of the Unified Development Code in 2023.

The property was developed in the 1960s for use as a convenience store with gasoline sales. However, city directories, aerial imagery, and Google Street View indicate that the site has been vacant since at least 2000.

Since the recording of the Mandrell's Subdivision plat in 1937, subsequent development in the area has resulted in shifts to lot lines without Planning Commission approval. As a result, many lots, including the subject site, are no longer consistent with the recorded subdivision plat and now utilize metes-and-bounds legal descriptions.

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

STAFF COMMENTS

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 (where applicable) 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 rezoning of the subject property from B-2, Neighborhood Business Suburban District, to B-3, Community Business Suburban District to allow use of the site as an automobile dealership with automobile repair services. A detailed description and justification of the request are provided in the applicant's narrative, which is accessible via the link on Page 1 of this report.

The subject site is adjacent to properties zoned B-2, Neighborhood Business Suburban District to the east and west. Properties to the north, across Moffett Road, are zoned B-1, Buffer Business Suburban District, B-2, Neighborhood Business Suburban District, and B-3, Community Business Suburban District. Properties to the south, across Overlook Road, are zoned R-1, Single-Family Residential Suburban District.

Uses along Moffett Road near this location include restaurants with drive-thru service, general retail sales, self-service storage facilities, and several medical clinics. Uses along Overlook Road near this location include general retail sales, restaurants with drive-thru service, a medical clinic, and a child day care; however, single-family residential development is the predominant use along this section of Overlook Road. Apart from the self-service storage facilities—which require a minimum zoning classification of B-3—the predominant uses along Moffett Road near this location are permitted in and generally compatible with a B-2 zoning classification.

The applicant states that rezoning the property to allow an automobile dealership with automobile repair services is consistent with the commercial character of the Moffett Road corridor and will fit harmoniously with surrounding properties, thereby supporting the corridor's role as an active commercial area. The applicant further indicates that landscaping and buffering improvements will be provided along street frontages and any adjoining residential properties, as required.

The applicant also asserts that the proposal is consistent with the property's Mixed Commercial Corridor (MCC) future land use designation. This designation supports a variety of retail and service uses intended to serve both surrounding neighborhoods and the broader community.

The Map for Mobile Comprehensive Plan does support B-3 zoning within areas designated as Mixed Commercial Corridor. However, the MCC designation is intended to accommodate a wide range of retail, service, and entertainment uses while acknowledging existing commercial development along Mobile's transportation corridors, often in conventional strip patterns or shorter concentrated segments. New development and redevelopment within MCCs are encouraged to enhance design quality, improve connectivity to surrounding neighborhoods, strengthen streetscapes, and improve mobility and accessibility for all users. Primary uses include commercial and office, with secondary uses including multi-family residential, civic, and park uses.

The site plan submitted by the applicant depicts the existing building, nine (9) off-street parking spaces, and a proposed dumpster location. Building plans and elevation drawings illustrate an automobile service garage containing three (3) service bays, two (2) offices, a lobby, and one (1) restroom. No additional site improvements are proposed; existing paved areas are to be utilized for parking and vehicle maneuvering, and no inventory areas for automobile sales are shown.

While the proposal does not include work that would trigger compliance with current zoning requirements—such as residential protection buffer standards—the submitted site plan does not reflect the landscaping and buffering improvements referenced in the applicant's narrative.

The site has frontage along both Moffett Road and Overlook Road and will continue to facilitate cross-access between the two streets.

If approved, any additional site improvements proposed by the applicant must be illustrated on a revised site plan submitted with the required permits for the proposed building improvements. The proposed dumpster must comply with the placement and enclosure standards of Article 3 of the Unified Development Code (UDC), and those details must also be provided during permit review.

Any signage proposed for the site must comply with the UDC and be permitted separately through the Planning and Zoning Department.

It should be noted that this rezoning application was initially submitted to the Planning and Zoning Department in September 2025 but was determined to be incomplete due to the absence of a site plan and the lack of a neighborhood meeting, which is required by Article 5 of the UDC when rezoning to a higher zoning classification.

The applicant was provided an information packet outlining the neighborhood meeting requirements, including location criteria, required documentation, and example materials.

In November 2025, the applicant submitted neighborhood meeting documentation and a site plan; however, the application fee was not paid, and the qualifying timeframe for placement on the Commission's December 2025 agenda expired. The applicant was subsequently informed that a new neighborhood meeting would be required and was again provided the information packet.

The applicant later scheduled a neighborhood meeting for January 5, 2026, at the West Regional branch of the Mobile Public Library. Following communication indicating that the meeting may not have occurred, staff contacted the library for verification. It was determined that the meeting had not been scheduled with the library and that the location exceeded the one-mile distance requirement for neighborhood meetings. The applicant was again provided the neighborhood meeting information packet.

Most recently, the applicant scheduled a neighborhood meeting for January 29, 2026, at Forest Hill Elementary School, approximately one mile from the subject site. Documentation submitted by the applicant included a letter signed by the school principal indicating the applicant was present on that date and did not require a room for the meeting. Upon follow-up, staff learned that the meeting did not receive the required approval from the Superintendent for use of the school facility and that the applicant attempted to conduct the meeting in the school parking lot.

Article 5, Section 64-5-4.D.3. of the UDC requires neighborhood meetings to be held within a public or institutional building—such as a school, library, or community center—that can accommodate anticipated attendance and is located near the proposed site. While the most recent meeting was scheduled within the appropriate timeframe and distance and was accompanied by supporting documentation, it did not take place in an approved building, as required.

The applicant was informed on multiple occasions of the neighborhood meeting requirements, including the requirement that the meeting be conducted within a building. Because these requirements have not been met, the neighborhood meeting requirements of Article 5 remain unsatisfied.

Pursuant to Article 5, Section 64-5-4.E.4.(a) of the UDC, the application must be held over until a neighborhood meeting is conducted in full compliance with Article 5, Section 64-5-4.

The applicant should also be advised that, in accordance with Article 5, Section 64-5-4.E.4.(b) of the UDC, holdovers resulting from the failure to submit required documentation are subject to a fee equal to the initial application fee, including postage.

REZONING CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in 64-5-5.E. states that Rezonings are 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:

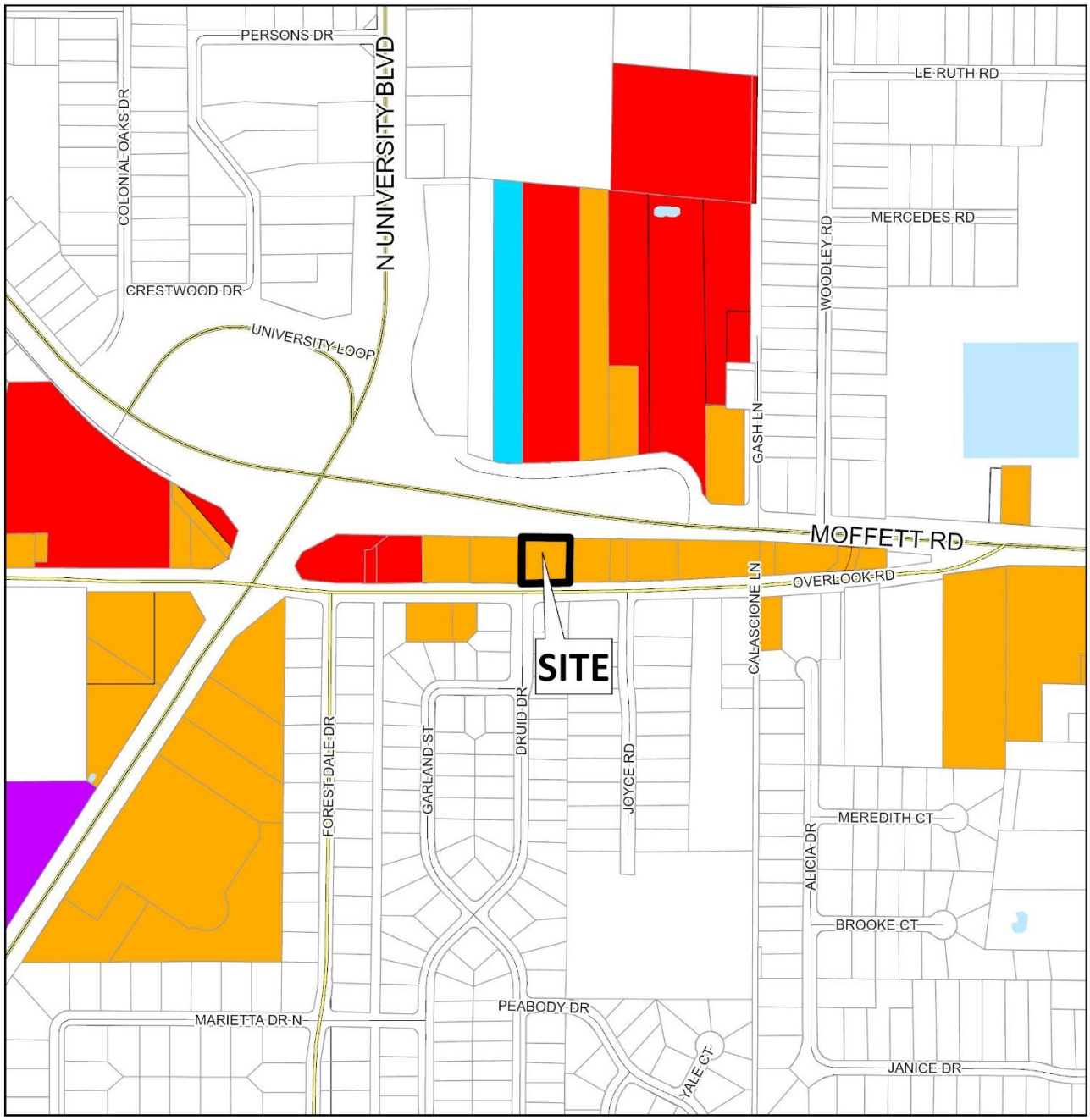
A. Consistency. Whether the proposed amendment is consistent with the Comprehensive Plan;
B. Mistake. For a Rezoning, whether there was a mistake or error in the original zoning map; and
C. Compatibility. Whether the proposed amendment is compatible with:
    (1) The current development trends, if any, 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:

Pursuant to Article 5, Section 64-5-4.E.4.(a) of the Unified Development Code, the application must be held over until a neighborhood meeting is conducted in full compliance with Article 5, Section 64-5-4 and a fee equal to the initial application fee, including postage, has been remitted to the Planning and Zoning Department.

LOCATOR ZONING MAP



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REQUEST Rezoning From B-2 To B-3

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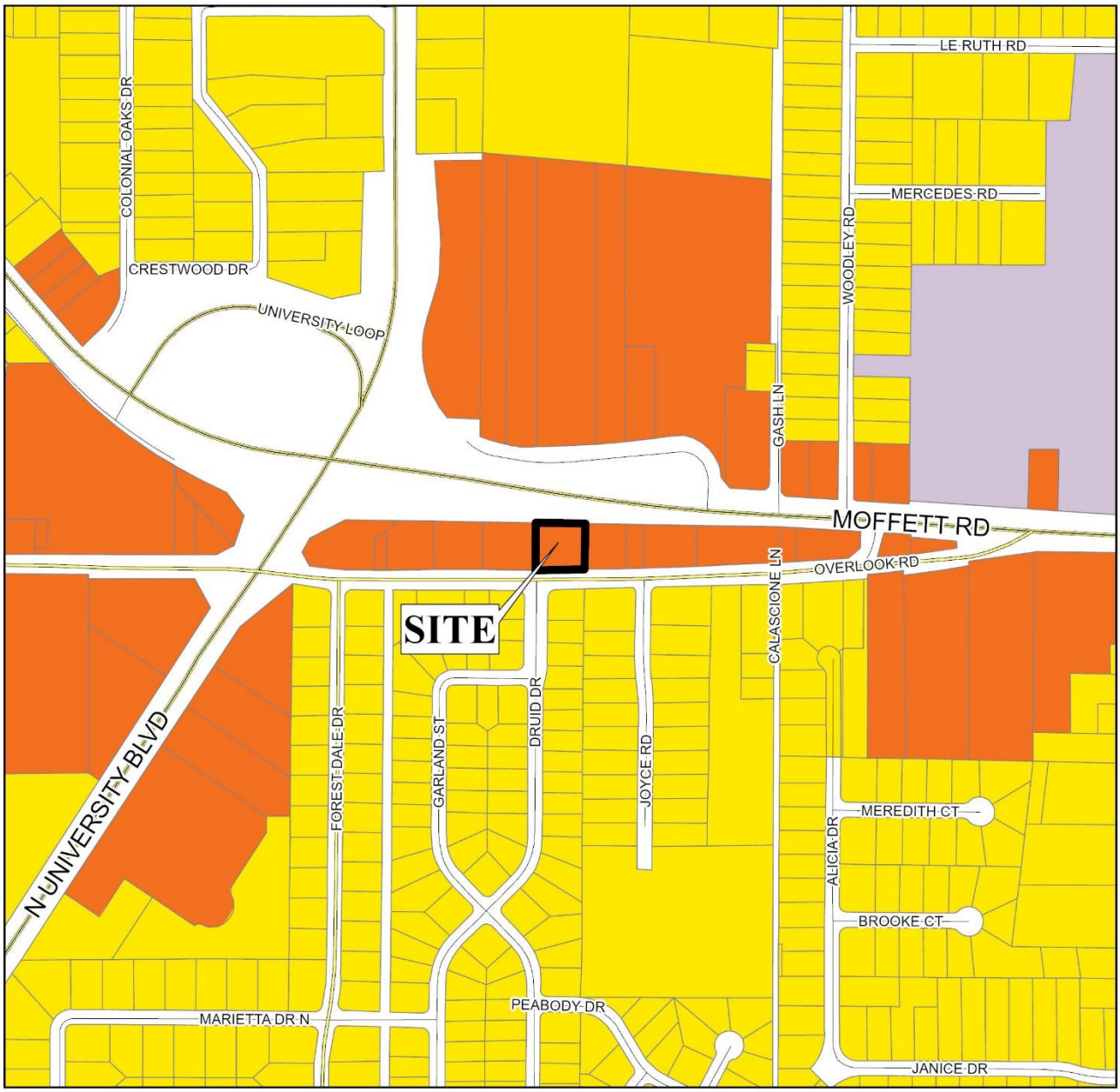
NTS

FLUM LOCATOR MAP



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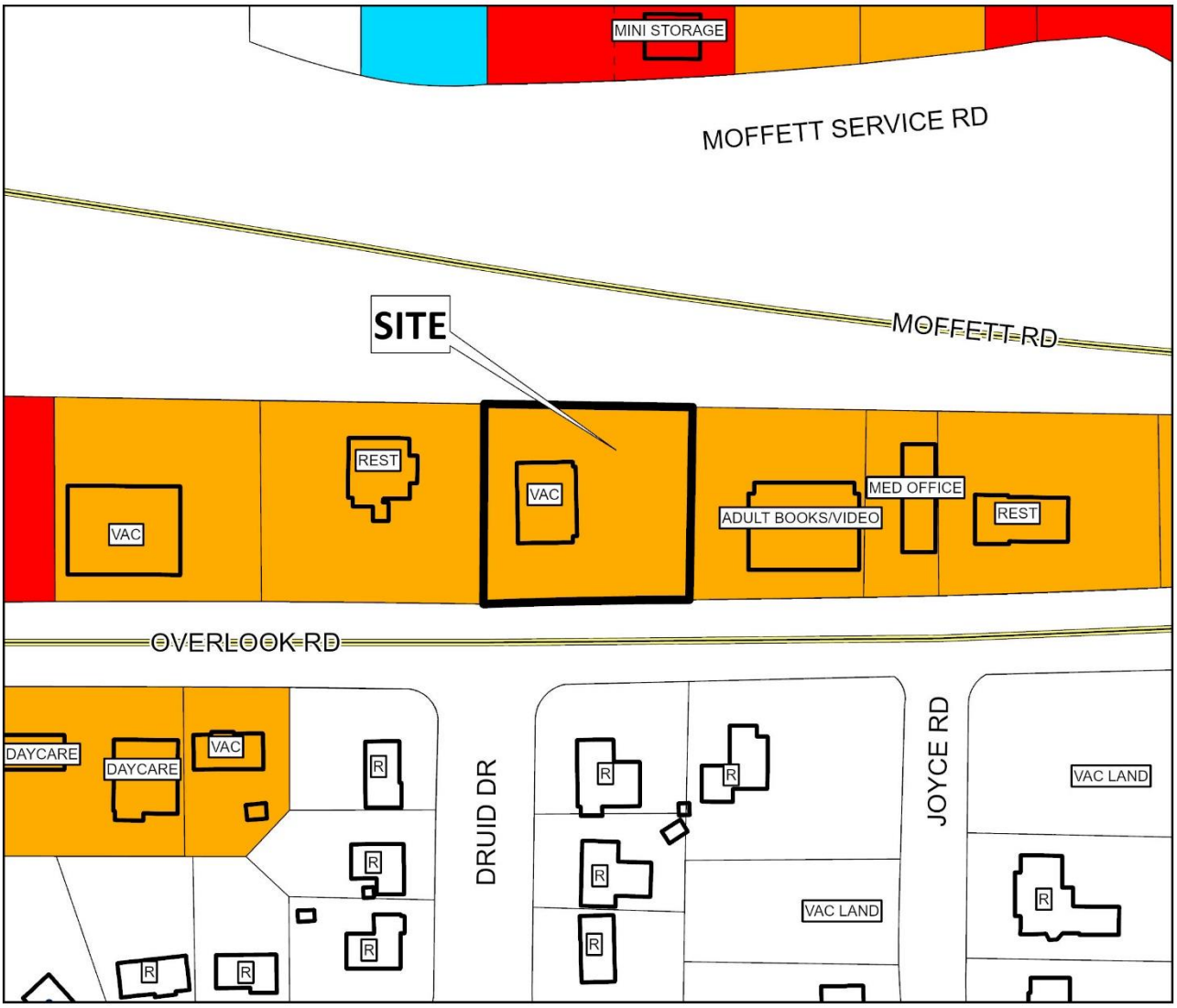
REQUEST Rezoning From B-2 To B-3

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

N

NTS

PLANNING COMMISSION
VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

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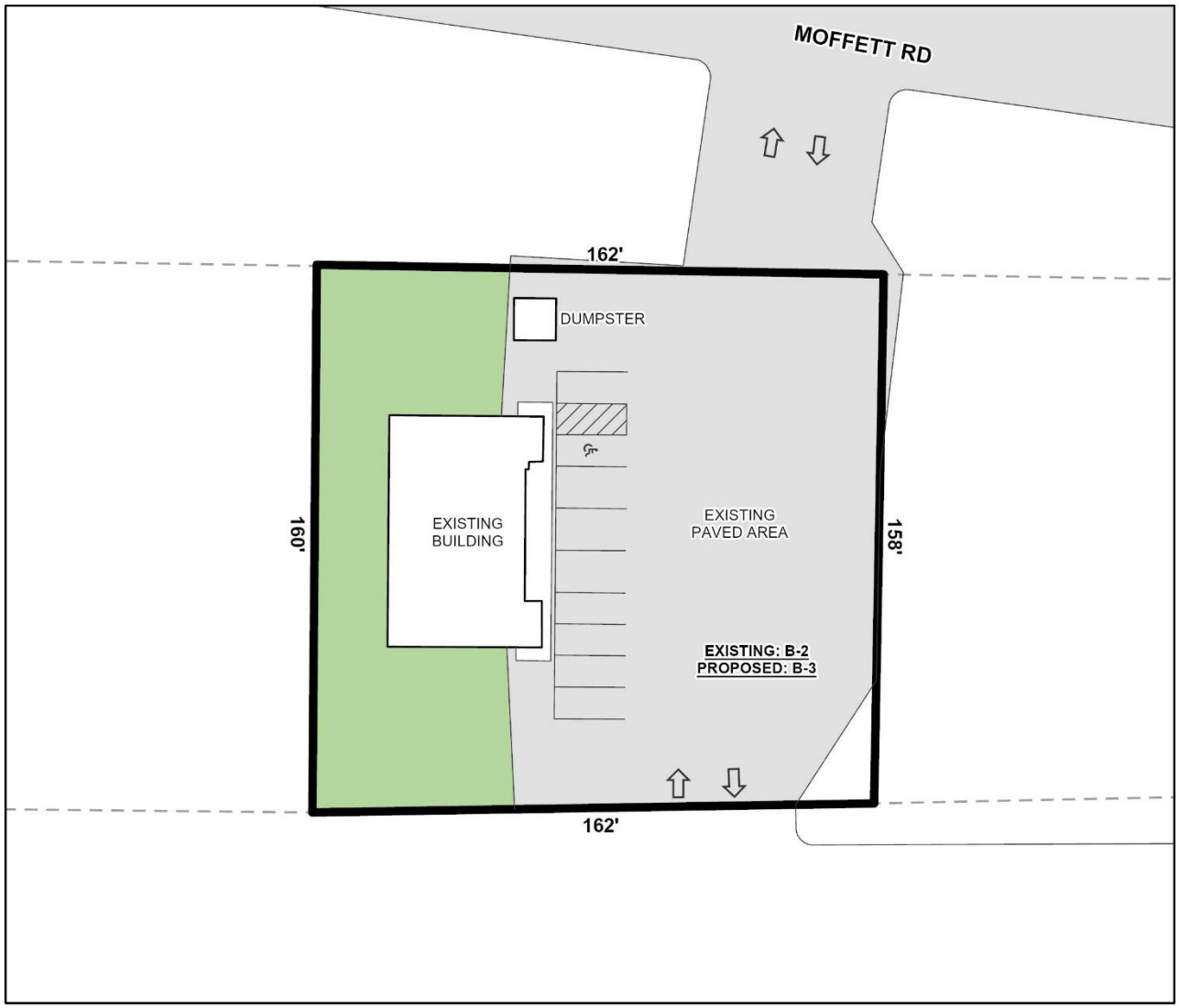
R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	

N

NTS

SITE PLAN



The site plan illustrates existing buildings, parking, and drives.

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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

■ Zoning district is appropriate to implement the future land use category.

U S 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)

	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. DDD (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)	■					○									■	■	■		○										

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